

**SUPERIOR CHARTER TOWNSHIP BOARD  
REGULAR MEETING  
APRIL 19, 2010  
ADOPTED MINUTES  
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**1. CALL TO ORDER**

The regular meeting of the Superior Charter Township Board was called to order by the Supervisor at 7:30 p.m. on April 19, 2010, at the Superior Township Hall, 3040 North Prospect, Ypsilanti, Michigan.

**2. PLEDGE OF ALLEGIANCE**

The Supervisor led the assembly in the pledge of allegiance to the flag.

**3. ROLL CALL**

The members present were William McFarlane, Brenda McKinney, David Phillips, Nancy Caviston, Roderick Green, Lisa Lewis and Alex Williams.

**4. ADOPTION OF AGENDA**

It was moved by Caviston, seconded by Green to adopt the agenda with the addition of a correspondence from Kay Williams, Heritage Area Commission as item h. under Communications and the Ordinance Officer Report for March-April 2010 under Reports.

The motion carried by a voice vote.

**5. APPROVAL OF MINUTES**

**A. REGULAR MEETING OF MARCH 15, 2010**

It was moved by McKinney, seconded by Lewis, to approve the minutes of the regular Board meeting of March 15, 2010, as presented.

The motion carried by a voice vote.

**B. SPECIAL MEETING OF MARCH 26, 2010**

It was moved by McKinney, seconded by Lewis, to approve the minutes of the regular Board meeting of March 26, 2010, as presented.

The motion carried by a voice vote.

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**6. CITIZEN PARTICIPATION**

Roy Townsend of the Washtenaw County Road Commission, other Road Commission staff members and Road Commissioners Veigel and Fuller conducted the Road Commission's Annual Meeting with the Township. They reviewed funding, projects that were completed in 2009, projects that are proposed for 2010 and other issues related to the roads and drainage in Superior Township. The Board will approve the project list for 2010 at the next regular Board Meeting on May 17, 2010. They presented a list of proposed road improvement projects that totaled \$725,586, which did not include \$66,654 for two applications of dust control on the gravel roads and \$15,000 for Township wide limestone application. The Board budgeted \$180,000 for road improvements for 2010. The Road Commission also has matching funds available in the amount of \$30,810 for Conventional Local Road Program and \$8,793 for Drainage Program. It is likely that Urban County funds will be approved to resurface Stephens Drive in the amount of \$51,400. The Board will approve the projects to be funded at the May 17, 2010 Board Meeting.

**B. OTHER PUBLIC COMMENT**

Mr. Dennis Donahue inquired about the requirement for a site plan for the equestrian stables and arena located on the Hummana Consent Judgment parcel. He was advised to direct his questions and concerns to the Zoning Administrator.

**7. REPORTS**

**A. SUPERVISOR REPORT**

Supervisor McFarlane reported on the following: To date, three new building permits for single family dwellings have been issued in the Township. The owner of the Hummana Consent Judgment parcel has requested to lease a portion of the Township's 8.1 acres to cultivate as a hay field. The Board had no objections to this arrangement as long as it was on a yearly basis. A reporter for AnnArbor.com has been hard at work on an article about Superior Twp. The article is about how Superior Twp. has managed to remain in good fiscal shape during the economic downturn. It is expected to be positive about Superior Twp. and should appear in the near future. The Washtenaw County Eastern Leader's Group Spring Summit will be held on Monday, May 17, 2010 from 9 am to 11 am at the EMU Student Center. Supervisor McFarlane will participate in a panel discussion. The theme of the event will be "A Sense of Direction" and the economic development of eastern Washtenaw County. Attendance is free and Trustees are invited. On Saturday May 1, 2010, there will be a Washtenaw County spring clean-up event. County residents will be able to dispose of various household wastes at the waste transfer site on Werkner Rd. in Chelsea. On Saturday, April 24, 2010, there will be a free e-waste

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disposal/recycling event at Pioneer High School. The public is welcome to bring computers and other electrical devices to be recycled or disposed of.

**B. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FIRE DEPARTMENT, FIRE MARSHAL, FALSE ALARM REPORT, HOSPITAL FALSE ALARM, ORDINANCE OFFICER REPORT, PARKS COMMISSION MINUTES, SHERIFF'S REPORT, UTILITY DEPARTMENT AND ZONING REPORT**

It was moved by Caviston, seconded by Green, that the Superior Township Board receive all reports.

