

**MINUTES SILVER CREEK TOWNSHIP  
PUBLIC HEARING AND REGULAR BOARD MEETING  
SEPTEMBER 13, 2017**

**PUBLIC HEARING ON DEWEY LAKE WEED CONTROL SPECIAL  
ASSESSMENT**

The Public Hearing on Dewey Lake Weed Control Special Assessment District was called to order by Supervisor Bill Saunders at 7:00 p.m. on Wednesday, September 13, 2017. The Pledge of Allegiance to the Flag of the United States of America was led by Supervisor Saunders.

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

**MEMBERS ABSENT:** Treasurer Maureen Kuriata.

Supervisor Saunders stated the purpose of the meeting was for the consideration of the special assessment roll of the Dewey Lake Weed Control Special Assessment which had been prepared by the Silver Creek Township Assessing Officer, Bill Kays, in accordance with the resolution the Board adopted on August 9, 2017, and that it had been properly noticed for public hearing today.

Clerk Runyon reported that proper notice of the hearing on this matter was published twice in the Dowagiac Daily News on August 30, 2017 and September 1, 2017, and was mailed first-class mail to each property owner within the proposed assessment district as shown on the current tax rolls of the township on August 18, 2017.

Supervisor Saunders directed Clerk Runyon to present the assessment roll.

Clerk Runyon reported the total 5-year assessment will generate \$115,000.00; \$27,500.00 the first year and \$22,000.00 the remaining four years. The 2017 assessment is \$125.00 per parcel with each parcel receiving a \$208.97 refund on their 2017 winter tax bill due to a refund from the previous 5-year assessment. The remaining four years will be assessed at the rate of \$100.00 per parcel unit.

She went on to advise that the Sandy Beach backlot owners with shared lake access share the expense with an assessment of \$6.58 in 2017 and a refund of \$11.00 in 2017 only due to the previous 5-year refund. The remaining four years will be in the amount of \$5.27.

She advised that she had not received any written comments or objections.

Supervisor Saunders opened the floor for public comment to hear objections to the proposed assessment and gave the public an opportunity to inspect the proposed assessment roll.

There were no public comments or objections.

**MOTION TO ADJOURN PUBLIC HEARING**

Clerk Runyon moved, seconded by Trustee Zuhl, to adjourn the public hearing. Motion carried by voice vote.

The public hearing adjourned at 7:08 p.m. and the Regular Board meeting was called to order.

**REGULAR BOARD MEETING**

Supervisor Saunders called the Regular Board meeting of the Silver Creek Township Board to order at 7:08 p.m.

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

MEMBERS ABSENT: Treasurer Maureen Kuriata.

OTHERS PRESENT: Attorney John Magyar

**APPROVAL OF AGENDA**

Trustee Glynn moved, seconded by Trustee Zuhl, to approve the September 13, 2017 Regular Meeting Agenda. Motion carried by voice vote.

**PUBLIC COMMENT**

No public comment.

**APPROVAL OF MINUTES**

Trustee Zuhl moved, seconded by Clerk Runyon, to approve the August 9, 2017 Public Hearing Minutes and the August 9, 2017 Regular Meeting Minutes. Motion carried by voice vote.

**APPROVAL OF BILLS AND CLAIMS**

Clerk Runyon reported the bills and claims for August 9, 2017. Clerk Runyon moved, seconded by Trustee Glynn, to approve the following bills and claims in the total amount of \$182,926.87 as follows:

FROM THE GENERAL FUND	\$ 154,186.72
FROM THE INDIAN LAKE SEWER FUND	\$ 13,131.71
FROM THE PUBLIC SAFETY FUND	\$ 8,498.36
FROM THE BUILDING DEPARTMENT FUND	\$ 5,993.78
FROM THE PARKS & RECS FUND	\$ 277.50

FROM THE INDIAN LAKE WEED CONTROL FUND \$ 768.80  
FROM THE MAGICIAN LAKE WEED CONTROL FUND \$ 70.00

GRAND TOTAL OF DISBURSEMENTS: \$182,926.87

Roll call vote:

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

No (0): None.

Absent (1): Treasurer Kuriata.

Motion carried by roll call vote.

### **COMMUNICATION**

Clerk Runyon read a letter received from Tim Hull suggesting economical teleconference solutions, and the importance of commission members being able to participate via teleconferencing.

No other communication was received.

### **2016/2017 AUDIT PRESENTATION**

Kyle Pletcher from Kruggel Lawton CPA~~s~~ presented the 2016/17 Silver Creek Township Audit Report. He reported it was an unmodified audit. No problems were found, noting that the general fund has a strong fund balance with approximately 20 months in reserve.

