

**MINUTES SILVER CREEK TOWNSHIP
REGULAR BOARD MEETING HELD ON OCTOBER 12, 2016**

The meeting was called to order by Supervisor Bill Saunders at 7:00 p.m. on Wednesday, October 12, 2016. The Pledge of Allegiance to the Flag of the United States of America was led by Trustee Glynn.

MEMBERS PRESENT: Supervisor Bill Saunders, Clerk Barbara Runyon, Treasurer Maureen Kuriata, Trustee Joel Moore and Trustee Mike Glynn.

MEMBERS ABSENT: None.

OTHERS PRESENT: Attorney John Magyar.

APPROVAL OF AGENDA

Attorney Magyar requested that the board go into closed session to discuss a pending litigation. Trustee Moore moved, seconded by Trustee Glynn, to approve the October 12, 2016 Silver Creek Township Agenda with the addition of a motion to go into closed session. Motion carried by voice vote.

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

Trustee Glynn moved, seconded by Supervisor Saunders, to approve the September 14, 2016 Minutes. Motion carried by voice vote.

APPROVAL OF BILLS AND CLAIMS

Treasurer Kuriata reported the bills and claims for October 12, 2016. Clerk Runyon moved, seconded by Treasurer Kuriata, to approve the following bills and claims in the total amount of \$109,313.37 as follows:

FROM THE GENERAL FUND	\$ 31,508.45
FROM THE INDIAN LAKE SEWER FUND	\$ 499.34
FROM THE PUBLIC SAFETY FUND	\$ 61,709.73
FROM THE BUILDING DEPARTMENT FUND	\$ 4,363.59
FROM THE INDIAN LAKE WEED CONTROL FUND	\$ 3,024.87
FROM DEWEY LAKE WEED CONTROL	\$ 6,232.32
FROM MAGICIAN LAKE WEED CONTROL	\$ 1,790.07
FROM THE PARKS AND RECS FUND	\$ 185.00
GRAND TOTAL OF DISBURSEMENTS:	\$ 109,313.37

The motion carried by unanimous roll call vote.

READING OF COMMUNICATION

Clerk Runyon reported on a letter received from the DEQ that Silver Creek Township's Indian Lake Sewer has been awarded a \$274,500.00 Stormwater, Asset Management, and Wastewater Grant. Silver Creek Township's share will be \$30,500. The Michigan Finance Authority will be preparing the grant agreement for township approval sometime in November.

POLICE REPORT

39 complaints; 16 warnings, 13 tickets, 1 accident policed, 2 arrests handled, 10 arrest-assist other policy agencies; 2 assist fire and ambulance and 4 assist motorist and pedestrians.

HEALTH & SERVICE REPORTS

Indian Lake Fire Department: 11 calls for the month 7 in Silver Creek Township.

Sister Lakes Fire Department: 2 calls for the month in Silver Creek Township, average response time of 6.5 minutes.

Pride Care Ambulance Report: September 6 4 priority one calls with an average response time of 4:59 minutes.

TOWNSHIP ATTORNEY'S REPORT

Attorney Magyar reported on the M-51 N. property owned by Chase Bank. He has been in contact with company doing maintenance for Chase Bank. He has told them that he is advising the township to take bids to demolish the buildings since nothing further has been done to get it in compliance. The contractors hired to rehab the buildings was scheduled to meet with Building Inspector Herter, but cancelled due to an emergency and needed to bring in more contractors to pull the permits

Attorney Magyar suggested that the township get bids for demolition of both the Chase Bank property and the Fritz property located on M-152; that we may not need the actual excavation but need to get bids.

He has been in contact with the attorney representing the credit card company that has a judgment lien on the Fritz property. The judgment expires in 2018 but could be extended because they have not been able to collect on the judgment. He is continuing discussions with them. Our options would be to get purchaser for the property and they would have to remove the structure, or we could do a special assessment. It would be cleaner and neater if they would take some money and we could get a buyer.