The motion carried by a voice vote.

**C. TREASURER'S INVESTMENT REPORT**

Treasurer McKinney's report listed all of the accounts for the investments for each fund. She commented that interest for the accounts has been very low. Most are earning less than 1% interest. However, she has attempted to make sure that the Township's money is safe, as all of the funds are either FDIC insured, or U.S. Government backed.

It was moved by Caviston, seconded by Lewis, that the Superior Township Board receive the Treasurer's Investment Reports.

The motion carried by a voice vote.

**8. COMMUNICATIONS**

**A. GROWTH MANAGEMENT PLAN/MASTER PLAN REVISION, COMMENTS FROM NEIGHBORING COMMUNITIES**

In early January 2010, copies of the proposed revised Growth Management Plan/Master Plan were distributed to neighboring communities and County Agencies. Copies were distributed to a total of ten communities and various County Agencies. Also, the proposed document was posted on the Township website. The City of Ypsilanti, Washtenaw County Public Health and Washtenaw Area Transportation Study (WATS) were the only entities to respond with comments. The Planning Commission has received and discussed the comments. The Planning Commission is scheduled to complete a final discussion of the document at its next meeting of April 28, 2010, after which it will schedule a public hearing for its May meeting of May 26, 2010. It will then forward the document to the Township Board for their review and adoption at the June 21, 2010 meeting.

It was moved by Caviston, seconded by McKinney, that the Superior Township Board

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receive the comments from neighboring communities and County Agencies concerning Superior Township's proposed revisions of the Growth Management Plan/Master Plan.

The motion carried by a voice vote.

**B. YPSILANTI MEALS ON WHEELS ACKNOWLEDGEMENT**

Ann Harris, Executive Director, Ypsilanti Meals on Wheels forwarded a letter thanking Superior Township for the \$2,125.00 which the Township paid to the program.

It was moved by Caviston, seconded by McKinney, that the Superior Township Board receive Ypsilanti Meals on Wheels letter of acknowledgement for Superior Township's support.

The motion carried by a voice vote.

**C. ELECTRONIC POLL BOOK LAPTOP PROCUREMENT**

Clerk Phillips explained that Superior Township has applied for a State of Michigan, Bureau of Elections grant which would provide laptop computers to Michigan municipalities at no cost. Use of the computers would be restricted to tasks related to the administration of elections, primarily as an electronic poll book during elections. Clerk Phillips indicated he has heard positive remarks from communities that piloted the computers. He expects the laptops to process voters and compile election data faster than the manual method currently in use.

It was moved by McKinney, seconded by Lewis, that the Superior Township Board receive Clerk David Phillips' Memo regarding the Electronic Poll Book Laptop Procurement Program.

The motion carried by a voice vote.

**D. EECBG BID DOCUMENTS**

OHM Consulting Engineers has prepared an advertisement to bid on the Township Hall and Utility Department energy efficiency renovations which are partially funded by the EECBG program. Beginning April 26, 2010, bid documents will be available at various locations and on OHM's website. Bids are due May 7, 2010. The contract is expected to be approved at the May 17, 2010 Board meeting. Construction is expected to begin around the beginning of June 2010.

It was moved by McKinney, seconded by Lewis, that the Superior Township Board receive and approve the Advertisement to Bid for energy efficiency renovations of the

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Township Hall and Utility Department Administration Building.

The motion carried by a voice vote.

**E. ATTORNEY FREDRICK LUCAS, HUMMANA V. SUPERIOR**

Attorney Frederick Lucas indicated in his April 9, 2010 letter that the Hummana v. Superior Township case has been settled, the Consent Judgment has been filed with the Washtenaw County Circuit Court and the title company has also filed the appropriate documents with the Washtenaw County Register of Deeds. He is closing his file on this litigation.

It was moved by McKinney, seconded by Caviston, that the Superior Township Board receive the letter from attorney Frederick Lucas regarding the ending of litigation and his closing of the file of the Hummana v. Superior lawsuit.

The motion carried by a voice vote.