### **SMART 911 PRESENTATION**

Undersheriff Clint Roach gave a presentation on the Smart911.com website which is a free service to Cass County residents. He said that when calling 911 from your cell phone, it does not show who your name or where you live. By registering your cell and home phone with Smart911, your information can be seen 911 dispatchers and will assist responders.

### **POLICE REPORT**

47 complaints, 18 warnings, 17 tickets, 4 accident policed, 4 assist other police agencies, 2 assist fire and ambulance departments, 3 assist motorist & pedestrians.

### **HEALTH & SERVICE REPORTS**

**Indian Lake Fire Department August:** 10 calls with 6 in Silver Creek Township. Chief Huggins reminded everyone to slow down and yield when they see/hear fire trucks coming and to slow down if you see firefighters assisting residents.

**Sister Lakes Fire Department August:** 11 calls with 4 in Silver Creek Township  
**Pride Care Ambulance Report August:** 5 priority one calls with an average response time of 6:32 minutes; 10 priority two calls with an average response time of 8:11 minutes, no priority 3 calls. Total calls 15 with an average response time of 7:38 minutes.

### **TOWNSHIP ATTORNEY'S REPORT**

Attorney Magyar obtained a Deficiency Judgment in the Chase Bank case. Also, he spoke with Barry Yakim regarding his tax bill and he agreed to pay within 7-10 days.

Discussion was held as to the cleanup of the Chase Bank property on M-51 North.

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

Building/Zoning Inspector Herter reported 13 building permits at a total projected cost of \$113,976.00, and three zoning permits for the month of August.

### **BLIGHT AND LIQUOR INSPECTION REPORT**

Officer Wray reported 6 open blight complaints beginning in August; 6 new blight complaints filed; 6 blight residents notified; 3 blight issues resolved. Total time spent on blight 15.5 hours. Six liquor inspections with no violations.

### **APPEALS BOARD REPORT**

Jerry Donley reported the next ZBA hearing will be on September 28<sup>th</sup> at 7:00 p.m. A second request has been received and may be set on October 25<sup>th</sup>. Attorney Magyar noted that he needed some additional information from the building inspector before noticing.

### **PLANNING/ZONING COMMISSION REPORT**

Trustee Zuhl reported that there was no meeting held in August and the next meeting is scheduled September 27<sup>th</sup> at 7:00 p.m.

### **STANDING INSPECTORS REPORT**

**Electrical Inspector:** 6 permits  
**Plumbing Inspector:** 2 permits  
**Mechanical Inspector:** 7 permits

### **TREASURER'S REPORT**

Clerk Runyon reported \$424,266.24 as the General Fund balance and \$242,721.28 as the Indian Lake Sewer Fund balance.

## **OPERATIONAL REPORTS**

**Indian Lake Sewer:** Supervisor Saunders reported that he will be inspecting a complaint about blacktop sinking over a sewer line at Indian Lake.

**Sister Lakes Sewer:** No report.

**Parks and Recreation Committee:** Trustee Glynn reported the next meeting is October 17<sup>th</sup>. He reported that the rebound wall has been completed. He also mentioned observing a car going over the brim to get to the playground.

**Public Safety Committee:** John Joossen reported the next meeting is scheduled October 17, 2017.

## **OLD BUSINESS**

### **Generator**

Supervisor Saunders reported that two bids were received for the township generator. One bid from Beaudoin Electrical Construction Company in the amount of \$12,950.00 for a 20 kW Generac generator and one from Bender Electric, Inc. who provided two separate bids, bid one for a 20 kW Generac generator in the amount of \$12,550.00 and bid two with a 22 kW Generac generator in the amount of \$12,850.00. Bender recommends a 22kW.

Discussion was held.

### **MOTION TO ACCEPT GENERATOR BID**

Clerk Runyon moved, seconded by Trustee Glynn, to accept Bender Electric, Inc. number two bid for a 22 kW Generac generator in the amount of \$12,850.00.

Roll call vote:

Yes (3): Trustee Zuhl, Supervisor Saunders and Clerk Runyon.

No (1): Trustee Glynn.

Absent (1): Treasurer Kuriata.

Motion carried by roll call vote.

## **NEW BUSINESS**

**MOTION TO ENTER INTO DASAS CONTRACT**

Trustee Glynn moved, seconded by Supervisor Saunders, to enter into an Agreement with Domestic and Sexual Abuse Services for fiscal year 2017-18 and authorize Supervisor Saunders to approve.

Discussion.

Roll call vote.

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

No (0): None.

Absent (1): Treasurer Kuriata.

