

**MINUTES OF THE SILVER CREEK TOWNSHIP REGULAR BOARD MEETING
HELD ON WEDNESDAY, MARCH 16, 2011**

PUBLIC HEARING FOR THE 2011/2012 BUDGET

The hearing was called to order by Supervisor Bill Saunders at 7:00 p.m. with flag ceremony. Present: Supervisor Bill Saunders, Treasurer Maureen Kuriata, Clerk Walter Lehmann, and Trustee Joel Moore. Absent: Trustee Doug Swisher. Attorney John Magyar was present as guest.

The clerk reviewed the budget, highlighting significant changes, including the road contracts and tax tribunal defense.

At call for public comment on the budget - Several of the citizens asked questions:

1. This is General Fund Budget and Fire/Police special assessment is determined by revenue collected.
2. Source of "Rental Income" asked and explained.
3. Source of "Administrated and Clerical Services" asked and explained.
4. Question on investments and policy of authorization was explained.

Attorney Magyar noted the cemetery title search amount need not be used as he had completed, but not submitted to us. Therefore, that item was reduced \$3,500.

The supervisor then closed the public comment.

Amendments to the Budget – The board decided to amend the budget per Attorney Magyar's comment. The budget then is balanced with a surplus of \$4,427.23. Approval will be an item of the regular meeting.

The supervisor adjourned the Budget Public Hearing at 7:24 p.m.

REGULAR BOARD MEETING: Called to order at 7:25 p.m. Flag ceremony and roll call dispensed with as done in Public Hearing.

AGENDA: The agenda for the business meeting was approved with adjustment of moving township attorney report and #21C to after this, by unanimous voice vote, on motion by Trustee Moore, supported by Treasurer Kuriata.

TOWNSHIP ATTORNEY MAGYAR REPORTED:

- The two tax tribunal cases are still pending.
- Silver Creek Township vs Phillips – As the building sustained damage, we are moving for condemnation.
- He is pursuing "Quiet Title" on the Waterson property through the court as the owners have not responded.

He then explained the resolutions to repeal Ordinance No. 10 and No. 90-110 to conform with updated regulations and to adopt two new ordinances, an Ordinance Violating Bureau Ordinance and Ordinance Enforcement Officer Ordinance. On motion by Supervisor Saunders, supported by Trustee Moore, Ordinance No. 10 was repealed by unanimous voice vote. On motion by Clerk Lehmann, supported by Trustee Moore, Ordinance No. 90-110 was repealed and replaced with Ordinance No. 11-1, approved by unanimous voice vote. On motion by Supervisor Saunders, supported by Treasurer Kuriata, Ordinance No. 11-2, creating the Municipal Violation Bureau Ordinance was approved by unanimous roll call vote.

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PUBLIC COMMENT – Question was asked on the Haley property on M-152. Chief Lozada of the Sister Lakes Volunteer Fire Department replied they were in process of permits to use it for training.

APPROVAL OF THE MINUTES: Approval of the minutes from the regular meeting of February 9, 2011 were approved by unanimous voice vote, on motion by Treasurer Kuriata, supported by Trustee Moore.

BILLS & CLAIMS: Treasurer Kuriata presented bills and claims to be approved from the following funds:

General Fund	\$34,181.78
Indian Lake Sewer Maintenance Fund	\$ 4,895.46
Liquor Control Fund	\$ 4,931.02
Building Dept. Fund	\$ 4,866.50
Indian Lake Weed Control Fund	\$ 1,600.00
Dewey Lake Weed Control Fund	\$ 1,600.00
Fire & Ambulance Fund	\$27,807.00
For a total distribution of	\$79,881.76

On motion by Trustee Moore, supported by Clerk Lehmann, the bills and claims were approved by unanimous roll call vote.

READING OF COMMUNICATIONS: There were no communications.

POLICE REPORT: Chief Grice read his report. Complaints handled: 85, Warnings issued: 31, Tickets issued: 7 Accidents policed: 2, Arrests: 0, Arrest assist to other agencies: 0, Assist to other police agencies: 8, Assist fire & ambulance depts.: 0, Assist motorists and pedestrians: 4.

FIRE AND AMBULANCE REPORTS: Indian Lake Volunteer Fire Department reported: 3 fire runs in February. Sister Lakes Volunteer Fire Department reported: 2 fire runs and 6 ambulance runs in Silver Creek Township. Pride Care DWG reported: 5 ambulance runs in February in Silver Creek Township. Sister Lakes reviewed their Annual Report and submitted.

