

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
OCTOBER 15, 2012
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 October 15, 2012, 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, Lisa Lewis and Alex Williams. Trustee Rodrick Green was absent

4. ADOPTION OF AGENDA

It was moved by McKinney, seconded by Caviston, to adopt the agenda as presented.

The motion carried by unanimous voice vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF SEPTEMBER 17, 2012

It was moved by Caviston, seconded by McKinney, to approve the minutes of the regular Board meeting of September 17, 2012, as presented.

The motion carried by a voice vote.

6. CITIZEN PARTICIPATION

A. ANN ARBOR DISTRICT LIBRARY BOND PROPOSAL PRESENTATION

Josie Parker, Director, Ann Arbor District Library, made a presentation in which she explained the Ann Arbor District Library's (AADL) proposal on the November 6, 2012 election ballot to approve a bond in an amount not to exceed \$65 million for a period not to exceed 30 years for the construction of a new main library at the current site of the downtown library building. She said anyone who resides in the Ann Arbor School District belongs to the AADL and the cost to a homeowner if the proposal is approved would be about \$0.56 per \$1,000 of taxable value. The AADL is authorized to levy up to 2.0 mills, but has never levied the full amount and is currently levying 1.55 mills. She said that non-members of the AADL are allowed to access the resources contained in the library buildings, but they need to join the library and obtain a library card to be able to checkout materials and access certain data bases. The cost to join the library is \$150.00 per household.

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B. PUBLIC HEARING 2013 BUDGETS, ALL FUNDS

It was moved by Caviston, seconded by Williams to open the public hearing.

Supervisor McFarlane explained the budget for the various funds. He said all funds are in good shape. The Township received an increase of \$54,000 in State Shared Revenue. He said the budget appropriates \$300,000 to roads, increased from \$210,000 budgeted in 2012. Most of the line items are the same or slightly increased from 2012.

It was moved by Caviston, seconded by Lewis, to close the public hearing.

C. CITIZEN COMMENTS

Martha Kern-Boprie announced that the Superior Parks Department is having a pumpkin carving event on Saturday, October 20, 2012, 1:00 a.m. to 2:00 p.m. at the Norfolk Park. Refreshments are provided. There is no charge.

Ellen Kurath commented that she supports the AATA plan for a new transit agency that would include additional service to Superior Township. She recommended the Township embrace energy efficient practices.

7. REPORTS

A. SUPERVISOR REPORT

Supervisor McFarlane reported on the following: Toll Brothers is proposing to construct 31 new homes on Geddes Road; Pulte Homes is considering re-starting new home construction in the Prospect Pointe subdivision; the owners of the Superior Party Store have filed a lawsuit contesting the ZBA's denial of their request for zoning compliance. Supervisor McFarlane explained the Township is covered by the Township's insurance policy for up to \$500,000 and will be represented by the insurance company attorneys. He requested the Board approve the Township to hire attorney Fred Lucas to also represent the Township. It was moved by McKinney, seconded by Caviston for the Board to approve the Township to hire attorney Fred Lucas to represent the Township in the Superior Party Store lawsuit. The motion carried by a voice vote. He reported he thought the Township's purchase of the 12 acres on Harris Road was a good deal, even though the Ypsilanti Library has indicated they will not be building on the site for the foreseeable future. As a result of improved insulation, furnace and other upgrades, the Utility Department reduced their costs for gas and electricity by \$2,000 last year. The Dixboro Design Review Board will be meeting on November 8, 2012 at 7:30 pm to review a proposed child care center on Plymouth Road just east of Cherry Hill. The County Parks has opened up

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grants for non-motorized trails and he recommended the Township look at applying for grants on Geddes Road, east of Andover and on Prospect, between Berkshire and Clark. The Township is conducting interviews to hire one firefighter to replace Ron Smith, who retired after 33 years of service.

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

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

The motion carried by a voice vote.

8. COMMUNICATIONS

A. BRENDA BAKER, COMMITTEE TO PROMOTE SUPERIOR TOWNSHIP

Brenda Baker, Chairperson of the Committee to Promote Superior Township (CPST) provided a letter to the Board and made a brief presentation to the Board. She explained that the CPST members were all volunteers, they were not paid and the CPST had no budget. She thanked the Township for providing the use of the Township facilities and the use of copy machines and other support. They are involved in a number of different projects and activities to “foster pride, unity, and a sense of place among Superior Township residents”. There help with youth activities with the Superior Parks Department, participate in the Green Fair, maintain a bulletin board at the Superior Branch library

9. UNFINISHED BUSINESS

A. ORDINANCE NO. 174-11, ST. JOSEPH MERCY HOSPITAL, AREA PLAN AMENDMENT, FIRST READING

St. Joseph's Mercy Hospital is proposing to develop a 47, 200 square foot two-story addition and renovation to the existing Surgery Pavilion. They would relocate their existing out-patient surgery room to this new addition. Relocating the outpatient surgery facility to adjacent to the existing surgery facility would save money and increase efficiencies by sharing services necessary for operating rooms. The proposed addition would include nine out-patient operating rooms, thirty-six prep/recovery stalls, public waiting area and staff and support areas. It would result in the reduction of sixteen parking spaces. The hospital has completed a parking study and determined they have an excess of parking spaces and the reduction will not negatively affect the facility. On August 20, 2012, the Superior Township Planning Commission recommended

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approval of STPC #12-06, St. Joseph Mercy Hospital Area Plan Amendment- Outpatient Surgery Pavilion.

It was moved by Phillips, seconded by Lewis, for the Superior Township Board of Trustees to approve the second reading and adoption of Ordinance #174-11 as follows:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**ORDINANCE # 174-11
OUTPATIENT SURGERY PAVILION
AMENDMENT TO THE ST. JOSEPH MERCY HOSPITAL AREA PLAN**

The Board of Superior Charter Township of Washtenaw County, Michigan, hereby ordains that Ordinance Number 174, being the Superior Charter Township Zoning Ordinance, adopted August 4, 2008, and effective August 14, 2008, as amended, be amended as follows:

SECTION 5I

Superior Charter Township Ordinance Number 174, designated Superior Charter Township Zoning Ordinance, adopted August 4, 2008 and effective August 14, 2008, as amended, and the zoning district map attached thereto and made a part thereof, are hereby amended by amending the Area Plan for St. Joseph Mercy Health System to include the Outpatient Surgery Pavilion Area Plan Amendment dated August 1, 2012.

