

**SUPERIOR CHARTER TOWNSHIP BOARD  
REGULAR MEETING  
JANUARY 22, 2013  
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 William McFarlane at 7:30 p.m. on January 22, 2013, at the Superior Township Hall, 3040 North Prospect, Ypsilanti, Michigan.

**2. PLEDGE OF ALLEGIANCE**

Supervisor McFarlane 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, Rodrick Green, Lisa Lewis and Alex Williams.

**4. ADOPTION OF AGENDA**

It was moved by Green, seconded by McKinney, to adopt the agenda with the addition of Meals on Wheels, Invoice 2013 as item i. under New Business.

The motion carried by unanimous voice vote.

**5. APPROVAL OF MINUTES**

**A. REGULAR MEETING OF DECEMBER 17, 2012**

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

The motion carried by a voice vote.

**6. CITIZEN PARTICIPATION**

**A. FIRE CHIEF JAMES ROBERTS**

Fire Chief James Roberts and Firefighter Chris Wiggins explained to the Board that the Township was awarded a grant for \$46,200.00 for the purchase of "Jaws of Life" and other equipment used for extrications when responding to vehicle accidents. Firefighter Wiggins wrote the grant application. The grant requires a five-percent match by the Township. The Fire Department has submitted other grant applications for hiring additional firefighters and to replace the current ladder truck.

**B. CITIZEN COMMENTS**

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Linda Osgood said she lives at the corner of Geddes and Ridge roads on 11 acres that is zoned A-2. She said the area has changed, there is a lot of Utility Department equipment in her front yard, the new charter school opened last year and this summer, they will install a roundabout at the nearby intersection. She felt her property was no longer suitable for A-2 use and inquired if the Board would support her requesting the property be rezoned as a Planned Community. Supervisor McFarlane explained to her that she would have to propose a suitable area plan for a planned community zoning and suggested she speak with the Township Planner and the Building Official to explore her options.

**7. REPORTS**

**A. SUPERVISOR REPORT**

Supervisor McFarlane reported on the following: On April 15, 2013, the Washtenaw County Road Commission will be conducting their annual meeting at the Township Board meeting. Township officials will complete a drive-around inspection of Township roads on February 27, 2013. The terms of two current Planning Commission members expire on February 28, 2013. He will recommend candidates for these positions at the February 19, 2013 Board meeting. Anyone interested in the positions should submit a letter of interest to the Township. The Fire Department recently responded to two structure fires. Mutual aid assisted them on both fires and they did a very good job. A "News You Can Use", one-page newsletter will be mailed out on the beginning of February. It will include an articles about the importance of having your chimney inspected, being safe when using an indoor fireplace or woodstove, the February 19, 2013 public hearing on the proposed Ordinance No. 185, Burning Ordinance, Republic Wastes new schedule for picking up recyclables and a new stop for the library bookmobile.

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

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

The motion carried by a voice vote.

**8. COMMUNICATIONS**

**A. SUPERVISOR MCFARLANE LETTER, EMPLOYEE HEALTH CARE**

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In a letter dated January 18, 2013, Supervisor McFarlane indicated that at their February 19, 2013 meeting, the Board will be required to select a health care plan for full-time Township employees. He indicated that the cost of the current plan increased by 10% in 2011, 14% in 2012 and 20% for 2013 and the Township cannot afford to absorb further increases. Township staff members and officials are reviewing options. He indicated that there will be employee contribution towards health care this year.

It was moved by McKinney, seconded by Lewis, to receive the January 18, 2013 letter from Supervisor McFarlane regarding Employee Health Care Insurance for 2013.

The motion carried by a voice vote.

**9. UNFINISHED BUSINESS**

There was none.

**10. NEW BUSINESS**

**A. RESOLUTION 2013-01, FIRE DEPARTMENT PURCHASE OF MATTRESSES**

Fire Chief James Roberts explained that most of the Fire Department's mattresses were around 20 years old. They are in need of replacement. He was able to obtain prices from several different stores and recommends the Board the lowest bid of \$3,500.00 from Art Van Furniture for the purchase of seven box spring and mattress sets.

The following resolution was offered by Philips, seconded by Williams:

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION FOR APPROVAL OF THE PURCHASE OF SEVEN BOX SPRING  
AND MATTRESS SETS FOR THE SUPERIOR TOWNSHIP FIRE DEPARTMENT**

**RESOLUTION NUMBER: 2013-01**

**DATE: January 22, 2013**

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

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**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 current mattresses for the fire department are in the neighborhood of twenty years old and are in need of replacement; and

**WHEREAS**, The cost to replace this furniture is not to exceed \$3500.00; and

**NOW THEREFORE BE IT RESOLVED;** That Superior Township Fire Department is allowed to enter into agreement with Art Van Furniture to purchase seven box spring and mattress sets at the purchase price of \$3500.00 and the cost of this purchase is to be taken from line item No. 206-336-980.050 Equipment under \$5,000.00.