THE BUILDING INSPECTOR REPORTED: 1 permit issued for an estimated construction value of \$25,000.00.

THE ZONING ADMINISTRATOR REPORTED: No permits issued. Attended one Planning Commission meeting and the State Flood Plain Conference in February. He has sent out letters to property owners where blight, including junk cars, has been observed. A decision was made to have him proceed with removing the person living in a commercial building.

APPEALS BOARD REPORT: Mr. Nevins reported one variance hearing which was granted.

PLANNING/ZONING COMMISSION REPORT: The Planning Commission had its first discussion of the medical marijuana amendments. A public hearing will be held on March 30th on this and two text amendments.

ELECTRICAL INSPECTOR'S REPORT: 3 electrical inspections and 3 permits issued.

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PLUMBING INSPECTOR'S REPORT: 1 plumbing inspection.

MECHANICAL INSPECTOR'S REPORT: 5 mechanical inspections.

LIQUOR INSPECTOR'S REPORT: 4 liquor inspections. No violations.

TREASURER'S REPORT: Treasurer Kuriata reported unallocated fund balances:

General Fund	\$279,301.35
Indian Lake Sewer Maintenance Fund	\$ 81,793.61

COUNTY COMMISSIONER REPORTED: The printed report is available on the information table and on line by requesting from Commissioner Goodman. After interviews and discussion, Charles Cleaver was hired as County Administrator. The counties financial report was "clean".

He reviewed recent appointments and openings on boards and committees.

The sheriff's auction will be Saturday, June 11th.

He reviewed the Intergovernmental Forum on May 10th – well attended.

Cass County Household Hazardous Waste will be Saturday, May 21st – 9:00 a.m. – 12:00 Noon.

DOWAGIAC DISTRICT LIBRARY REPORT: Library at the Lakes will resume Saturday, April 9th, 9:00 a.m. - 11:30 a.m. at the Township Hall. There will be a children's Story Hour and be open second and fourth Saturday each month. We need to use this asset. E-Book download is operational. She explained how to access. An instructional session will be held at the library March 22nd at 6:30 p.m. A Backyard Bird presentation by Fernwood will be held March 17th at 7:00 p.m. Needle craft sessions are held every Thursday at 1:30 p.m. at the Dowagiac District Library in Dowagiac.

COMMUNITY AWARENESS REPORT: The meetings will start up on Monday, April 11th at 7:00 p.m. in the Township Hall. They will be scheduled for the second Monday of each month. This session will be by the Cass County Sheriff's Department explaining how to access and use the crimereports.com and the Nextel Alert Systems. He reviewed the current crime report.

OPERATIONAL COMMITTEE REPORTS:

SEWER SYSTEMS OPERATIONS –

INDIAN LAKE SEWER – The annual treated gallonage report showed a volume reduction saving \$5,144.80. This resulted from the storm water intrusion inspections allowing inflow to be stopped.

SISTER LAKES AREA SEWER – The annual treatment gallonage report also showed a reduction saving \$12,200.70, the result of the inspections.

PARKS & RECREATION COMMITTEE – Mr. Moore reviewed the public hearing held on February 25th and upcoming joint meeting with Dowagiac Operations Committee on March 21st at 7:00 p.m. at City Hall.

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Resolution for Grant for Phase I of Development of Russom Field – Resolution No. 11-10 was explained, applying for \$300,000 from the D. N. R. with the township entering \$90,000 which is in the Parks and Recreation Fund. Dowagiac will apply for a similar grant. On motion by Supervisor Saunders, supported by Clerk Lehmann, approved by unanimous roll call vote.

POLICE COMMITTEE – Met on Tuesday, March 15th. They reviewed the snowmobile problem on Sink Road. They nominated Ms. Jean Rowe as an alternate member, approved by unanimous voice vote, on motion by Mr. Moore, supported by Mr. Saunders. As all of our officers carry county supplied cell phones, it was decided to cancel the cell phone in the car. It was noted the police car will need to be replaced in one to two years.