A lengthy discussion was held regarding the Chase property. Attorney Magyar reiterated that it should be brought in compliance. It was reported that the trailer and one-half of a barn is owned by Harriet Hassle. Deputy Wray indicated that Hassle has given permission for her half of the barn to be torn down. Further discussion followed.

Clerk Runyon questioned whether neighbors were still interested in purchasing the Fritz property. Attorney Magyar reported that neighbors have expressed an interest but he needs to know how much he can get the release removed for and the cost.

MOTION TO GO OUT FOR BID

Supervisor Saunders moved, seconded by Trustee Moore, to get bids for the demolition of the Chase property.

Trustee Glynn questioned whether the Hassle barn could be included in the bid since we have a signed release. Attorney Magyar advised that we could include it in the bid, but it would be nice to know how much would be charged to the neighbor. We shouldn't stick Chase with the entire bill if only half of it is theirs.

Motion carried by voice vote.

BUILDING/ZONING INSPECTOR'S REPORT

Fifteen building permits were issued for a total project cost of \$992,700.00 and six zoning permits.

BLIGHT AND LIQUOR INSPECTION REPORT

Seven open blight complaints beginning of August; 2 new blight complaints filed in September; 2 blight residents notified; 7 blight issues resolved. Total time spent on blight 14.5 hours. Six liquor inspections.

APPEALS BOARD REPORT

Jerry Donley reported there were no ZBA hearings last Wednesday and it was denied.

PLANNING/ZONING COMMISSION REPORT

The next meeting is scheduled on October 26th at 7:00 p.m. at the township hall.

STANDING INSPECTORS REPORT

Electrical Inspector: 7 permits

Plumbing Inspector: no report

Mechanical Inspector: no report

TREASURER'S REPORT

Treasurer Kuriata reported \$347,118.99 as the General fund balance and \$232,956.19 as the Indian Lake Sewer fund balance.

OPERATIONAL REPORTS

Indian Lake Sewer: Sewer billings are going out.

Sister Lakes Sewer: Meeting tomorrow night .

Parks and Recreation Committee: Trustee Moore reported that the next Russom Park Meeting is October 18, 2016 at 6:00 p.m. Supervisor Saunders reported that the Russom Park sealing coating has been completed and turned out good.

Public Safety Committee: Trustee Moore reported the Public Safety Committee met last night. They would like a notice sent out with the tax bills that the police department provides property checks for residents who are out of the area on vacation, and that forms are available. Discussion followed. Clerk Runyon noted that the form is on the website also. Attorney Magyar recommended that the form be restructured suggesting wording be changed from "to be checked" to "inventory for your knowledge," with a disclaimer that we are not going to be responsible to check the property but gives you authority to go on the property if you see something suspicious. He stated he didn't want us to act like we are providing a service of checking when something is freezing up or when something is broken; we don't want that responsibility. Chief Grice will restructure the form and provide it the township.

UNFINISHED BUSINESS

ASH TREE DISCUSSION

Trustee Glynn reported that could not get any further information on the Ash Tree; he did not receive return phone calls nor could he find anything further pertaining to the Ash Tree.

A lengthy discussion ensued regarding what to do with the ash tree. Supervisor Saunders questioned how many people would actually come to look at the ash tree at the township. Trustee Glynn noted that it had been discussed that showcasing the ash tree at the township hall property would be a point of interest for people using the bike route. He believes there is interest in it. Clerk Runyon said that Bill Ross would remove and dispose of it for \$1,650. Clerk Runyon stated she's heard opposition to it, and that there's always going to be people for and against any decisions made.

Discussions regarding moving the ash tree to the township and getting it off the ground in order to preserve it, and then make a decision next year as to whether to erect a pavilion. Clerk Runyon noted that it would cost money to transport it to the township, monies for wood chips to sit it on and then cost additional monies next year to move it again and erect a pavilion. Chief Huggins from Indian Lake Fire Department suggested talking to True's to see if they would donate their truck and time.

