

**SUPERIOR CHARTER TOWNSHIP BOARD  
REGULAR MEETING  
AUGUST 15, 2011  
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 August 15, 2011, 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 and Lisa Lewis. Trustees Rodrick Green and Alex Williams were absent.

**4. ADOPTION OF AGENDA**

It was moved by McKinney, seconded by Caviston to adopt the agenda with item 5(a) corrected to July 18, 2011.

The motion carried by unanimous voice vote.

**5. APPROVAL OF MINUTES**

**A. REGULAR MEETING OF JULY 18, 2011**

It was moved by Lewis, seconded by Caviston, to approve the minutes of the regular Board meeting of July 18, 2011, as presented.

The motion carried by a voice vote.

**B. SPECIAL MEETING OF AUGUST 2, 2011**

It was moved by Caviston, seconded by McKinney, to approve the minutes of the Special Board meeting of August 2, 2011, as presented.

The motion carried by a voice vote.

**6. CITIZEN PARTICIPATION**

**A. SEMCOG STAFF MEMBERS PRESENTATION**

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Southeast Michigan Council of Governments (SEMCOG) staff members Paul Tait and Jennifer Baranski made a presentation to the Board. SEMCOG membership is comprised of 160 local communities located in southeast Michigan. SEMCOG has three areas of focus: environment, transportation and government collaboration. SEMCOG provides numerous services at no cost to its members. At no cost to the Township, SEMCOG will provide a team of experts to review the Township's services, budget and spending practices and make recommendations on how the Township can reduce costs and save money. Supervisor McFarlane indicated he is interested in having SEMCOG provide this service to the Township.

**B. FIRE CHIEF JIM ROBERTS, RETIREMENT OF FIREFIGHTER DON SANFORD**

Fire Chief Jim Roberts congratulated Firefight Don Sanford on retiring after 25 years as a firefighter with the Superior Township Fire Department. Chief Roberts read a Resolution which was adopted by the Board and signed by all Board members and presented him with a copy of the Resolution.

**7. REPORTS**

**A. SUPERVISOR REPORT**

Supervisor McFarlane reported on the following: The Fire Department will pick-up the new fire truck in two weeks. The Board will receive drafts of the 2012 budget at the September meeting and act on it in October. Supervisor McFarlane anticipates keeping the 2012 millages the same as the 2011 millages. If the millages are not increased, a public hearing is not required. The Township has been negotiating with St. Joseph Mercy Hospital for the hospital to pay for 9/12's of a deputy. The Township would pay for the remaining 3/12's of the deputy. This arrangement would not result in additional costs to the Township. The deputy would be primarily assigned to the hospital, but would also work in other areas of the Township. This arrangement would increase the Township's contract deputies from 9 to 10, with an additional four deputies being contracted by Ann Arbor Township. The Michigan Township Association is conducting a one day conference in Ann Arbor on October 17, 2011. Board members were provided with a brochure on the event. Those that want to attend need to contact Clerk David Phillips. Board members who sign-up, but fail to attend will be responsible to repay the Township for the enrollment fees. The new firefighter, Mr. Gonzales, started on August 12, 2011 and is doing fine. Hickory Creek Golf course has requested that the Township allow Sunday morning liquor sales. Supervisor McFarlane said he is favorable to the request and the Board will be addressing the issue at their September meeting. Township officials and staff had a meeting with owners of the Superior Party Store on McArthur Blvd. The

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individuals owned the party store for many years, but a few years ago they sold the business. They stated they were paid in full for the business and then entered into a land contract to sell the building and property to the same person who had bought the business. About one month after they signed the land contract to sell the building and property, the store was damaged by a fire and has been closed ever since. They said the purchaser has not made one payment on the land contract. They indicated they were in the process of foreclosing on the land contract and regaining complete ownership of the building and property. They were informed that due to zoning issues, the building lost zoning approval to sell alcoholic beverages. In order to sell alcohol at the building, Planning Commission approval and possibly Zoning Board of Appeals approval would have to be obtained. Various other uses, such as a dollar store were discussed.

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

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

The motion carried by a voice vote.

**C. FINACIAL REPORTS, ALL FUNDS, PERIOD ENDING JUNE 30, 2011**

Board members commented that except for the activity Elections and the Building Fund, all activities and funds were in good shape at the six month mark of the budget year. Elections is running over budget because the Washtenaw County Intermediate School District conducted an election in May 2011 that was unexpected during budget adoption. Elections will require a budget amendment. Due to less building activity than expected, the Building Fund is running below expectations for revenue. It will also require a budget amendment.

It was moved by McKinney, seconded by Caviston, that the Superior Township Board receive the Financial Reports for All Funds for the Period Ending June 30, 2011 reports.

The motion carried by a voice vote.

