

**MINUTES SILVER CREEK TOWNSHIP  
PLANNING COMMISSION REGULAR MEETING HELD ON OCTOBER 25, 2017**

The Planning Commission meeting was called to order by Chairman Terry Harris at 7:00 p.m. on Wednesday, October 25, 2017. The Pledge of Allegiance to the Flag of the United States of America was led by Jon Tidey.

MEMBERS PRESENT: Tim Feirick, Jon Tidey, Terry Harris, Dave Grabemeyer

OTHERS PRESENT: Attorney John Magyar, Building/Zoning Administrator Todd Herter, Recording Secretary Lindsay Krohne, one member from the public

ABSENT: Bill Zuhl, Jerry Donley

Chairman Terry Harris announced that he received verbal notification that Planning Commission member Tom Lehrer has moved from Silver Creek Township and was no longer on the board.

Terry Harris also stated his recommendation to reschedule the November 22, 2017 Planning Commission meeting due to it falling the day before Thanksgiving. Discussion followed. The Planning Commission members decided that Wednesday, November 29, 2017 would work best for their schedules.

**MOTION TO APPROVE AGENDA**

Dave Grabemeyer motioned to approve the Wednesday, October 25, 2017 agenda. Jon Tidey seconded. Motion passed by voice vote.

**APPROVAL OF MINUTES**

Dave Grabemeyer motioned to approve the September 27, 2017 minutes. Tim Feirick seconded. Motion passed by voice vote.

**COMMUNICATIONS**

Chairman Terry Harris stated that he has the information for the Citizen Planner Online program. He stated that if anyone was interested in the program, to let him know because the Township would pay for one individual to go through the online program. He stated that he had already gone through it.

**PUBLIC COMMENT**

None.

**TOWNSHIP ATTORNEY'S REPORT**

None.

## **BUILDING/ZONING ADMINISTRATOR'S REPORT**

Building/Zoning Administrator Todd Herter stated that he red-tagged a structure this past weekend. It was a yard barn on Brush Lake Road, in which someone was living in. He stated it was a piece of property owned by Mr. Phillips. Todd stated that per the Zoning Ordinance, there can be no accessory building on the property without there being a primary structure there first. Todd explained that he gave a verbal warning to the tenant to remove the structure.

Discussion followed. Todd stated that the only way an accessory building can exist before a primary structure is if it is an Ag building, or if it is for storing building materials for building a primary structure-which would require obtaining the permit for both structures at the same time. Todd stated that if the primary structure was not built in six months, the accessory building would be considered blighted and would have to be removed. Discussion followed.

## **NEW BUSINESS**

### **ELECTION OF OFFICERS FOR 2018**

Chairman Terry Harris stated that they needed to elect officers to begin January 1, 2018. Discussion and questions on the duties followed.

Dave Grabemeyer nominated Terry Harris to continue as Chairman, Tim Feirick as Vice-Chairman, and Jon Tidey as Secretary. Discussion followed.

### **MOTION TO ELECT OFFICERS FOR 2018**

Dave Grabemeyer motioned to elect Terry Harris as Chairman, Tim Feirick as Vice-Chairman, and Jon Tidey as Secretary for 2018. Jon Tidey seconded. Motion passed by voice vote.

## **UNFINISHED BUSINESS**

### **CONSIDERATION TO CHANGE PLANNING COMMISSION BY-LAWS**

Terry Harris referred to Number 2, Item C: Attendance in the Silver Creek Township Planning Commission By-laws. He read aloud:

Attendance. If any member of the Commission is absent from three consecutive regularly scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the Silver Creek Township Board to remove a member from the Commission for nonperformance of duty, or misconduct, after holding a public hearing on the matter. The Commission secretary shall keep attendance records and shall notify the Township Board whenever any member of the Commission is absent from three consecutive regularly scheduled meetings, so the Township Board can consider further action allowed under law or excuse the absences.

Jon Tidey stated that he believes it is fine the way it is. Tim, Dave, and Terry all agreed. Tim commented that this way, the Township Board can make that decision.

Attorney John Magyar stated that his biggest dilemma is, for example, a meeting for a Special Use Permit. He stated that he feels the members need to be there in person and see the applicant eye-to-eye. He stated "You are the judge" and that it is important you're there.

Terry Harris stated that by removing this from the by-laws, their hands are tied and you'd have a harder time coming up with a cause for dismissal for a member. With this section in the by-laws, there is some leverage. Terry agreed that the Board should have the power to dismiss or not dismiss. Discussion followed. No action was taken due to lack of a motion.

Terry Harris added that the Township Board discussed and made a motion to not allow teleconferencing at the October 11, 2017 Township Board Meeting.

### **REVIEW OF CAPITAL IMPROVEMENT PLAN WITH BOARD ADDITIONS**

Chairman Terry Harris stated that the Capital Improvement Plan was put together by himself and Mike Glynn. He reminded commission members that they reviewed and voted to accept it and send to the board at the September 27, 2017 Planning Commission meeting. Terry stated that by the time the Capital Improvement Plan got to the Board, there were a few changes.

Terry explained that one addition to the plan was the possibility to purchase property as part of Russom Park-the old Russom farmhouse and barns. The other two changes were to change the priority of both the project for the handicap accessible door to the Township Hall and the generator project to priority A.

Terry stated that he had added and updated those items in the Capital Improvement Plan and provided them with copies.

Discussion followed.

Terry questioned whether they would need to have a Public Hearing for the changes to the Capital Improvement Plan. Attorney John Magyar stated that he believes so. Terry stated that he would ask Supervisor Bill Saunders if he needed to add a line for demolition for the Russom property.

Terry asked if anyone was aware of any other projects, and there was no response.

Terry Harris stated that there would be no action right now, and that they would hold a Public Hearing in addition to the regular Planning Commission meeting on November 29, 2017. He stated that Attorney John Magyar would publish the hearing notice.

### **COMMISSION MEMBER COMMENTS**

None.

### **PUBLIC COMMENT**

None.

**ADJOURNMENT**

Dave Grabemeyer motioned to adjourn the meeting. Tim Feirick seconded. Motion passed by voice vote. The meeting was adjourned at 7:35 p.m. by Chairman Terry Harris.

Respectfully submitted,

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Lindsay Krohne  
Planning Commission Secretary

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Terry Harris, Chairman

To be approved at the November 29, 2017 Planning Commission meeting