Supervisor Saunders queried the four residents who were present what their opinion was. John Joossens thought it would be nice to preserve it but voiced keeping expenses down at the township as his primary concern. Tom Lehrer questioned whether we had looked at a saw mill. Clerk Runyon said that she had checked and there was no saw mill around here with a large enough saw to handle it. Tom suggested going out to bid, that someone may want to purchase it. Bruce Nevins did not believe anyone would purchase it. Further discussion. Jerry Donley thought it should be transported to the township, put up on blocks, and make a next year. Further discussion followed.

MOTION RE. ASH TREE

Supervisor Saunders moved, seconded by Trustee Glynn, to allocate up to \$6,500.00 for the pavilion to preserve and showcase the ash tree. The Supervisor requested a roll call vote:

Yes (2): Trustee Glynn and Supervisor Saunders.

No (3): Trustee Moore, Clerk Runyon and Treasurer Kuriata.

Absent (0): None.

Motion failed by roll call vote.

Clerk Runyon questioned what we should do with the disposal of the tree. Supervisor Saunders said that it's not going anywhere over the winter, it's sat there this long, not to worry about it. It's no closer to the road now than when it was standing and believed we should just leave it there. Clerk Runyon questioned Attorney Magyar on liability. Attorney Magyar did not think the township is liable, stating the county takes care of the road. If they thought it was a problem, they should move it. He also stated that we have insurance and governmental immunity.

DISCUSSION ON EMERGENCY RESPONSE AND COST RECOVERY ORDINANCE

Clerk Runyon reported that she had received and provided board members with ordinances Keeler Township had adopted. She felt they were well written and could be considered for Silver Creek Township with some revisions. She noted that Keeler Township did not include residents or property owners of their township in their ordinance, and that Silver Creek needed to take that into consideration. She suggested having two board members refine the ordinances to fit Silver Creek Township and have fire departments provide a cost recovery amount, and then bring to the township as a whole to consider.

Supervisor Saunders did not believe we could do a cost. Chief Huggins thought it would be difficult to come up with charges since every case is different. Attorney Magyar said that the goal is to show that when you bill, that it's not arbitrary and capricious; that it's based on something. Discussion followed.

Discussion was held to include township residents if they are negligent.

It was decided that the Indian Lake and Sister Lakes Fire Departments will get together to provide an itemization for cost recovery. Clerk Runyon will provide Attorney Magyar with a copy of the Keeler Township Ordinance which he will review and revise. Once the revisions are made, the clerk's office will type the ordinance.

ORDINANCE 16-02 PRIVATE EASEMENTS/ROADS

Trustee Glynn moved, seconded by Supervisor Saunders, to adopt Zoning Ordinance 16-02 as follows:

ORDINANCE 16-02
AMENDMENT TO
3.23 PRIVATE EASEMENT/PRIVATE ROAD
SILVER CREEK TOWNSHIP
CASS COUNTY, MICHIGAN
ZONING ORDINANCE
Ordinance #04-07

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

Section 3.23 **Private Roads/Streets** is replaced in its entirety with the following:

The Township has hereby determined that as large tracts of land are divided, sold, transferred, and developed; private access roads are being created to provide access to the newly divided properties which are not subject to regulation under the Michigan Subdivision Control Act of 1967 and other State regulations. The Township determines it is in the best interest of the public health, safety, and welfare to regulate the construction, improvement, extension, relocation, and use of private roads to assure:

That private roads are designed with width, surface, and grade to assure safe passage and maneuverability of private vehicles, police, fire, ambulance, and other safety vehicles.

That private roads are constructed of suitable materials to ensure minimal maintenance and safe passage.

That private roads will be constructed so as to protect against or minimize soil erosion and prevent damage to the lakes, streams, wetlands, and natural environment of the Township.

Definitions – as used in this section

Private Road Easement: is a private road that provides access solely to four (4) parcels of land and does not require the private road to be constructed.