**8. COMMUNICATIONS**

**A. DANIEL SMOKE, NOISE COMPLAINT**

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Supervisor McFarlane explained that Mr. Smoke complained that he hears excessive barking of dogs from the Humane Society, particularly between 7:00 a.m. and 7:40 a.m. Township staff have investigated the complaint, but did not notice the barking as Mr. Smoke describes. They indicated that since the Humane Society opened its new building, Mr. Smoke is the only complaint received about dogs barking in the Humane Society.

It was moved by Caviston, seconded by Lewis to receive the communication from Daniel Smoke concerning dogs barking at the Humane Society on Cherry Hill Road.

The motion carried by voice vote.

**B. THE AD HOC SUPERIOR TOWNSHIP PIONEER CEMETERY STUDY COMMITTEE**

The Ad hoc Superior Township Pioneer Cemetery Study Committee presented a letter requesting that the Township commence the process of establishing the ownership of the Free Church and Pray Cemeteries. They also suggested that the Board may want to determine ownership of the Cross-Pettibone Cemetery as well. Committee attached minutes of their June 21, 2011 meeting, which indicated that the Free Church and Pray Cemetery are currently being maintained by the cemetery association. Both associations have one remaining member, who are both elderly. The association will probably cease to exist when the current association members become unable to continue to take responsibility for maintaining the cemeteries. The Committee suggests that the Township take over responsibility for the maintenance of the cemeteries. This would require the ownership of the cemeteries to be conveyed to the Township. However, neither association is able to locate a title to either cemetery. It is not clear who has the authority to sign the ownership to the Township. The Committee felt that a title search would be necessary to determine ownership. Clerk Phillips explained that several Township residents, Sandi Lopez and Karl Williams have offered to search County records to attempt to locate a deed on the property. The Board decided to not take action on the Committee's request until the residents have completed their research.

It was moved by McKinney, seconded by Caviston, to receive the August 15, 2011 Memo from the Ad hoc Superior Township Pioneer Cemetery Study Committee.

The motion carried by a voice vote.

**9. UNFINISHED BUSINESS**

**A. PARKS COMMISSION, REQUEST FOR A LIGHT AT COMMUNITY PARK**

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At the July 18, 2011 Board meeting, the Board postponed the Parks Commission's request for the Township to pay for the installation of a light at Community Park until the Board's August 15, 2011 meeting. The Board requested that the Parks Commission obtain further information as to the Sheriff's Department's opinion on installing the light and the cost of the light. Supervisor McFarlane reported that he spoke to members of the Sheriff's Department who advised him that they did not have many requests for service, or complaints about the park. DTE had not yet provided the Township with the cost of the light. Board members indicated they would like to know the cost of the light before they made a decision.

It was moved by Caviston, seconded by McKinney, to postpone making a decision on installing a light in Community Park until the Board's September meeting.

The motion was adopted by unanimous voice vote.

**10. NEW BUSINESS**

**A. UTILITIES DEPARTMENT, WATER AND SEWER RATE INCREASE**

Superior Township Utilities Director, Rick Church, provided a memo and was present to address the Board. He indicated that both the Ypsilanti Community Utilities Authority (YCUA) and Ann Arbor Township had increased the rates to the Utility Department for water and sewer service. The Superior Township Utility Department passed on a smaller percentage of the increase to customers of both YCUA and Ann Arbor Township as follows:

**YCUA Provided Water/Sewer Services (Note: All rates are in Hundred Cubic Feet (ccf))**

- Water Rate Increase to the Township = 6.9%
- Water Rate Increase to Our Residents = 5.0%
  
- Sewer Rate increase to the Township = 3.5%
- Sewer Rate Increase to Our Residents = 2.5%

**Ann Arbor Township Provided Water and Sewer Services (Note: All rates are in Hundred Cubic Feet (ccf))**

- Water Rate Increase to the Township = 16.5%
- Water Rate Increase to the Residents = 12.0%
  
- Sewer Rate Increase to the Township = 16.9%
- Sewer Rate Increase to the Residents = 12.0%

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The following resolution was moved by McKinney, seconded by Lewis:

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
August 15, 2011  
Resolution 2011-12**

**Resolution Amending the Rates, Fees and Charges Related to Sewer and Water Services  
Provided by the Township's Utility Department**

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 the 15th of August, 2011, at 7:30 p.m. Eastern Standard Time, the following resolution was offered by McKinney and supported by Lewis.