UNFINISHED BUSINESS:

- A. PROGRESS OF AMBULANCE SERVICE SURVEY FOR AMBULANCE SERVICE IN NORTH ½ OF THE TOWNSHIP – Announced 1,522 questionnaires sent – 536 have been returned to March 15th. 35% - very large by standards. They are secured in sealed ballot boxes. A special meeting to open and tabulate them was approved for Saturday, April 9, 2011 at 12:00 noon, on motion by Clerk Lehmann, supported by Treasurer Kuriata.
- B. RE-AWARD OF CONTRACT TO DEMOLISH HOUSE ON SCHOOL ST. – LOW BIDDER COULD NOT PROVIDE INSURANCE – The next lowest bidder was Merrill Excavating for \$2,450. On motion by Trustee Moore, supported by Treasurer Kuriata, with stipulation that if Merrill could not perform, the next lowest bid, Cross Excavating at \$2,800, would be awarded the work, approved by unanimous roll call vote.

NEW BUSINESS:

- A. RESOLUTION FOR BOARD MEMBERS SALARIES & GENERAL APPROPRIATIONS ORDINANCE FOR FISCAL YEAR 2011/2012 – The General Appropriation Ordinance Resolution No. 11-05, approving the budget as amended, was approved by unanimous roll call vote, on motion by Clerk Lehmann, supported by Supervisor Saunders.
Resolution No. 11-06, approving supervisor's salary for 2011/2012 FY, approved by unanimous roll call vote, on motion by Treasurer Kuriata, supported by Trustee Moore, Supervisor Saunders abstaining.
Resolution No. 11-07, approving treasurer's salary for 2011/2012 FY, approved by unanimous roll call vote, on motion by Clerk Lehmann, supported by Trustee Moore, Treasurer Kuriata abstaining.
Resolution No. 11-08, approving clerk's salary for 2011/2012 FY, approved by unanimous roll call vote, on motion by Supervisor Saunders, supported by Treasurer Kuriata, Clerk Lehmann abstaining.
Resolution No. 11-09, approving trustee's salaries for 2011/2012 FY, approved by unanimous roll call vote, on motion by Clerk Lehmann, supported by Treasurer Kuriata, Trustee Moore abstaining. Note: Trustee Swisher absent.
- B. SET CLEAN UP DAYS IN 2011 – The dates of May 19th, 20th and 21st were approved by unanimous roll call vote, on motion by Supervisor Saunders, supported by Trustee Moore.
- C. APPROVE SPECIAL BOARD OF REVIEW MEETING, MARCH 31ST, 9 AM – 12 PM FOR COMMERCIAL PROPERTY REVISION – At request of the assessor, approved by unanimous voice vote, on motion by Supervisor Saunders, supported by Trustee Moore.

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OTHER BUSINESS:

Question on extending the Sister Lakes Ambulance Contract. Comment from board to extend until after survey tabulated, then review. Motion was approved on unanimous roll call vote to extend to April 30, 2011, on motion by Trustee Moore, supported by Treasurer Kuriata. There was no reply to question on further extension.

PUBLIC COMMENT:

Scott Secular – Questioned on procedure to discuss ambulance service after survey – Replied; result will be evaluated and can Sister Lakes Ambulance Service fulfill contract if awarded.

Jim Schults – Sister Lakes Ambulance Service has every intention to fulfill contract.

Supervisor Saunders asked for a letter to that effect. Agreed to and that a budget will be included.

No name (woman) – Questioned on cost, service and where stationed if Coloma awarded.

Replied by Supervisor Saunders.

Mrs. Poole – We have not provided enough information.

A. Lozada – Questioned on service not available on March 15th. Answered they can use ambulance for non-emergency transport.

No name (woman lives on M-152) – Not enough information. Answer – no record.

Several comments by unidentified women on individual cost.

Mr. Merrsman (Keeler township resident) – Thanked Silver Creek Township for sending out survey. Questioned on where ambulance will take.

Jim Schults answered – Patient can ask, but up to medical control.

Mr. Murray – Comment of dissatisfaction with Coloma response in Dowagiac in his employment as Dowagiac Police Department.

Mike Glynn – As representative, has Mr. Saunders followed up on complaints and other questions. Mr. Saunders will follow up if in writing.

L. Elliott – Experience in her job at Lakeland, Coloma unprofessional.

Mr. Willis – I am a paramedic with Sister Lakes Ambulance Service – 19 years experience.

The meeting was adjourned at 9:04 p.m.

Respectfully submitted,

Walter F. Lehmann, Clerk