Private Road: is a road under private ownership which has been constructed upon a private road easement for the purpose of providing access to five (5) or more parcels of land.

- A. A Private Road Easement which only provides access to a maximum of four single family lots or dwelling units may have a minimum width of 40 ft. The center of the traveled portion of the road shall be located in the center of the easement.
- B. General Requirements to Private Road Easement/Private Road
 - 1. A private road shall not be constructed, except in accordance with the standards and requirements of this Ordinance and must meet Cass County Road Commission specifications.
 - 2. If an existing private road is proposed to be extended then the existing portion shall be improved, along with the new portion, to meet the standards and requirements of this Ordinance and must meet Cass County Road Commission specifications.
 - 3. Private roads are permitted in all zoning districts.
 - 4. Private road easements/private road shall not interconnect with the public street network in a manner that will preclude the extension of public streets if necessary to further the logical, orderly and efficient development of the overall public street network.

5. Private roads that may be exempt from this section are those private roads that would be subject to site plan review per this Ordinance, such as but not limited to: Planned Unit Development, Manufactured Housing Park, Shopping Centers.

C. Minimum Standards for Private Road

1. A private road shall be located within a private road easement. Such easement shall not be less than sixty-six (66) feet in width.
 - a. The center of the traveled portion of the road shall be located in the center of the private road easement.
2. At the dead end of such easement, the easement shall widen such that there is space adequate to provide for a turnaround to accommodate emergency and maintenance equipment.
3. A parcel shall have frontage on the private road easement which is at least equal to the minimum parcel width required for the zoning district in which the parcel is located.
4. A private road easement/private road shall intersect and connect to a public road. A private road easement/private road shall not be approved which accesses a public road by another private road easement/private road.
5. A private road shall be constructed or extended when a private road easement serves five (5) or more parcels.
6. A private road shall be given a street name that is not the same or similar to any other street name in the county, to be verified by Cass County Road Commission. A street sign meeting Cass County Road Commission standards shall be erected and maintained by the applicant where such private road intersects any public road.
7. A dwelling unit on a private road shall display a house number, minimum of three (3) inches in height, in a manner so that the number is at all times readily visible from the private road.
8. In determining the location of a private road easement, consideration shall be given to safety of traffic entering and exiting the private road easement in relationship to the public road.

D. Road Maintenance Agreement

The owner(s) and any other parties with legal interest in the proposed private road shall provide to the Township, a road maintenance agreement, access easement agreement, list of parcel numbers, and deed restrictions, all must be recorded with Cass County, which shall provide for the perpetual private maintenance of such roads and/or easements to a necessary and reasonable standard to serve the parties having an interest in the private road. These documents shall, at a minimum, contain the following provisions:

1. A method of initiating and financing of such road in order to keep the road in a reasonably good and usable condition that will not constitute a danger to the health, safety, and welfare of the inhabitants of the Township and are readily accessible to and usable by emergency vehicles in all types of weather.
2. A workable method of apportioning the costs of maintenance and improvements, including the potential of future paving.
3. A notice that no public funds of the Township of Silver Creek are to be used to build, or maintain the private road. All costs shall be the responsibility of the property owners.
4. Easements to the public for the purpose of use of utilities, emergency and other public vehicles for whatever public services are necessary.
5. A provision that the owners of any and all of the property using the road shall refrain from prohibiting, restricting, limiting or in any manner interfering with normal ingress and egress and use by any of the owners. Normal ingress and egress and use shall include use by family, guests, invitees, tradesmen, and others bound to and returning from any of the parcels having a right to use the road.
6. That any structures or parcels thereafter created or constructed on the private road shall also be subject to the road maintenance and that said agreement shall run with the land.