WHEREAS, this Board is authorized by statute and by the provisions of Township Ordinance No. 169 to determine by resolution rates, fees and charges for services and benefits by Township's sewer and water systems, and

WHEREAS, the Ypsilanti Community Utilities Authority has increased the charge for water by 6.9% and for sewer by 3.5%, and

WHEREAS, Ann Arbor Township has increased the charge for water by 16.5% and for sewer by 16.9%, and

WHEREAS, the Superior Charter Township Utility Fund may not operate at a deficit, and

WHEREAS, after an analysis of the effect of the new charges for water and sewer, it was determined that it would be adequate to increase our rates by only approximately 73% of the increase the Township would be receiving, and

WHEREAS, this Board finds that the amended proposed schedule of fees is reasonable and necessary for the continuing operations of the Township Utility System and consistent with the past practices and policies of the Township;

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board does hereby determine that the fees for services and benefits furnished by the Township's sewer and water systems shall be amended per the attached Schedule A; and

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BE IT FURTHER RESOLVED that this Resolution and attached schedule shall be published pursuant to Section 8 of the Charter Township Act being MCL 42.8 by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti 48198 and on the Township website – [www.superior-twp.org](http://www.superior-twp.org) – with notice of such in *The Ypsilanti Courier*, a newspaper of general circulation in the Township qualified under state law to publish legal notices, said rate changes shall be effective immediately upon publication thereof.

**CERTIFICATION**

I, David 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 August 15, 2011.

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David Phillips, Township Clerk

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Date Certified

**SCHEDULE A**

**SUPERIOR CHARTER TOWNSHIP  
UTILITY DEPARTMENT FEES  
575 EAST CLARK ROAD  
YPSILANTI, MI 48198  
734-480-5500**

RESOLUTION ADOPTED FEBRUARY 27, 1996 AND AS AMENDED THROUGH AUGUST 15, 2011, SCHEDULE OF RATES, FEES AND CHARGES RELATED TO SEWER AND WATER SERVICES PROVIDED BY THE TOWNSHIP'S UTILITY DEPARTMENT.

**1. Service Rates:**

- A. Water and sewer (including wastewater treatment) rates for Township customers served from the YCUA system.

<u>Effective August 1, 2011</u>	
Water	\$4.080 per 100 cubic
feet	
Minimum quarterly billing	\$40.80 (1000 cubic
feet)	

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<u>Effective August 1, 2011</u>		
feet	Sewer	\$2.723 per 100 cubic
feet)	Minimum quarterly billing	\$27.23 (1000 cubic

NOTE: All sewer rates and surcharges are based on water usage, except to the extent of water metered through a separate "Water-only" meter.

**2. Service Rates:**

- B. Water and sewer (including wastewater treatment) rates for Township customers served from the Ann Arbor Charter Township system.

<u>Effective July 1, 2011</u>		
feet	Water	\$6.80 per 100 cubic
feet)	Minimum quarterly billing	\$68.00 (1000 cubic

<u>Effective July 1, 2011</u>		
feet	Sewer	\$6.62 per 100 cubic
feet)	Minimum quarterly billing	\$66.20 (1000 cubic

NOTE: All sewer rates and surcharges are based on water usage, except to the extent of water metered through a separate "Water-only" meter.

Roll call vote:

Ayes: McFarlane, McKinney, Phillips, Caviston, Lewis

Nays: None

Absent: Green, Williams

The motion carried.

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**B. UTILITY, WATER AND SEWER CONNECTION TO 1689 NORTH PROSPECT ROAD**

Superior Township Utility Department Director Rick Church provided a memo to the Board and was present. He explained that the resident of 1689 Prospect Road has requested to be connected to Superior Township Utility Department water and sewer service. This owner of the home will charged \$25,880.00 for the connection. The Township's Utility Ordinance No. 169, explains how these fees are determined and what the Township and homeowner are responsible to pay for. Director Church explained that there are numerous unique circumstances to this connection and he recommends that in addition to the usual costs, the Township should pay for the installation of a grinder pump and the sewer line from the home to the sewer main. Mr. Church has received a low bid of \$12,500.00 to complete the installation.

It was moved by Phillips, seconded by McKinney, to approve the Superior Township Utility Department to extend and connect public water and sewer service to 1689 N. Prospect as outlined in Utility Director Rick Church's August 11, 2011 memo at a cost not to exceed \$15,000. The Board also approves the Supervisor and Utility Director to execute all documents required to complete the extension and connection.

The motion carried by unanimous voice vote.

**C. FIRE DEPARTMENT, REPAIR PARKING LOT AT STATION #2**

Fire Department Chief Jim Roberts provided a memo to the Board and was present. He explained that the asphalt approach and parking lot at Fire Department Station #2 was badly worn and are creating a hazard for the operation of the fire trucks. He obtained three bids to repair the asphalt. The bids take different approaches to repairing the parking lot and approach. Chief Roberts is recommending that the Township approve the bid from Sommerset Paving at a cost of \$15,407.00. The bid includes milling and replacing approximately 2,800 square feet of asphalt, ripping out and replacing approximately 3,421 square feet of asphalt and seal coating approximately 22, 876 square feet of asphalt.