SECTION II

**LEGAL DESCRIPTION OF ST. JOSEPH MERCY HOSPITAL TOTAL LAND OWNERSHIP,
SECTION 31, T2S, R7E, SUPERIOR TOWNSHIP, WASHTENAW COUNTY, MICHIGAN**

Commencing at the S 1/4 corner of fractional Section 31, T2S, R7E, Superior Township, Washtenaw County, Michigan, thence S 88° 07' 45" W 66.01 feet along the south line of fractional Section 31 and the centerline of Clark Road, thence N 00° 50' 30" W 60.01 feet to the POINT OF BEGINNING, thence S 88° 07' 45" W 2428.11 feet along the north right-of-way line of Clark Road (60.00 feet 1/2 width), thence along the east right-of-way line of Golfside Road extension in the following six (6) courses: N 02° 05' 59" E 133.16 feet, Northeasterly 416.82 feet along the arc of a curve to the right having a radius of 600.00 feet passing through a central angle of 39°48' 13" with a long chord bearing N 22° 00'05" E 408.49 feet, N 41° 54' 12" E 192.76 feet, Northwesterly 850.38 feet along the arc of a curve to the left having a radius of 700.00 feet passing through a central angle of 69°36' 16" with a long chord bearing N 07°06' 04" E 799.04 feet, N 23° 44' 04" E 79.54 feet, N 23° 34' 41" E 60.09 feet, thence N 63° 05' 26" W 396.19 feet along the northeasterly right-of-way line of said Huron River Drive (120.00 feet total width) thence N 36° 19' 51" E 1763.93 feet, thence N 00° 04' 55" W 332.14 feet, thence northeasterly in the following eight (8) courses along an intermediate traverse line on the southeasterly bank of the Huron River, said intermediate traverse line lying southeasterly of the 735 foot contour line of said Huron River, N 55° 50' 24" E 162.91 feet, N 48° 13' 58" E 141.41 feet, N 41° 53' 37" E 224.29 feet, N 47° 10' 21" E 117.00 feet, N 38° 21' 20" E 151.52 feet, N 57° 10' 34" E 201.88 feet, N 77° 13' 14" E 165.93 feet, N 02° 57' 08" E 374.74 feet to the southwesterly right-of-way line of the Penn Central Railroad, thence southeasterly along the southwesterly right-of-way line of said Penn Central Railroad 1065.99 feet along the arc of a non-tangential circular curve concave southwesterly, radius 2167.90 feet, central angle 28° 10' 24", chord S 78° 08' 32" E 1055.29 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, 684.31 feet along the arc of a non-tangential circular curve concave southwesterly, radius 2196.90 feet, central angle 17° 50' 49", chord S 54° 41' 26" E 681.54 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, 390.76 feet along the arc of a non-tangential circular curve concave southwesterly radius 2091.90 feet, central angle 10° 42' 09" chord S 40° 31' 56" E 390.19 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, S 35° 11' 26" E 235.05 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, S 34° 19' 33" E 697.23 feet, thence S 23° 55' 12" W 1020.86 feet, thence N 89° 18' 12" E 399.19 feet, thence southerly in the following twelve (12) courses along an intermediate traverse line on the westerly bank of the Huron River, said intermediate traverse line lying westerly of the waters edge of said Huron River, S 03° 42' 01" E 80.37 feet, S 06° 17' 26" E 150.00

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feet, S 17° 05' 18" W 101.77 feet, S 36° 22' 47" W 93.24 feet, S 64° 41' 21" W 95.32 feet, S 08° 50' 35" W 118.19 feet, S 20° 01' 21" W 312.87 feet, S 03° 23' 57" E 61.70 feet, S 10° 27' 52" E 231.19 feet, S 33° 30' 27" E 124.44 feet, S 34° 44' 42" E 96.92 feet, S 42° 09' 35" E 168.35 feet, thence S 25° 42' 23" W 473.67 feet, thence S 87° 25' 00" W 46.69 feet, thence N 59° 34' 37" W 60.59 feet along the northeasterly right-of-way line of Huron River Drive, thence S 87° 25' 00" W 265.87 feet along the north right-of-way line of Huron River Drive, thence S 89° 06' 22" W 914.80 feet along the north right-of-way line of Huron River Drive, thence S 87° 25' 00" W 66.02 feet along the north right-of-way line of said Huron River Drive, thence N 00° 50' 30" W 251.35 feet, thence S 89° 09' 30" W 440.02 feet, thence S 00° 50' 30" E 263.99 feet to the POINT OF BEGINNING, being a part of Fractional Section 31, T2S, R7E, Superior Township, Washtenaw County, Michigan, together with all that land lying between the 735 foot contour line of the Huron River and the intermediate traverse line, also all that land lying between the waters edge of the Huron River and the intermediate traverse line on the easterly side of the above described parcel, containing 340.8 acres of land, more or less.

SECTION III

The Area Plan of St. Joseph Mercy Hospital Health System shall be amended to include the Outpatient Surgery Pavilion Area Plan Amendment dated August 1, 2012.

SECTION IV

This Ordinance shall be published by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – pursuant to Section 8 of the Charter Township Act, being MCL 42.8 within thirty (30) days following the final adoption thereof. This Ordinance shall become effective on the eighth day following said publication or such later date as is provided by law. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

CERTIFICATION

I, David Phillips, Clerk of the Charter Township of Superior, Washtenaw County, Michigan, hereby certify that this is a true copy of an Ordinance adopted by the Superior Charter Township Board for second reading and adoption at a regular meeting held on October 15, 2012. This Ordinance shall become effective on the eighth day following publication of second and final reading, or such later date as may be provided herein or by law.

William McFarlane, Supervisor

David Phillips, Clerk

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

Nays: None

Absent: Green

The motion carried and the ordinance was adopted.

10. NEW BUSINESS

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A. RESOLUTION 2012-23, ADOPTING MILLAGE RATES FOR FY2013

Supervisor McFarlane presented a document to the Board which outlined the proposed millages for 2013. Supervisor McFarlane said the millage reduction fraction is 1 this year and that a public hearing is only required if the municipality desires to increase the revenue over the allocated millage. There may be minor changes to the Taxable value based on tax tribunal results. The current State Taxable Value for real and personal property is \$ 535,279,316. The IFT for Hyundai is \$32,948,930.