E. Procedure for Private Road

An application to establish or extend a private road shall be filed with the Township along with a fee as set by the Township Board. The application shall contain or be accompanied by the following information:

1. The name(s) of the owners and any other parties having any legal interest in the private road and the parcels across which it is to be constructed.
2. Parcel numbers of the parcels over which the private road is to be constructed.
3. A scaled drawing showing the location, grade, elevation, route, dimensions, specifications and design of the private road and any proposed extensions of the road, existing or proposed curb cuts and the location and distance to any public street which the private road is to intersect.
4. A scaled drawing illustrating the proposed lot division.
5. An approved driveway permit from the Cass County Road Commission.
6. A statement from the Cass County Road Commission indicating there is no known duplication of the proposed private road name.

7. The permit application, drawings and other required information shall be reviewed by the Zoning Administrator for completion and then go before the Planning Commission for a decision.

F. Final Compliance Requirements

1. Upon completion of the private road, the following shall be on file with the Township: a) a letter from the Cass County Road Commission that the road has been constructed in compliance with Cass County Road Commission specification, and b) documentation that the road maintenance agreement, access easement and deed restrictions have been recorded with the Cass County Register of Deeds office, and c) a driveway permit for the private road from the Cass County Road Commission or the State of Michigan Highway Department, whichever applies, and d) verification letter from the Cass County Road Commission that the new street name is not the same or similar to any other street name in the county, and e) Planning Commission minutes and/or signatures verifying approval.
2. Upon verification of all items required for final compliance, the Township Supervisor shall issue a letter of final approval.

G. Permits for Dwellings on Private Road

1. A building permit shall not be issued for any principal dwelling which derives its primary access from a private road unless a letter of final approval of the private road has been issued.

H. Township Liability

The owner(s) of the private road agree by applying for and securing approval to construct the private road that they shall indemnify and save and hold the Township harmless from all claims for personal injury and/or property damage arising out of the failure to properly construct, maintain, repair and replace the private road. Such wording shall appear on the application for approval and be signed by the applicant.

The Supervisor directed the clerk to take roll:

Yes (5): Supervisor Saunders, Clerk Runyon, Treasurer Kuriata, Trustee Glynn and Trustee Moore

No (0): None.

Absent (0): None.

Motion carried by roll call vote.

NEW BUSINESS

MOTION APPROVING DISTRIBUTION OF SURPLUS FUNDS

Supervisor Saunders moved, seconded by Clerk Runyon, to distribute 2015/16 surplus funds from the Public Safety account as agreed upon in their contracts as follows: Indian Lake Fire Department and Sister Lakes Fire Department \$10,613.67 each, and Silver Creek Police Department \$16,103.67.

Supervisor Saunders explained that the fund balance in the public safety fund for 2015/16 was \$37,331.00 and the sale of the police car and police grants were backed out leaving a balance of \$31,841.00 which was divided three ways. Clerk Runyon noted that prior fire department contracts had the township keeping extra monies in reserve and the departments would have to come before the township with specific requests for its use. There is a balance of \$19,512.00 which will remain in the public safety fund for any future requests.

Trustee Glynn questioned why there was such a large surplus. Clerk Runyon stated that it was due to the police department not using all of their funds. Trustee Glynn questioned Chief Grice on the surplus. Chief Grice indicated there were problems finding officers to work last year but now has three people interested and he is looking into hiring. A lengthy discussion followed.

Trustee Glynn questioned whether it's time for the Board to look into contracting with the sheriff's department for coverage. Chief Grice is doing a good job, but we need coverage. Chief Grice cautioned the board to look at the Howard Township and Marcellus Township contract. Supervisor Saunders said it would be more costly to do contract and we wouldn't get the coverage we need. Further discussion followed. Trustee Glynn wondered if some of the police monies could go for community policing if it's not being used for officers. Supervisor Saunders noted that with a new sheriff being elected, we may not get a contract. Discussion continued.

The Supervisor called for a roll call vote. Motion carried by unanimous roll call vote.

RESOLUTION R16-17 AMENDING ACCOUNTING OF CAPITAL ASSETS

Clerk Runyon moved, seconded by Treasurer Kuriata, to adopt the following resolution:

WHEREAS, Silver Creek Township's current accounting of capital assets, which includes property, plant, equipment, infrastructure assets (e.g. sewer system, roads, bridges, sidewalks and similar items) are currently defined by the township as assets with an initial individual cost of more than \$500 and an estimated useful life in excess of two years.