The following motion was moved by McKinney, seconded by Lewis:

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WASHTENAW COUNTY, MICHIGAN**

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**A RESOLUTION FOR APPROVAL OF REPAIRS TO THE PARKING LOT  
APRONS TO STATION TWO SUPERIOR TOWNSHIP FIRE DEPARTMENT  
LOCATED AT 8795 MACARTHUR BOULEVARD**

**RESOLUTION NUMBER: 2011-14**

**DATE: AUGUST 15, 2011**

**WHEREAS**, The Superior Charter Township is a Michigan Charter Township;  
and

**WHEREAS**, The Superior Township Fire Department has the power, privilege and authority to maintain and operate a fire department providing fire protection, fire suppression, emergency medical services, technical rescue, hazardous incidence response and other emergency response services (“Fire Services”); and

**WHEREAS** the department is in the process of accepting bids to repair/replace 6221 sq. ft. of asphalt: and

**WHEREAS**, three bids were received: and

**WHEREAS** it is recommended that the bid from Sommerset Paving of Ann Arbor Michigan in the amount of \$15,407 be accepted: and

**NOW, THEREFORE BE IT RESOLVED:** That Superior Township Fire Department is allowed to enter into an agreement with Sommerset Paving for the repairs and replacement of 6221 sq. ft. of asphalt to include sealcoating of the entire parking lot and restriping as existing and that the cost of this work is to be taken from 206-336-978.00 Buildings and Land.

Roll call vote:

Ayes: McKinney, Phillips, Caviston, Lewis, McFarlane

Nays: None

Absent: Green, Williams

The motion carried.

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**D. CONTRACT FOR OCTOBER 8, 2011 CLEAN-UP DAY**

Supervisor McFarlane explained that the Washtenaw County Public Works was conducting a county clean-up day on October 8, 2011 at the Eastern Michigan University Rynearson Stadium Parking Lot on Hewitt Road. The Township participated in the event last year. They accept traditional recyclable materials, Freon, household appliances, oil, oil based paints, old tires and other hard to dispose of waste. The cost to the Township is \$2,000.00. There is a suggested donation of \$10.00 for each participant.

It was moved by McKinney, seconded by Caviston, for the Board to approve a contract with Washtenaw County Public Works for Superior Township to pay \$2,000.00 to help fund the County Clean-Up Day to be held on Saturday, October 8<sup>th</sup>, 2011, 9 a.m. to 2 p.m. at Rynearson Stadium.

The motion carried by unanimous voice vote.

**E. TOWNSHIP'S PURCHASE OF 8.80 ACRES THRU THE WASHTENAW COUNTY TAX SALE**

Supervisor McFarlane explained that as he reported to the Board at the July 18, 2011 Board meeting, the Township has been working with the Washtenaw County Treasurer to exercise its right of first refusal to purchase the 8.80 parcel adjacent to the Fairfax Manor property. The Township would then enter into an agreement to convey the parcel back to Fairfax Manor as the parcel is a part of their Planned Community Area Plan. The County Treasurer drafted a resolution for the Board to approve the process. However, the attorneys for the Township and the County have not completed their review of the resolution.

It was moved by McKinney, seconded by Caviston, for the Board to postponed action on the Township's purchase of 8.80 acres thru the Washtenaw County tax sale until the Board meeting of September 19, 2011.

The motion carried by unanimous voice vote.

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**F. AATA, NE GOVERNANCE BOARD MEMBER NOMINATION**

Supervisor McFarlane explained that the AATA has established a 15 person unincorporated countywide board to start the process of implementing a countywide transit plan. Superior Township has been assigned to the Northeast Governance Board (NEGB). The NEGB is comprised of Ann Arbor Township, Northfield Township, Salem Township and Superior Township. The NEGB is allotted one seat on the 15 person countywide board. A selection committee nominated David Phillips to serve as the NEGB's representative. It was explained that the board member will not be compensated. The representative will be the NEGB's liaison to the countywide board and will report to all of the members of the NEGB.

It was moved by McKinney, seconded by Caviston, to approve David Phillips as the representative for the Northeast Communities of Washtenaw County to the new Act 196 County Transportation Authority representing Ann Arbor, Northfield, Salem, and Superior Townships for 2011 through 2015.

The motion carried by unanimous voice vote.

**11. PAYMENT OF BILLS**

It was moved by McKinney, seconded by Caviston, that the bills be paid as submitted in the following amounts: General- \$5,685.00; Law- \$6,197.27, for a total of \$11,882.27. Further, that the Record of Disbursements be received.

The motion carried by a unanimous voice vote.

**12. PLEAS AND PETITION**

There were none.

**13. ADJOURNMENT**

It was moved by McKinney, seconded by Caviston, that the meeting be adjourned. The motion carried by a voice vote and the meeting adjourned at 8:30 p.m.

Respectfully submitted,

David Phillips, Clerk

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William McFarlane, Supervisor