It was moved by McKinney, seconded by Lewis, to adopt the following resolution:

**CHARTER TOWNSHIP OF SUPERIOR
BOARD OF TRUSTEE'S RESOLUTION**

**OCTOBER 15, 2012
RESOLUTION 2012-23**

**A RESOLUTION ADOPTING GENERAL APPROPRIATION ACT
MILLAGE RATES:**

WHEREAS: the Charter Township of Superior Board of Trustee's has carefully reviewed the Township's current and projected financial needs, and

WHEREAS: the Board of Trustee's recognizes its responsibility to the citizens of the Charter Township of Superior to carefully monitor the Township funds and provide necessary revenue to offset proposed expenditures, and

WHEREAS: the auditors suggested that millage rates for revenue should be by resolution, and

WHEREAS: the projected revenues will be based on the taxable value of the parcels based on or after tax tribunal hearing results are submitted, and

THEREFORE BE IT RESOLVED: that the Charter Township of Superior Board of Trustee's adopts the millages on the attachment by Resolution as listed.
September 17, 2012

TO: Board of Trustee's

FM: William McFarlane, Supervisor

RE: Proposed millages for 2013 Budget

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The current State Taxable Value for real and personal property is 535,279,316
The IFT for Hyundai is 32,948,930

I am proposing the Charter Township of Superior levy the following mill ages' for the 2013 budget year in the following funds.

| | | | 2013 | | |
|---------------|-------------|---------|------|----------------|-----------------|
| General fund | 535,279,316 | X .8192 | = | \$438,500.00 | |
| Law Fund | 535,279,316 | X 2.25 | = | \$1,204,378.00 | voted 2012-2014 |
| Fire Fund | 535,279,316 | X 3.00 | = | \$1,605,837.00 | voted 2012-2014 |
| Legal defense | 535,279,316 | X .125 | = | \$66,909.00 | voted 2012-2014 |
| IFT Hyundai | | | | | |
| ½ millage | | | | | |
| General Fund | 32,948,930. | X .4096 | = | \$13,495.00 | |
| Law Fund | 32,948,930 | X 1.125 | = | \$37,067.00 | |
| Fire Fund | 32,948,930 | X 1.50 | = | \$49,423.00 | |
| Legal Defense | 32,948,930 | X .0625 | = | \$2,059.00 | |

The millage reduction fraction is 1 this year. A public hearing is only required if the municipality desires to increase the revenue over the allocated millage. There may be minor changes to the Taxable value based on tax tribunal results. I further propose The Board of trustee's set the public hearing for all funds for October 15, 2012 For the 2013 budget year

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

Nays: None

Absent: Green

The motion carried.

B. RESOLUTION 2012-24, ADOPTING 2013 BUDGETS, ALL FUNDS

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The following resolution was moved by McKinney, seconded by Caviston

**CHARTER TOWNSHIP OF SUPERIOR
BOARD OF TRUSTEE'S
OCTOBER 15, 2012
RESOLUTION 2012-24**

**A RESOLUTION ADOPTING GENERAL APPROPRIATIONS ACT:
2013 BUDGETS FOR ALL FUNDS**

WHEREAS: the Charter Township of Superior Board of Trustee's has carefully reviewed the Township's current and projected financial needs, and

WHEREAS: the Charter Township of Superior Board of Trustee's recognizes its responsibility to the citizens of Superior Township to carefully monitor the Township funds and provide for the needs of the Township, and

WHEREAS: the Board of Trustee's of the Charter Township of Superior has carefully considered the projected revenues and expenditures for the coming year, and

NOW THEREFORE BE IT RESOLVED, that the Charter Township of Superior Board Of Trustee's adopt the proposed budgets for the 2013 calendar year: the General Fund Budget by activity dated September 17, 2012, the Fire fund Budget dated September 17, 2012, the fire Reserve Budget dated September 17, 2012, the building fund budget dated September 17, 2012, the law fund budget dated September 17, 2012, the Park Fund Budget dated September 14, 2011, the utility fund Budget dated September 14, 2012, The Streetlight Budget dated September 14, 2011, the side street maintenance fund budget dated September 17, 2012, the legal defense Growth management fund dated September 17, 2012, and the Hyundai Special Assessment Fund dated September 17, 2012.

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

Nays: None

Absent: Green

The motion carried.

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C. RESOLUTION 2012-25, EXTENDING LEASE ON RICOH COPY MACHINE

Clerk Phillips provided a letter to the Board and provided information outlining the proposed agreement to extend the lease of the Ricoh color copier for an additional twenty-four months. He said the copy machine has worked well, Ricoh has provided good service and the color copies and scanning feature have become an important feature to the Township. The price per month will decrease from \$303.98 to \$243.18, the price per copy will increase slightly and at the end of the lease the Township will own the machine.

It was moved by McKinney, seconded by Caviston, to approve the following resolution:

SUPERIOR CHARTER TOWNSHIP

WASHTENAW COUNTY, MICHIGAN

**A RESOLUTION FOR APPROVAL FOR ENTERING INTO AN ORDER AGREEMENT
WITH RICOH BUSINESS SOLUTIONS FOR A TWENTY-FOUR MONTH LEASE OF
A RICOH COPY MACHINE**

RESOLUTION NUMBER: 2012-25

DATE: October 15, 2012

WHEREAS, a copy machine is needed for the day-to-day operations of Superior Township, and

WHEREAS, the Adopted Policies of the Superior Township Board of Trustees requires Board approval for all purchase of services contracts where the total amount of the purchase is over \$1,000.00, and

WHEREAS, the Township has previously executed a contract with Ricoh Business Solutions for the 48 month lease of a Ricoh MP C4000SPF color copier/scanner and the lease has expired, and

WHEREAS, the Ricoh color copier/scanner has performed well during the 48 month lease period and Ricoh has provided excellent service, and

WHEREAS, Ricoh has offered to extend the lease for 24 months on the color copier/scanner, at a competitive price, and

NOW, THEREFORE BE IT RESOLVED: that the Superior Township Board of Trustees approves the Order Agreement, Quote #1026058, with Ricoh Business Solutions to extend the

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lease on the Ricoh color copies for 24 months and authorizes the Supervisor to sign the Agreement.

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

Nays: None

Absent: Green

The motion carried.