Motion carried by roll call vote.

**RESOLUTION R17-22 DEWEY LAKE WEED CONTROL ASSESSMENT**

Clerk Runyon moved, seconded by Trustee Glynn, to approve Resolution R17-22 as follows:

**RESOLUTION R17-22**

**RE: Dewey Lake Weed Control Special Assessment  
Silver Creek Township, Cass County, Michigan**

WHEREAS, the township board of the Township of Silver Creek, Cass County, Michigan, after due and legal notice, has conducted a public hearing upon a proposed assessment roll prepared by the assessing officer of the township for the purpose of treatment of aquatic evasion species incidental to the Dewey Lake Weed Control Special Assessment District, Silver Creek Township, Cass County, Michigan.

AND WHEREAS, such public hearing was preceded by proper notice in the Dowagiac Daily Newspaper of general circulation in the township, and by first-class mail notice to each property owner of record within said district upon said assessment roll;

AND WHEREAS, no one present at such public hearing concerning said assessment roll asked to be heard;

AND WHEREAS, no written objections were received to said roll and levy;

AND WHEREAS, the township board has duly inspected the proposed assessment roll and considered all comments thereto and has found the proposed assessment roll to be correct, just and reasonable;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The assessment roll submitted by the assessing officer of the township shall hereafter be designated as Dewey Lake Weed Control Special Assessment District.
2. The assessment in said Silver Creek Township, Dewey Lake Weed Control Special Assessment District, shall be assessed on the 2017 winter tax bill at the rate of \$125.00 per parcel unit, with each property owner receiving a credit in **2017 only** of \$208.97 for each parcel due to a \$45,973.41 overage of the previous 5-year assessment being refunded. Sandy Beach backlot owners with shared lake access will be assessed \$6.58 in 2017, with a credit in **2017 only** of \$11.00. After the credits have been applied, the remainder of the refund will be applied to the 2017 winter tax bill. Special assessments in 2018, 2019, 2020 and 2021 will be at the rate of \$100.00 per parcel unit and Sandy Beach backlot owners at a rate of \$5.27.
3. The assessments made in said special assessment roll are hereby ordered and directed to be collected by the township treasurer, and the township clerk shall deliver said special assessment roll to said treasurer with her warrant attached, commanding the treasurer to collect such assessment in accordance with the direction of the township board and said PA 188.
4. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

Roll call vote:

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

No (0): None.

Absent (1): Treasurer Kuriata.

Resolution R17-22 carried by roll call vote.

**MOTION TO APPROVE 2016/17 AUDIT**

Supervisor Saunders moved, seconded by Trustee Glynn, to approve the 2016/2017 Silver Creek Township Audit prepared by Kruggel, Lawton & Company, LLC. Motion carried by voice vote.

**MOTION TO ADOPT ORDINANCE 17-06**

Trustee Zuhl moved, seconded by Clerk Runyon, to adopt Ordinance 17-06 as follows:

The Township of Silver Creek Ordains to Amend Ordinance 04-07 and as amended in 2015, Silver Creek Township Zoning Ordinance, as follows:

**Add to Section 155.006 Definitions:**

***Food Truck.*** A licensed, self-contained vehicle (motorized or towable) which is temporarily permitted to park in a designated area of an established use in Special Land Use Permitted Zoning District within Silver Creek Township.

***Food Truck Park.*** A permitted area specifically designed to accommodate the temporary parking and operation of food trucks. The park shall include public restrooms and may include an outdoor seating area.

**Amend Section 155.150 B (14) Specific Special Land Use Standards to read:  
*(14) Open air businesses and Food Truck Park;***

Roll Call Vote:

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

No (0): None.

Absent (1): Treasurer Kuriata.

Motion carried by roll call vote.

**OTHER BUSINESS**

Trustee Glynn reported a discussion he had with a road commission engineer. Discussion was then held regarding the roads.

**PUBLIC COMMENT**

Tim Hull questioned what the cost of adding the ordinance which was approved at this board meeting to the zoning codification. He also requested that the audit be placed on the township website.

Clerk Runyon stated she would place the audit on the website, but did not know the cost of the addition of the zoning amendment. She noted that amendments are done every 6 months.

Jerry Donley stated that he is not a disconnected member of the planning commission as was rumored, and has been a member for many years and loves what he does. He noted that he



had purchased a plane ticket in February to come back for a meeting, and the meeting was cancelled, costing him the price of the plane ticket.

**ADJOURNMENT**

The meeting was adjourned at 8:00 p.m. by call of the Supervisor.

Prepared by: Clerk Barbara Runyon

Dated September 14, 2017