**F. UTILITY DEPARTMENT INVOICE PENALTY FEE**

Mr. and Mrs. Downing submitted a letter to the Board which indicated they were assessed a \$15.14 Utility Department Penalty Fee because the Utility Department did not receive their payment for the November 30, 2009 water/sewer bill on time. They indicated they have resided in Superior Township for 14 years and they have never been late paying a water/sewer bill. They indicated they wrote the check, recorded it on their register and put the check in the Utility Department drop-box. Unfortunately, the Utility Department has no record of receiving the check. Board members indicated that the Board has past precedence of not waiving the penalty fee for similar situations with water/sewer bills and tax bills. It was felt that waiving the fee in this situation would create an unfavorable precedence.

It was moved by McKinney, seconded by Lewis, that the Superior Township Board receive the letter from Mr. and Mrs. Downing and that the Board not waive the Utility Department Penalty Fee in the amount of \$15.14 for a late Water/Sewer Utility Bill.

The motion carried by a voice vote.

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**G. PHP CPA'S, 2009 AUDIT**

Mr. Kenneth Palka of PHP CPA's, indicated in his letter dated April 14, 2010, that the Township is in good financial shape and that there are no major issues which need addressing prior to PHP CPA's presentation at the May 17, 2010 Board meeting.

It was moved by McKinney, seconded by Green, that the Superior Township Board receive the letter from PHP CPA's regarding their presentation of the 2009 Audit to the Board at the May 17, 2010 Board meeting.

The motion carried by a voice vote.

**H. HERITAGE AREA ADVISORY COMMISSION**

Kay Williams provided an e-mail which included the minutes of an April 14, 2010 meeting during which eight Township residents discussed activating the Heritage Area Advisory Commission as outlined by Township Ordinance No. 151, Heritage Area Advisory Commission. She requested the Board receive the minutes and authorize the advertisement to seek applicants for the commission.

It was moved by Caviston, seconded by Green, to receive Kay Williams e-mail and to authorize the Township to advertise to seek applicants for the commission.

The motion carried by a voice vote.

**9. UNFINISHED BUSINESS**

There was no unfinished business.

**10. NEW BUSINESS**

**A. FIRE DEPARTMENT, LADDER TRUCK REPAIR**

In a Memo dated 4/15/2010, Firefighter Don Sanford outlined the need to purchase a remanufactured diesel engine for Ladder Truck # 11-1. The engine had a major failure in which valves, pistons, cylinder head, injector and other major parts were damaged beyond repair. The factory dealer and Firefighter Sanford both recommended that rather than overhaul the engine, to replace it with a remanufactured engine at a cost of \$26,494.72.

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It was moved by McKinney, seconded by Caviston, for the Board to authorize the Fire Department to purchase and have installed a remanufactured diesel engine for Ladder Truck No. 11-1 from Wolverine Freightliner, Westside, Inc. at a cost not to exceed \$26,394.72 as outlined by their estimate.

Roll call vote:

Ayes: McFarlane, Phillips, McKinney, Caviston, Green, Lewis, Williams

Nays: None

Absent: None

**B. UTILITY DEPARTMENT, REQUEST FOR MASS MAILING**

In a Memo dated April 15, 2010, Utility Director Rick Church requested authorization to mail a letter to all Utility Department Customers to inform them of the temporary closing of the Utility Department Administration building for energy efficiency renovations. The mailing will be subject to approval by the Township Administrative staff and the estimated cost is \$790.00.

It was moved by McKinney, and seconded by Green, that the Superior Township Board approves the Utility Department's mass mailing a letter to notify residents of the temporary closing of the Utility Department Administration building in order to complete renovations for energy efficiency for the EECBG program for an estimated cost of \$790.00.

The motion carried by a unanimous voice vote.

**C. CLEAN ENERGY COALITION, CONTRACT FOR ENERGY GRANT ASSISTANCE**

Clerk Phillips explained that the EECBG program provided grants to non-profit agencies to provide technical assistance to communities with the preparation and administration of EECBG programs. The Clean Energy Coalition (CEC) has been approved by the State of Michigan to provide such technical assistance to Superior Township. The CEC will provide up to 55 hours of assistance at no cost to the Township. Additional hours of assistance will be billed at the rate of \$50.00. CEC requires a contract for their services. Clerk Phillips recommended the Township take advantage of the CEC's free services,

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and not utilize any billable hours or services without additional Board approval.

It was moved by Lewis, seconded by Green, for the Board to authorize the Supervisor to sign the contract with the Clean Energy Coalition to provide up to 55 hours of technical assistance for the administration of the EECBG program at no cost to the Township.