D. RESOLUTION 2012-26, SUPERIOR TOWNSHIP'S WITHDRAWING FROM THE NEW 196 TRANSIT AUTHORITY

The Board discussed the Township's participation in the new 196 transit authority. Clerk Phillips explained the proposed improvements in service. Michael Beham, Planner, AATA, explained the proposal and answered some questions. Members of the public and the Board commented that the proposed transit service was desirable. There was discussion among Board members that the vote on a millage would be authority wide. There was concern that Superior Township voters could overwhelmingly reject the millage, but the millage would be approved because of passing in the Cities of Ann Arbor, Ypsilanti and Ypsilanti Township. It was expressed that Superior Township voters would be better represented if the Township opted-in at a later date and the election was only for Superior Township voters. There was support to keep the current Purchase of Service Agreement and to maintain the current fixed-route and A-Ride service with the possibility of the Township opting-in at a later date.

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

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
OCTOBER 15, 2012
RESOLUTION 2012-26**

**A RESOLUTION AUTHORIZING THE CHARTER TOWNSHIP OF SUPERIOR TO
WITHDRAW FROM THE NEW 196 TRANSIT AUTHORITY IN WASHTENAW
COUNTY**

Whereas, the Ann Arbor Transportation Authority (AATA), with input from thousands of residents, examined the need for public transit services in Washtenaw County and developed a 30-year transit vision for Washtenaw County communities; and

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Whereas, AATA, in collaboration with local leaders, developed a countywide governance structure that provides representation based on population, charter millage funding and transit assets and has been meeting with district representatives on the “unincorporated” u196 Board since October 2011; and

Whereas, the AATA held more than 25 meetings in local transit districts as well as hundreds of meetings with public, business and educational leaders, attended community events across the county, and presented at dozens of local meetings to create a Five-Year Transit Program; and

Whereas, the Five-Year Transit Program proposes essential transit services for all community residents, including Dial-A-Ride, Dial-A-Ride PLUS, Express Services, Community Connectors, AirRide, Community Circulators, Park and Ride lots, VanRide, and extensive fixed-route bus improvements; and

Whereas, the Five-Year Transit Program services provide communities indispensable transportation options and mobility for all residents, especially seniors, youth and people with disabilities, and ensures communities’ quality of life, economic resilience, and job access; and

Whereas, the AATA presented the final Five-Year Transit Program throughout the county at nine district advisory committee meetings and at numerous public board and community meetings as requested; and

Whereas, on October 2, 2012, the AATA Board, with community representatives from the u196 Board present, passed a resolution asking the Washtenaw County Clerk to file Articles of Incorporation for the new Public Act 196 Transit Authority on October 3, 2012; and

Whereas, each community in Washtenaw County has the opportunity at incorporation to choose whether to participate in the new PA 196 Transit Authority, and at subsequent times as outlined in PA 196 of 1986; and

Whereas, participating communities will take part in the new PA 196 Transit Authority board representation, receive service, and allow their voters an opportunity to fund an expanded transit service; and

Whereas, the Charter Township of Superior Township Board of Trustees has listened to the Superior Township residents and considered the benefits to and needs of Superior Township;

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Now therefore Be it Resolved, the Charter Township of Superior Township Board of Trustees withdraw the Charter Township of Superior from the new 196 transit authority being formed in Washtenaw County at this time and the Superior Township Residents will not vote, participate in governance, receive improved service, or provide funding for expanded transit service.

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

Nays: None

Absent: Green

The motion carried

E. RESOLUTION 2012-27, SUPPORT FOR THE CONSOLIDATION FO THE WILLOW RUN AND YPSILANTI SCHOOL DISTRICTS

Representatives from the Willow Run School District were present and made a presentation to the Board. They felt the consolidation was essential to the continued operation of both school districts. They felt the consolidation would result in numerous positive effects, better schools, better learning opportunities for students and a more successful school district. Board members expressed concern about the financial management of the current and future districts and explained how the “Therefore” in the resolution was amended to address these concerns.

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

SUPERIOR CHARTER TOWNSHIP

WASHTENAW COUNTY, MICHIGAN

OCTOBER 15, 2012

RESOLUTION 2012-27

A RESOLUTION IN SUPPORT OF THE CONSOLIDATION OF WILLOW RUN COMMUNITY SCHOOLS AND THE SCHOOL DISTRICT OF YPSILANTI

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WHEREAS, public education is a fundamental right of every child in our community and is of the utmost importance to the health, well-being, vibrancy and prosperity of our township; and

WHEREAS, students should have a quality education that prepares them to lead successful and productive lives; and

WHEREAS Willow Run Community Schools and the School District of Ypsilanti are deficit districts and they are experiencing severe economic challenges which impacts academic programs; and

WHEREAS each district is faced with significant achievement deficiencies with many students unprepared to succeed in college and careers; and

WHEREAS the boards of education have voted to place the question of consolidation on the November 6, 2012 ballot; and

WHEREAS the state of Michigan has provided funding incentives for consolidation of districts; and

WHEREAS the state superintendent of instruction has pledged his assistance in extending the repayment period for the accumulated deficit; and

WHEREAS, the unification of these two districts represents a unique opportunity to create a "cradle to career" educational model that is designed to ensure a strong and successful public education system; and

WHEREAS, the two ballot proposals, if approved, will maintain the current level of taxes; now

THEREFORE, be it resolved that the Superior Township Board of Trustees would support the effort to consolidate the two districts with the expectation that: 1.) the new school district will be managed in a fiscally responsible manner; 2.) the new school district will operate on a balanced budget every year which includes adequate payments to debt; 3.) the new school district will not be allowed to add any new debt to either operating, infrastructure or capital improvements without approval of the voters of the new district.

BE IT FURTHER RESOLVED this support includes the second proposal on the ballot which allows the new district to levy the non-homestead mills as currently levied by the independent districts in order to receive full funding on a per student basis.

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

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adopted at a regular meeting of the Superior Charter Township Board held on October 15, 2012 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.



David Phillips, Superior Township Clerk

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

Nays: None

Absent: Green

The motion carried

F. DEVELOPMENT AGREEMENT SJMH AMBULATORY SURGERY PAVILION

The final site plan for the SJMH Ambulatory Surgery Pavilion was recently approved by the Planning Commission. The Township required a development agreement be executed for the project.

It was moved by Williams, seconded by McKinney, to approve the following development agreement:

Superior Charter Township

**DEVELOPMENT AGREEMENT
Saint Joseph Mercy Health System**

Ambulatory Surgery Center Project

This Development Agreement ("**Agreement**") is entered into as of the _____ day of October, 2012, by and between Saint Joseph Mercy Health System ("**Developer**"), whose address is 5301 E. Huron River Drive, Ann Arbor, Michigan 48106, and the Charter Township

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of Superior, whose address is 3040 N. Prospect Road, Ypsilanti, Michigan 48198 (the "*Township*").