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

Nays: None

Absent: None

The motion carried, the Resolution was adopted.

**B. RESOLUTION 2013-02, UTILITY DEPARTMENT PURCHASE OF TRANSCEIVER UNITS**

Rick Church, Utility Department Director, was present and provided the Board with a memo, which explained his request for the Board to approve the purchase of 100 meter transceiver units (MXU) at cost of \$150.00 per unit. The MXU allows for the meter to be read wirelessly. The Utility Department needs to keep a supply on hand for new meter installation and replacement of malfunctioning MXU's. They need to replenish their current supply.

The following resolution was offered by Phillips, seconded by Williams:

**A RESOLUTION FOR APPROVAL FOR THE SUPERIOR TOWNSHIP UTILITY  
DEPARTMENT TO PURCHASE 100 METER  
TRANSCEIVER UNITS FROM ETNA SUPPLY COMPANY.**

**RESOLUTION NUMBER: 2013-02**

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**DATE: January 22, 2013**

**WHEREAS**, the Utility Department needs to replenish their supply of Meter Transceiver Units, which are used to remotely read the water meters within Superior Township in order to properly measure water and sewer usage for billing purposes, 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**, Etna Supply Company has agreed to supply the transceiver units at 2012 rates, and

**NOW, THEREFORE BE IT RESOLVED:** that the Superior Township Board of Trustees authorize the Utility Department to purchase 100 Meter Transceiver Units from Etna Supply Company at a cost not to exceed \$ 15,000.00.

The motion carried by a voice vote. The Resolution was adopted.

**C. RESOLUTION 2013-03, UTILITY DEPARTMENT PURCHASE OF PAVEMENT BREAKER**

Rick Church was present and provided a memo to the Board requesting approval of a Dewalt electric pavement breaker from McCally Tool of Ann Arbor at a cost of \$1,640.00. The pavement breaker will be used for small to medium repairs involving the removal of concrete or paved areas.

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

**A RESOLUTION FOR APPROVAL FOR THE SUPERIOR TOWNSHIP UTILITY  
DEPARTMENT TO PURCHASE A PAVEMENT BREAKER  
FROM THE MCCALLY TOOL COMPANY**

**RESOLUTION NUMBER: 2013-03**

**DATE: January 22, 2013**

**WHEREAS**, the Superior Township Utility Department is need of a pavement breaker to be used for small to medium repairs including stop box excavations, water service line and mains

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and sanitary sewer lines that require the removal of concrete, 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**, quotes for the purchase of a suitable pavement breaker were obtained from three vendors, with McCally Tool, Ann Arbor, providing the lowest price of \$1,640.00, and

**NOW, THEREFORE BE IT RESOLVED:** that the Superior Township Board of Trustees authorizes the Utility Department to purchase a Dewalt pavement breaker with truck from McCally Tool at a price not to exceed \$1,640.00. Funds for the purchase will be taken from the O & M budget.

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

Nays: None

Absent: None

The motion carried, the Resolution was adopted.

**D. RESOLUTION 2013-04, AUTHORIZING ISSUANCE OF 2013 REFUNDING BONDS**

Attorney Patrick McGow of Miller, Canfield, Paddock and Stone, P.L.C., was present and provided the Board with various documents regarding the refinancing of the 2003 General Obligation Capital Improvement Bonds that were issued in the amount of \$3,500,000.00 for a new Fire Department and new Utility Department maintenance building. The assumption is for this refinancing to save \$180,000 (which includes the payment of all refinancing costs) over the next ten years. The resolution authorizes the sale of the bonds and for the Township officials to take all necessary steps to accomplish the sale of the bonds. The Township does not incur any costs until the sale of the bonds. The Township's financial advisor, Stauder, Barch and Associates will not proceed with the sale unless the interest rate is favorable.

**CHARTER TOWNSHIP OF SUPERIOR**  
County of Washtenaw, State of Michigan

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**RESOLUTION AUTHORIZING ISSUANCE OF  
2013 REFUNDING BONDS  
(LIMITED TAX GENERAL OBLIGATION)**

**RESOLUTION NUMBER: 2013-04  
DATE: JANUARY 22, 2013**

**CHARTER TOWNSHIP OF SUPERIOR**

County of Washtenaw, State of Michigan

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Minutes of a regular meeting of the Township Board of the Charter Township of Superior, County of Washtenaw, State of Michigan, held on January 22, 2013, at 7:30 p.m., prevailing Eastern Time.