Roll call vote:

Ayes: McFarlane, McKinney, Phillips, Caviston, Green, Lewis, Williams

Nays: None

Absent: None

The motion carried.

**D. RESOLUTION OF THE TOWNSHIP BOARD TO REAFFIRM  
AUTHORITY TO PREPARE AND APPROVE THE TOWNSHIP'S CAPITAL  
IMPROVEMENT PLAN**

Supervisor McFarlane explained that the Michigan Planning Enabling Act (PA 33 of 2008 as amended) included a provision that the Township Planning Commission shall be responsible for the preparation of the capital improvement plan, unless exempted from this requirement. It has been the past practice of the Township for the Township Board to be responsible for the capital improvement plan. Supervisor McFarlane recommended that this practice be continued as the Board is better equipped to direct and receive input from the various departments in order to formulate the capital improvement plan.

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION OF THE TOWNSHIP BOARD TO REAFFIRM AUTHORITY TO  
PREPARE AND APPROVE THE TOWNSHIP'S CAPITAL IMPROVEMENTS  
PROGRAM**

The following preamble and resolution were offered by Green and seconded by Caviston.

**WHEREAS**, Superior Charter Township has established and maintained a comprehensive process for preparation, approval, and updating of a capital improvements program of public structures and improvements under the direction of the Township Supervisor; and

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**WHEREAS**, the new Michigan Planning Enabling Act (Public Act 33 of 2008 as amended), which became effective on September 1, 2008, includes a new provision that the Township Planning Commission shall be responsible for preparation of the capital improvements program, unless exempted from this requirement; and

**WHEREAS**, Section 65 of the Michigan Planning Enabling Act further states that, if the Planning Commission is exempted, the Township Board shall either prepare and adopt a capital improvements program or delegate its preparation to the Township Supervisor or a non-elected administrative official; and

**WHEREAS**, Section 67 of the Michigan Planning Enabling Act reaffirms that the Planning Commission may continue to make recommendations to the Board about programs for public structures and improvements and for the financing thereof, regardless of whether it is exempted from the requirement to prepare a capital improvements program.

**NOW, THEREFORE, BE IT RESOLVED** that the Superior Charter Township Board of Trustees hereby exempts the Planning Commission from this requirement and delegates responsibility for the preparation of the Township's capital improvements program to the Township Supervisor, subject to final approval by the Township Board.

**BE IT FURTHER RESOLVED** that the Board hereby directs each department of the Township with authority for public structures or improvements to furnish, annually or upon request by the Township Supervisor, updated lists, plans, and estimates of time and cost for recommended public structures and improvements.

**Roll Call Vote:**

**Ayes:** McKinney, Phillips, Caviston, Green, Lewis, Williams, McFarlane

**Nays:** None

**Absent:** None

**Abstain:** None

**RESOLUTION DECLARED ADOPTED.**

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The Honorable William McFarlane, Supervisor  
Superior Charter Township

The Honorable David Phillips, Clerk  
Superior Charter Township

Dated: April 19, 2010

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**D. RESOLUTION ADOPTING THE UPDATED HAZARD MITIGATION PLAN FOR SUPERIOR TOWNSHIP**

Supervisor McFarlane explained that on October 18, 2004 the Township approved, by Resolution, the Hazard Mitigation Plan for Superior Township. The Resolution requires that the Township review the plan annually and that it be updated every five years. Fire Chief Jim Roberts has reviewed the plan and found that it to be in order and not requiring any additions or changes.

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
3040 North Prospect, Ypsilanti, Michigan 48198**

At a regular meeting of the Township Board of Trustees of Superior Charter Township, Washtenaw County, Michigan, held at the Township Hall of said Township on April 19, 2010, at 7:30 p.m. Eastern Standard Time, the following resolution was offered by Green, and supported by McKinney.