WHEREAS, due to inflation the township believes that the initial individual cost should be increased to \$5,000.00 and an estimated useful life in excess of two years.

NOW THEREFORE BE IT RESOLVED, that the Silver Creek Township Board amend their accounting of capital assets to reflect an initial individual cost of more than \$5,000.00 and an estimated useful life in excess of two years.

The Supervisor called for a roll call vote. Motion carried by unanimous roll call vote.

RESOLUTION R16-18 COMMITTING MONEY TO ROAD FUNDS

Clerk Runyon asked that the board discuss how they would like the 2015/16 General Fund excess funds of \$100,792.00 distributed prior to making this motion. She went onto explained that the auditor suggested that the township formally restrict monies for a road improvement. Currently \$346,488.95 is in a road account, but nothing was done formally to restrict the funds for roads. There now is a \$100,792.00 surplus in the general fund from the 2015/16 budget. She asked that the board how they would like surplus split, and suggested placing part in the road fund and part in the public improvement. A lengthy discussion followed.

Treasurer Kuriata moved, seconded by Supervisor Saunders, to approve the following Resolution:

RESOLUTION R16-18
RESOLUTION TO COMMIT MONEY TO ROAD FUND
SILVER CREEK TOWNSHIP
CASS COUNTY, MICHIGAN

WHEREAS, Silver Creek Township would like to commit monies out of the General Fund specifically for the purpose of maintaining our roads;

NOW THEREFORE BE IT RESOLVED, that Silver Creek Township commit \$400,000.00 for the purpose of maintaining Silver Creek Township roads.

The Supervisor requested a roll call vote. Motion carried by unanimous roll call vote.

MOTION TO TRANSFER 2015/16 GENERAL FUND BUDGET SURPLUS

Treasurer Kuriata moved, seconded by Clerk Runyon, to transfer \$46,792.00 from 2015/16 General Fund Budget surplus into the public improvement fund.

The Supervisor requested a roll call vote. Motion carried by unanimous roll call vote.

MOTION TO SET INDIAN LAKE WEED SPECIAL ASSESSMENT

Supervisor Saunders moved, seconded by Trustee Glynn, to set the 2016 Indian lake Weed Control Special Assessment at up to \$4.84 per foot for a total amount of \$100,708.40.

Trustee Glynn questioned the status of the amended contract. Jerry Donley was not able to set it up a meeting before everyone left for the winter and didn't think it would happen until next spring. Supervisor Saunders questioned whether we should hold up on this motion. Trustee Glynn reminded the board that we took time to identify what additional items we felt were needed in the contract, and spent time a great deal of time compiling the amended contract. Both Magician Lake and Dewey Lake have signed it, and it's frustrating that we can't get Indian Lake to comply. Attorney Magyar commented that if Indian Lake is living up to their current contract, we need to live by the contract also until it comes up for renewal or get it changed.

The Supervisor requested a roll call vote. Motion carried by unanimous roll call vote.

MOTION TO SET DEWEY LAKE WEED CONTROL SPECIAL ASSESSMENT

Trustee Glynn moved, seconded by Clerk Runyon, to set the 2016 Dewey Lake Weed Control Special Assessment at up to \$119.00 per parcel for a total amount of \$26,180.00.

The Supervisor requested a roll call vote. Motion carried by unanimous roll call vote.

MOTION TO SET MAGICIAN LAKE WEED CONTROL SPECIAL ASSESSMENT

Clerk Runyon moved, seconded by Treasurer Kuriata, to set the 2016 Magician Lake Weed Control Special Assessment at \$40.00 per occupied parcel and \$20.00 per unoccupied parcel for a total amount of \$17,300.00.

The Supervisor requested a roll call vote. Motion carried by unanimous roll call vote.