RECITALS:

- A. WHEREAS, the Developer desires to construct a 2-story Surgery Center which includes approximately 10,390 sq. ft. of renovated existing space and 40,332 sq.ft. of building addition space. This includes the mechanical storage penthouse, 1st floor outpatient surgery suite and partial 2nd floor including inpatient hybrid operating room suite. Site improvements include the construction of a new Ambulatory Surgery Center, a new inpatient hybrid operating room and improvements to the vehicular parking lots and pedestrian walkways. This surgery center is being proposed as a means of meeting current industry standards for ambulatory surgery procedures, by replacing 9 existing outpatient operating rooms currently in (2) locations on campus and a state-of-the-art hybrid operating room adjacent to the existing inpatient surgery pavilion.
- B. WHEREAS, the Developer desires to develop the new building pursuant to the Superior Township Zoning Ordinance No. 174; and
- C. WHEREAS, the entire property (340.80 acres) is located at the S 1/4 quarter of Section 31, T2S, R7E, Superior Township; and
- D. WHEREAS, the subject development shall consist of 40,332 square foot building addition; and
- E. WHEREAS, all parking and drives for the subject project are to be bituminous with concrete curb and gutter with designated sidewalks to be concrete; and
- F. WHEREAS, the purpose of the facility is to provide state-of-the-art health system operation improvements for patients within the Saint Joseph Mercy Health System complex; and
- G. WHEREAS, the Developer desires to build all necessary infrastructure, such as, but not limited to, storm sewers, water main, sanitary sewer, driveways, sidewalks, curb and gutter, parking improvements, lighting and landscaping, without the necessity of special assessments by the Township; and
- H. WHEREAS, the Developer desires to install the grading and soil erosion and sedimentation control improvements proposed on the construction plans in order to facilitate the additional drainage of storm water from the development in such a manner

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as to avoid damage to any adjacent property or any adjacent lot, from an increase in the flow or decrease in water quality of storm water from the subject development; and

- I. WHEREAS, all contracts, maintenance agreements, approvals, and conditions agreed to by the Developer and the Township remain in effect including, but not limited to, conditions of all approvals by the Township regarding zoning and site plan approval for previous developments on the subject site, engineering approvals, and permits that may have been issued by appropriate governmental review agencies for the subject site; and
- J. WHEREAS, on September 26, 2012, the Superior Township Planning Commission passed a motion to approve the Combined Preliminary and Final Site Plan for the Ambulatory Surgery Center, dated 8-27-12, conditioned upon the resolution of the issues raised by the Township Engineer in the report dated 9-18-12 prior to final engineering approval; and
- K. WHEREAS, Section 10.05(G) of the Superior Township Zoning Ordinance requires the execution of a Development Agreement in connection with the approval of the combined preliminary and final site plan for the Development which Agreement shall be binding upon the Township, and the Developer of the site, their successors-in-interest, and assigns.

NOW, THEREFORE, in consideration of the premises and the mutual covenants of the parties described in this Agreement and with the express understanding that this Agreement contains important and essential terms as part of the final approval of the Developer's Combined Preliminary and Final Site Plan for the Development the parties agree as follows:

**ARTICLE I
GENERAL TERMS**

- 1.1 Recitals Part of Agreement.** The Developer and the Township acknowledge and represent that the foregoing recitals are true, accurate and binding on the respective parties and are an integral part of this Agreement.
- 1.2 Zoning District.** The Township acknowledges and represents that the Property is zoned Medical Services District (MS) for the development and for purposes of recordation shall be referred to as the Ambulatory Surgery Center.
- 1.3 Approval of Site Plan.** The Combined Preliminary and Final Site Plan, dated August 27, 2012 has been approved pursuant to the authority granted to and vested in the Township pursuant to Michigan Public Act 110 of the 2006 Zoning and Enabling Act, as Amended.

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- 1.4 Conditions of Site Plan Approval.** The Developer and the Township acknowledge that the approval of the Combined Preliminary and Final Site Plan for the development is conditioned upon the resolution of the issues raised by the Township Engineer in the report dated 9-18-12 prior to final engineering approval.
- 1.5 Agreement Running, with the Land.** The terms, provisions and conditions of this Agreement shall be deemed to be of benefit to the Property described herein, shall be deemed a restrictive covenant which shall run with the land and be binding upon, and inure to the benefit of the parties, their successors-in-interest and assigns; and may not be modified or rescinded except as may be agreed to writing by the Township, the Developer and/or their respective successors. This restrictive covenant shall be incorporated by the appropriate executed instruments into the title of said property.

**ARTICLE II
PROVISIONS REGARDING DEVELOPMENT**

- 2.1 Permitted Principal Uses.** The only permitted principal use within the Ambulatory Surgery Center project shall be for ambulatory surgery on the 1st floor, inpatient hybrid surgery on the 2nd floor and parking and pedestrian walkways as depicted on the Township's approved combined preliminary and final site plan dated August 27, 2012. (Description written by Dave Raymond.)
- 2.2 Payment of Fees and Invoices.** The Developer shall pay all such applicable fees and invoices as may be due and payable prior to the issuance of building permits before any such permits are issued.
- 2.3 Tree Preservation.**
- The protection of trees shown to be preserved on the approved Combined Preliminary and Final Site Plan; the removal of trees; the selection, placement and installation of replacement trees, including the posting of a performance guarantee; and the inspection of preserved trees, transplanted trees and replacement trees; shall be in accordance with Section 14.05(F) of the Superior Township Zoning Ordinance.
- 2.4 Responsibility to Preserve, Retain, and Maintain Site.** During the period of construction the Developer shall regularly remove all construction debris and rubbish from the site. No burning of any kind will be allowed on the site in conjunction with the construction of the Development, including the burning of trees, brush, stumps, or vegetative materials, while clearing the site, or of construction materials during construction.