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
APRIL 19, 2010**

**RESOLUTION ADOPTING THE UPDATED HAZARD MITIGATION PLAN FOR SUPERIOR TOWNSHIP, AUTHORIZING THE ANNUAL REVIEW OF THE PLAN WITH AN UPDATE OF THE PLAN EVERY FIVE YEARS AND DESIGNATING THE TOWNSHIP SUPERVISOR TO BE RESPONSIBLE FOR IMPLEMENTING THE PLAN AS FUNDING AND STAFF RESOURCES PERMIT**

WHEREAS Michigan has experienced disasters that have resulted in injury or loss of life, damaged properties, displaced citizens and business, closed streets and bridges and presented general public health and safety concerns; and

WHEREAS as of November 2004 the Federal Emergency Management Agency (FEMA) requires that communities have an adopted Hazard Mitigation Plan as a requirement for receiving funding under certain FEMA programs, and

WHEREAS the Hazard Mitigation Plan for Superior Township (plan) ranks hazards for the community, and identifies goals, objectives and strategies to reduce overall damage and impact from natural and technological hazards; and

WHEREAS Superior Township worked with Washtenaw County to prepare the Plan by

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participating in the planning process and providing comments with respects to hazards, vulnerable areas and strategies, and

WHEREAS residents, community officials, business owners, educational institutions neighboring jurisdictions and the Michigan State Police Division of Emergency Management have had the opportunity to review the plan and their comments have been incorporated,

WHEREAS on October 18, 2004 the Superior Township Board of Trustees adopted the Hazard Mitigation Plan for Superior Township as an official plan for Superior Township; and agreed that the Plan will be reviewed annually by the Township Board and updated every five years as required by FEMA; and that the Township Supervisor shall be responsible for implementing the plan as funds and staff resources permit.

NOW THEREFORE BE IT RESOLVED that the Township has completed the five year update of the Hazard Mitigation Plan for Superior Township and is hereby adopted as the Hazard Mitigation Plan, an official plan for Superior Township; that the Plan will be reviewed annually by the Township Board and updated every five years as required by FEMA; and that the Township Supervisor shall be responsible for implementing the plan as funds and staff resources permit.

Roll call vote:

Ayes: Phillips, Caviston, Green, Lewis, Williams, McFarlane, McKinney

Nays: None

Absent: None

THE RESOLUTION WAS DECLARED ADOPTED.

**CERTIFICATION**

I, David M. Phillips, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Superior Charter Township Board held on April 19, 2010.

David M. Phillips, Superior Charter Township Clerk

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**F. AGREEMENT FOR GRASS CUTTING IN THE SIDE STREET  
MAINTENANCE AREA**

The Township requested that Mr. Swanson submit a proposal to cut the grass in the Side Street Maintenance Area. Mr. Swanson requested that his agreement to cut grass in the Side Street Maintenance area be renewed for 2010 at a cost of \$14,000, which is the same price as 2009. All other conditions of the proposed 2010 agreement are also the same as the 2009 agreement. The Board indicated that Mr. Swanson has done an exemplary job of cutting the grass in these areas. He is a Township resident.

It was moved by McKinney, seconded by Caviston, to authorize Supervisor McFarlane to sign the Agreement with Charles Swanson to cut the grass in the Side Street Maintenance area during the 2010 mowing season at a cost of \$14,000.

Roll call vote:

Ayes: McKinney, Phillips, Caviston, Green, Lewis, Williams, McFarlane

Nays: None

Absent: None

**G. TREASURER'S OFFICE PURCHASE OF BS & A SOFTWARE**

Treasurer McKinney explained that the auditors recommended that she purchase new software so that she can keep a separate account of the delinquent property taxes. They recommended the use of BS & A Software at a cost of \$1,995.00

It was moved by Caviston, seconded by Green, to approve the Treasurer's office to purchase BS & A software to process the delinquent personal tax accounts at a cost of \$1,995.00.

Roll call vote:

Ayes: McKinney, Phillips, Caviston, Green, Lewis, Williams, McFarlane

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Nays: None

Absent: None

**11. PAYMENT OF BILLS**

It was moved by Green, seconded by Lewis, that the bills be paid as submitted in the following amounts: General - \$3,122.50, Legal Defense - \$10,000, and Law- \$12,978.46, for a total of \$26,100.96 further, that the Record of Disbursements be received.

The motion carried by a unanimous voice vote.

**12. PLEAS AND PETITIONS**

There were no pleas or petitions.

**13. ADJOURNMENT**

It was moved by Green, supported by Lewis, that the meeting adjourn. The motion carried by a voice vote and the meeting adjourned at 9:10 p.m.

Respectfully submitted,

David Phillips, Clerk

William McFarlane, Supervisor