MOTION TO APPROVE DEWEY LAKE WEED CONTRACT WITH PINECREST

Treasurer Kuriata moved, seconded by Clerk Runyon, to approve Dewey Lake Weed Control District contract with Pinecrest Industries. Motion carried by voice vote.

MOTION TO UPGRADE INDIAN LAKE SEWER LIFT STATION

Trustee Moore moved, seconded by Treasurer Kuriata, to approve to upgrade the Mission scada on Indian Lake Sewer lift station #1 at an additional cost of \$18.00 per month and a one-time setup charge of \$800.00. Treasurer Kuriata advised that it will now be on real time so they can see what's going on.

The Supervisor requested a roll call vote. Motion carried by unanimous roll call vote.

MOTION TO APPROVE INSURANCE RENEWAL

Trustee Glynn moved, seconded by Clerk Runyon, to approve Silver Creek Township's insurance renewal with Burnham and Flowers in the amount of \$12,438.00.

Discussion was held as to whether the township should add Cyber & Privacy Liability Coverage.

Motion to Amend

Supervisor Saunders moved, seconded by Trustee Glynn, to amend the motion to include Cyber & Privacy Liability Coverage in the amount of \$1,063.00. Questions and discussion followed. Motion for amendment carried by voice vote.

Motion to Approve Insurance Renewal

Clerk Runyon moved, seconded by Supervisor Saunders, to approve Silver Creek Township's insurance renewal with Burnham and Flowers in the amount of \$13,501.00 and to include Cyber and Privacy Liability Coverage.

The Supervisor requested a roll call vote. Motion carried by unanimous roll call vote.

MOTION FOR LINE ITEM TRANSFER

Clerk Runyon moved, seconded by Treasurer Kuriata, to transfer \$2,500.00 from the General Fund contingency account 998-999 and place it into the insurance account 101-910. Clerk Runyon explained that life insurance had gone up significantly and the Cyber & Privacy Liability Coverage will make insurance costs go up. Questions and discussion followed.

The Supervisor requested a roll call vote. Motion carried by unanimous roll call vote.

OTHER BUSINESS

Supervisor Saunders advised that a tree on the side of our parking lot has split in half and needs to come down before it falls on a car or on someone, and would like to get it removed.

Motion for Tree Removal

Trustee Moore moved, seconded by Treasurer Kuriata, to authorize Supervisor Saunders to spend up to \$2,000 to remove the tree from the township parking lot.

The Supervisor requested a roll call vote. Motion carried by unanimous roll call vote.

PUBLIC COMMENT

ZBA Chairman Jerry Donley, on behalf of the ZBA, requested signage placed in the yard of people requesting variances, indicating there is a variance request and include the ordinance number. He also thanked the Board for their vote of confidence on the weed control district. He will also try and get a meeting set next year to discuss the contract.

Tom Lehrer wondered if other weed control districts had signed agreements. Clerk Runyon said both Magician and Dewey Lake have signed amended contracts. Supervisor Saunders noted that Indian Lake had a previously signed contract that has not expired. Little Crooked Lake will be considered for contract also.

MOTION TO GO INTO CLOSED SESSION

Clerk Runyon moved, seconded by Supervisor Saunders, to go into closed session to discuss pending litigation. Motion carried by voice vote. Closed regular meeting at 9:10 p.m. to go into closed session. Returned from closed session to regular board meeting at 9:25 p.m.

MOTION TO RETURN TO OPEN SESSION

Clerk Runyon moved, seconded by Trustee Moore, to return to open session. Motion carried by voice vote.

MOTION

Trustee Moore moved, seconded by Trustee Glynn, to go with Attorney Magyar's recommendation on how to proceed with pending litigation. Motion carried by voice vote.

ADJOURNMENT

The meeting was adjourned at 9:27 p.m. by the call of the Supervisor.

Barbara Runyon
Silver Creek Township Clerk

Dated: October 17, 2016
To be approved at the November 9, 2016 Regular Meeting