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- 2.5 General Site Area Rules.** The Developer shall be responsible for removing any man-made debris that is deposited on the site during the period of construction and shall maintain the area to ensure that it is free of trash, rubbish or unsightly weeds and during the construction shall maintain the area and landscaping in an attractive state. Developer shall preserve and retain the open space areas within the site in their natural state, with minimal intrusion, subject to the right of Developer to install, maintain and repair the site improvements which are identified in the final site plan or the plans and specifications for the Development which have been approved by the Township.
- 2.6 Township Right of Enforcement Regarding Site, Open Space and Drainage Areas.** In the event the Developer fails at any time to preserve, retain, maintain or keep up the Open Space or Drainage Areas during the construction in accordance with this Agreement, the Township may serve written notice upon the Developer setting forth the manner in which Developer has failed to maintain or preserve the Open Space and Drainage Areas in accordance with this Agreement. Such notice shall include a demand that deficiencies in maintenance or preservation be cured within thirty (30) days of the notice. If the deficiencies set forth in the original notice, or any written modification thereof, are not cured within such thirty (30) day period or any extension thereof, the Township, in order to prevent the Open Space and Drainage Areas from becoming a nuisance, may, but is not obligated to, enter upon the Open Space and Drainage Areas and perform the required maintenance or otherwise cure the deficiencies. The Township's cost to perform any such maintenance or cure, together with a surcharge equal to fifteen percent (15%) for administrative costs, shall be assessed to the owner of the site at the time such maintenance or cure is performed (or said owner's successors or assigns), placed on the next Township tax roll as a special assessment, and collected in the same manner as general property taxes.
- 2.7 Storm Water Management.** It is understood that storm water improvements as part of this phase of construction will be transmitting storm water runoff from the site improvement areas to existing stormwater management facilities, and that these facilities may not meet the current standards of the Washtenaw County Water Resources Commissioner and/or Township Engineering Standards. However, Developer agrees to make storm water management facility improvements to the existing infrastructure in the form of storm water treatment devices, as shown on the approved Combined Preliminary and Final Site Plan.

Owner/Applicant/Developer agrees to maintain the on-site storm water management system at no expense to the Township, including all piping, structures, basins, and other facilities associated with the system. In the event Developer at any time fails to maintain or preserve storm water management facilities in accordance with this Agreement, the Township may serve written notice upon the Developer setting forth the deficiencies in the maintenance and/or preservation of the storm water management system. Said

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written notice shall include a demand that definitive action be taken to cure deficiencies of maintenance and/or preservation within 10 days and cured within thirty (30) days of the date of receipt of the notice. If no action is taken on the deficiencies set forth in the original notice, or any subsequent notice thereto, are not cured within such thirty (30) day period or any extension thereof, the Township in order to prevent the storm water management system from becoming a nuisance, may enter upon the property and perform the required maintenance and/or preservation to cure the deficiencies. The Township's cost to perform any such maintenance and/or preservation, together with a fifteen (15) percent surcharge for administrative costs, shall be assessed to the owner of the site at the time such maintenance and/or preservation is performed or its successors or assigns, placed on the next Township roll as a special assessment and collected in the same manner as general property taxes.

2.8 Landscape Plan for Development.

The Developer has included a landscape plan on the Combined Preliminary and Final Site Plan dated August 27, 2012 for the Development depicting the type, size, and location of landscaping materials. The Landscaping shall be installed in accordance with the approved plan prior to the issuance of Certificate of Occupancy.

2.9 Construction Access. Developer shall take all reasonable measures requested by the Township to reduce any dust or unreasonable amounts of material on the road created by trucks traveling to and from the construction site, when requested in writing by the Township, the expense of which shall be born exclusively by the Developer.

2.10 Engineering and Certification.

A. Developer shall furnish three mylar As-built Drawing plans signed and sealed by an engineer licensed in the State of Michigan indicating that the site grading, water transmission system, sanitary sewer system, storm water conveyance, soil erosion/sedimentation, detention/retention facilities, have been constructed in substantial accordance with the approved engineering plans. All inspections for water and sanitary sewer installations are to be performed by the Township engineers, with applicable fees paid by Developer. The Township will review and approve improvements in accordance with the Township "Engineering Design Specification for Site Improvements" and other applicable laws and ordinances.

B. Developer shall furnish As-Built Drawing plans in CD format that is in conformance with the Charter Township of Superior Standards for Submitting Digital As-Built Drawings.

C. The record drawings submitted shall be inclusive of the entire SJMHS campus.

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- 2.11 Inspection Escrow for Improvements as Shown on Final Site Plan.** Developer has provided a layout to the Township showing all site improvements which the Developer proposes to install therein, as reflected in the approved final site plan. Site improvements shall include but not be limited to streets and drives, parking lots, walkways, grading, required landscaping, required screens, and storm drainage systems as cited in Section 1.12(C) of the Superior Charter Township Zoning Ordinance. Prior to the scheduling of the pre-construction meeting, the Developer will deposit a total of \$36,773.00 in escrow with the Township to secure the cost of inspection of the site improvements. The Developer will deposit such funds with the Treasurer's Office in the form of cash or a check payable to the Charter Township of Superior. The escrow funds shall state "Escrow for inspection of site improvements as shown of the Combined Preliminary and Final Site Plan for Ambulatory Surgery Center as stated in Section 2.11 of the Development Agreement". The \$36,773.00 escrow amount stated above is based on specifications and estimates prepared by the Developer in an "itemized estimate" to the Township and approved by the Township and/or its agents. All site improvements shall be installed as agreed upon between the Developer and the Charter Township of Superior as presented on the Combined Preliminary and Final Site Plan approved by the Planning Commission dated 8-27-12. The Township shall refund its unused portion of the escrow within ten (10) business days after review and approval of the designated site improvements, such approval not to be unreasonably conditioned or withheld. As stipulated by Section 1.12(B) of the Superior Township Zoning Ordinance, if at any time the escrow funds on deposit appear insufficient to cover anticipated costs and expenses for inspections, the Township shall provide written notice to the Developer and the Developer will be required to promptly deposit additional funds in accordance with the written request from the Township.
- 2.12 Underground Utilities.** Developer shall install all electric, telephone, cable and other communication systems underground in accordance with the requirements of the applicable utility company.
- 2.13 Performance Guarantee for Site Improvements.** The Developer shall provide security in the amount of \$806,815.00 to the Township to assure the installation of all site improvements which the Developer proposes to install as reflected in the approved Combined Preliminary and Final Site Plan of the Development, including, but not be limited to, streets and drives, parking lots, walkways, grading, soil erosion control measures, sidewalks, storm drainage systems, and utilities (water and sewer). The Developer shall deliver such security (or deposit such funds) to assure the construction of the site improvements as stated above. The Developer shall deposit such funds prior to the scheduling of the pre-construction meeting with the Township Treasurer's Office in the form of cash or irrevocable letter of credit (whichever /Applicant/Developer may

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elect), payable to the Charter Township of Superior. The irrevocable letter of credit shall state "Security for Site Improvements as stated in Section 2.13 of the Ambulatory Surgery Center". The \$806,815.00 performance guarantee amount stated above is based on specifications and estimates prepared by the Developer's Engineer and approved by the Township's engineer, based on the Combined Preliminary and Final Site Plan of the Development. All Site Improvements as stated above shall be installed, as depicted on the final site plan and in the approved final engineering plans by not later than the time of application for the certificate of occupancy. The Township shall refund the cash or irrevocable letter of credit within forty-five (45) days after Developer provides written notice of completion of the improvements and Township approves such completion, such approval not to be unreasonably withheld, conditioned or delayed. The Developer may also receive partial refund(s) and/or reductions in the amount of the surety as improvements are completed by providing written notice of completion as set forth in this paragraph.

- 2.14 Engineering Approval of Plans.** In accordance with Superior Township Ordinance and Superior Township's Engineering Design Specifications, no construction work shall be performed on the Development until engineering plans are reviewed and approved. The Township agrees that all plan reviews required by its engineer shall be completed in a timely manner.
- 2.15 Removal of Construction Debris.** Developer shall remove all discarded building materials and rubbish at least once each month during construction of the development and within one month of completion or abandonment of construction. No burning of discarded construction material shall be allowed on site.
- 2.16 Provision of Area Plan.** The Developer shall provide to the Township four (4) copies of the complete area plan of the 340.80 acre Saint Joseph Mercy Health System Complex accurately depicting the Ambulatory Surgery Center, all other buildings, parking areas, roadways, signage, and facilities on the site, as well as open space areas.

**ARTICLE III
MISCELLANEOUS PROVISIONS**

- 3.1 Modifications.** This Agreement may not be modified, replaced, amended or terminated without the prior written consent of the parties to this Agreement.
- 3.2 Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Michigan.

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- 3.3 **Township Approval.** This Agreement has been approved by the Developer and Township, through action of the Township Board at a duly scheduled meeting.
- 3.4 **Developer Approval.** The signers on behalf of Developer below represent by their signatures that they represent and have authority to bind such parties. Developer has signed to show only that they consent to the terms of the Agreement being made applicable to the property.
- 3.5 **Execution in Counterparts.** This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which shall constitute one Agreement. The signature of any party to any counterpart shall be deemed to be a signature to, and may be appended to, any other counterpart.
- 3.6 **Pre-Construction Meeting with Builder.** Prior to the commencement of said construction, the Developer shall schedule a meeting with its construction manager and the Township's applicable departments, officials, and consultants to review the applicable policies, procedures and requirements of the Township with respect to construction of the subject development.

ARTICLE IV

CHARTER TOWNSHIP OF SUPERIOR HEREBY AGREES:

- 4.1 **Ratification of Agreement.** The Township confirms and ratifies its agreements and undertakings as set forth in this Agreement.
- 4.2 **Inspections** In consideration of the above undertakings to approve the development, the Township shall provide timely and reasonable Township inspections as may be required during construction.
- 4.3 **Continued Review.** The Owner shall be required to review conformance of this Agreement with Township Officials and/or designated Township consultants on a yearly basis or at such time as deemed necessary by the Township.
- 4.4 **Fees.** The Developer shall pay for any reviews necessary to determine conformance of the Development to this Agreement. This fee would include review time by the Township Engineer, Planner or Attorney.
- 4.5 **Recordation of Agreement.** The Township will record this Agreement with the Washtenaw County Register of Deeds. All costs associated with the recording of this Agreement shall be born by the Developer.

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The foregoing instrument was acknowledged before me this _____ day of _____ 2012, by William A. McFarlane, Supervisor of Superior Charter Township, a Michigan municipal corporation, on behalf of the corporation.

Notary Public
Washtenaw County, Michigan
My Commission Expires:

Drafted by and when
recorded return to:

David Phillips
Superior Charter Township Clerk
3040 N. Prospect
Ypsilanti, MI 48198
(734) 482-6099

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ATTACHMENT A

**LEGAL DESCRIPTION OF
ST. JOSEPH MERCY HOSPITAL
TOTAL LAND OWNERSHIP, SECTION 31, T2S, R7E,
SUPERIOR TOWNSHIP, WASHTENAW COUNTY, MICHIGAN**

Commencing at the S 1/4 corner of fractional Section 31, T2S, R7E, Superior Township, Washtenaw County, Michigan, thence S 88° 07' 45" W 66.01 feet along the south line of fractional Section 31 and the centerline of Clark Road, thence N 00° 50' 30" W 60.01 feet to the POINT OF BEGINNING,

thence S 88° 07' 45" W 2428.11 feet along the north right-of-way line of Clark Road (60.00 feet 1/2 width), thence along the east right-of-way line of Golfside Road extension in the following six (6) courses:

N 02° 05' 59" E 133.16 feet,

Northeasterly 416.82 feet along the arc of a curve to the right having a radius of 600.00 feet passing through a central angle of 39°48' 13" with a long chord bearing N 22° 00'05" E 408.49 feet,

N 41° 54' 12" E 192.76 feet,

Northwesterly 850.38 feet along the arc of a curve to the left having a radius of 700.00 feet passing through a central angle of 69°36' 16" with a long chord bearing N 07°06' 04" E 799.04 feet,

N 23° 44' 04" E 79.54 feet,

N 23° 34' 41" E 60.09 feet,

thence N 63° 05' 26" W 396.19 feet along the northeasterly right-of-way line of said Huron River Drive (120.00 feet total width)

thence N 36° 19' 51" E 1763.93 feet,

thence N 00° 04' 55" W 332.14 feet,

thence northeasterly in the following eight (8) courses along an intermediate traverse line on the southeasterly bank of the Huron River, said intermediate traverse line lying southeasterly of the 735 foot contour line of said Huron River,

N 55° 50' 24" E 162.91 feet,

N 48° 13' 58" E 141.41 feet,

N 41° 53' 37" E 224.29 feet,

N 47° 10' 21" E 117.00 feet,

N 38° 21' 20" E 151.52 feet,

N 57° 10' 34" E 201.88 feet,

N 77° 13' 14" E 165.93 feet,

N 02° 57' 08" E 374.74 feet to the southwesterly right-of-way line of the Penn Central Railroad,

thence southeasterly along the southwesterly right-of-way line of said Penn Central Railroad 1065.99 feet along the arc of a non-tangential circular curve concave southwesterly, radius 2167.90 feet, central angle 28° 10' 24", chord S 78° 08' 32" E 1055.29 feet,

thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, 684.31 feet along the arc of a non-tangential circular curve concave southwesterly, radius 2196.90 feet, central angle 17° 50' 49", chord S 54° 41' 26" E 681.54 feet,

thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, 390.76 feet along the arc of a non-tangential circular curve concave southwesterly radius 2091.90 feet, central angle 10° 42' 09" chord S 40° 31' 56" E 390.19 feet,

thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, S 35° 11' 26" E 235.05 feet,

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thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, S
34° 19' 33" E 697.23 feet,
thence S 23° 55' 12" W 1020.86 feet,
thence N 89° 18' 12" E 399.19 feet,
thence southerly in the following twelve (12) courses along an intermediate traverse line on the westerly
bank of the Huron River, said intermediate traverse line lying westerly of the waters edge of said
Huron River,

S 03° 42' 01" E 80.37 feet,
S 06° 17' 26" E 150.00 feet,
S 17° 05' 18" W 101.77 feet,
S 36° 22' 47" W 93.24 feet,
S 64° 41' 21" W 95.32 feet,
S 08° 50' 35" W 118.19 feet,
S 20° 01' 21" W 312.87 feet,
S 03° 23' 57" E 61.70 feet,
S 10° 27' 52" E 231.19 feet,
S 33° 30' 27" E 124.44 feet,
S 34° 44' 42" E 96.92 feet,
S 42° 09' 35" E 168.35 feet,

thence S 25° 42' 23" W 473.67 feet,
thence S 87° 25' 00" W 46.69 feet,
thence N 59° 34' 37" W 60.59 feet along the northeasterly right-of-way line of Huron River Drive,
thence S 87° 25' 00" W 265.87 feet along the north right-of-way line of Huron River Drive,
thence S 89° 06' 22" W 914.80 feet along the north right-of-way line of Huron River Drive,
thence S 87° 25' 00" W 66.02 feet along the north right-of-way line of said Huron River Drive,
thence N 00° 50' 30" W 251.35 feet,
thence S 89° 09' 30" W 440.02 feet,
thence S 00° 50' 30" E 263.99 feet to the POINT OF BEGINNING, being a part of Fractional Section 31,
T2S, R7E, Superior Township, Washtenaw County, Michigan, together with all that land lying
between the 735 foot contour line of the Huron River and the intermediate traverse line, also all
that land lying between the waters edge of the Huron River and the intermediate traverse line on
the easterly side of the above described parcel, containing 340.8 acres of land, more or less.

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

Nays: None

Absent: Green

The motion carried

G. UTILITY DEPARTMENT TAX ROLL LIST FOR 2012

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The Utility Department presented the 2012 Tax Roll Listing for water bills that were unpaid from 2011.

It was moved by McKinney, seconded by Lewis, for the Board to approve the 2012 Tax Roll Listing for water service accounts with unpaid balances from 2011 and that accounts be placed on the Winter 2012 tax roll.

The motion carried by unanimous voice vote.

H. TREASURER'S OFFICE, DELINQUENT FALSE ALARMS

The Treasurer's Office requested authorization to levy delinquent false alarms on the 2012 winter tax roll.

It was moved by McKinney, seconded by Williams, that the Board authorize the Treasurer's office to levy delinquent false alarms on the 2012 winter tax levy in the amount of \$1,220.00, which includes a \$30.00 tax roll fee.

The motion carried by a voice vote.

I. TREASURER'S OFFICE, SIDE STREET MAINTENANCE

The Treasurer's Office requested authorization to levy side street maintenance special assessments on the 2012 winter tax roll. The total amount of the levy is \$17,420, based upon 871 parcels at \$20.00 each.

It was moved by McKinney, seconded by Williams, that the Board authorize the Treasurer's office to levy the side street maintenance special assessments on the 2012 winter tax roll. The total amount of the levy is \$17,420, based upon 871 parcels at \$20.00 each.

The motion carried by a voice vote.

J. TREASURER'S OFFICE, DELINQUENT ORDINANCE VIOLATIONS

The Treasurer's Office requested authorization to levy the delinquent ordinance violations on the 2012 winter tax roll in the amount of \$2,299.00.

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It was moved by McKinney, seconded by Lewis, that the Board authorize the Treasurer’s office to levy the delinquent ordinance violations on the 2012 winter tax roll in the amount of \$2,299.00.

The motion carried by a voice vote.

K. TREASURER’S OFFICE, HYUNDAI ROAD SPECIAL ASSESSMENT

The Treasurer’s Office requested authorization to levy the Hyundai Road Special Assessment Project on the 2012 winter tax roll in the amount of \$162,500.

It was moved by McKinney, seconded by Lewis, that the Board authorize the Treasurer’s office to levy the Hyundai Road Special Assessment Project on the 2012 winter tax roll in the amount of \$162,500.

The motion carried by a voice vote

L. BUDGET AMENDMENTS

| FIRE RESERVE FUND BUDGET AMENDMENTS 10-15-12 | | | | |
|---|----------------------------------|--------------|---------------|---|
| BUDGET LINE # | DESCRIPTION | DEBIT | CREDIT | COMMENTS |
| 207-337-715-000 | SOC SEC FOR BENEFIT DAY PAY-OFFS | \$ 2,506.39 | | RON SMITH VAC AND SICK DAY RETIREMENT PAY-OFF |
| 207-337-717-000 | BENEFIT DAY PAYOFFS | \$ 67,727.39 | | |
| 207-000-699-025 | TRANS FROM RESERVES | | \$ 70,233.78 | |
| | | | | |
| | | | | |
| | | | | |
| | TOTAL OF DEBITS/CREDITS | \$ 70,233.78 | \$ 70,233.78 | |
| | | | | |
| | | | | |

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11. PAYMENT OF BILLS

It was moved by McKinney, seconded by Caviston, that the bills be paid as submitted in the following amounts: Utilities - \$5,329.00, for a total of \$5,329.00. 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 Caviston, seconded by McKinney, that the meeting be adjourned. The motion carried by a voice vote and the meeting adjourned at 9:10 p.m.

Respectfully submitted,

David Phillips, Clerk

William McFarlane, Supervisor