PRESENT: Trustees: McFarlane, McKinney, Phillips, Caviston, Green, Lewis and Williams

ABSENT: Trustees: None

The following preamble and resolution were offered by Clerk Phillips and supported by Trustee McKinney.

WHEREAS, the Charter Township of Superior, County of Washtenaw, State of Michigan (the "Township"), pursuant to the provisions of Act 34, Public Acts of Michigan, 2001, as amended ("Act 34"), has previously issued its 2003 General Obligation Capital Improvement Bonds, dated as of June 1, 2003, for the purpose of paying the cost of certain capital improvements for the Township (the "Prior Bonds"); and

WHEREAS, the Township has been advised that it may be able to accomplish a net savings of debt service costs by refunding all or part of the callable maturities of the Prior Bonds through the issuance of refunding bonds by the Township; and

WHEREAS, the Township desires to issue refunding bonds pursuant to Act 34, in an aggregate principal amount of not to exceed Two Million Four Hundred Dollars (\$2,400,000) for the purpose of paying all or part of the cost of refunding the Prior Bonds in order to achieve interest cost savings for the benefit of the Township and its taxpayers.

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NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the Township designated 2013 REFUNDING BONDS (LIMITED TAX GENERAL OBLIGATION) (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Two Million Four Hundred Dollars (\$2,400,000) for the purpose of paying the costs of refunding all or part of the callable maturities of the Prior Bonds, including the costs incidental to the issuance, sale and delivery of the Bonds. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity. The Bonds will be dated as of the date of delivery and be payable on May 1 (or such other date as determined at the time of sale thereof) in the years and in the annual amounts determined at the time of sale by the Township Supervisor or the Treasurer (each an "Authorized Officer", and together the "Authorized Officers"). The Bonds shall be subject to redemption prior to maturity as provided in Section 6 and Section 7 hereof. The Bonds may be issued as serial bonds, or term bonds, or any combination thereof. The Bonds shall be sold at a public sale at the price determined at the time of sale, but in any event not less than 99% or more than 102% of their par value.

The Bonds shall bear interest at a rate or rates to be determined at the time of sale thereof, but in any event not to exceed four percent (4.00%) per annum, payable on November 1, 2013 (or such other date as determined at the time of sale thereof), and semiannually thereafter, by check or draft mailed by the Transfer Agent (as hereinafter defined) to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the Issuer to conform to market practice in the future.

The principal of the Bonds shall be payable at the designated office of a bank or trust company to be selected by the Township prior to the publication of the notice of sale for the Bonds as the transfer agent for the Bonds (the "Transfer Agent"). The Township reserves the right to replace the Transfer Agent at any time provided written notice of such replacement is given to the registered owners of record of the Bonds not less than sixty (60) days prior to an interest payment date.

The Bonds shall be issued in book-entry only form through The Depository Trust Company in New York, New York ("DTC") and the Authorized Officers are each individually authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry only form and to make such changes in the bond form within the parameters of this resolution as may be required to accomplish the foregoing.

2. Execution of Bonds. The Bonds of this issue shall be executed in the name of the Township with the manual or facsimile signatures of the Township Supervisor and the Clerk and

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shall have the seal of the Township, or a facsimile thereof, printed or impressed on the Bonds. No Bond shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in accordance with instructions from either Authorized Officer upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the Township. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the Township shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the Township. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the place where the Bonds called for redemption are to be surrendered for payment; and that interest on the Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

4. Limited Tax Pledge; Defeasance of Bonds. The Township hereby pledges its limited tax full faith and credit for the prompt payment of the principal and interest on the Bonds. The Township shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance as a first budget obligation from its general funds available therefor, or, if necessary levy taxes upon all taxable property in the Township subject to applicable constitutional and statutory tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year. The Township Treasurer is authorized and directed to open a separate fund with a bank or trust company

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designated by the Township Board to be known as the 2013 REFUNDING BONDS (LIMITED TAX GENERAL OBLIGATION) DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. Into said fund there shall be placed the accrued interest, if any, received at the time of delivery of the Bonds.

5. Bond Proceeds; Bond Issuance Fund; Escrow Fund; Escrow Agreement. The proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds and to secure payment of the Prior Bonds to be refunded (the "Refunded Bonds") as provided in this paragraph. Upon receipt of the proceeds of sale of the Bonds the accrued interest and premium, if any, shall be deposited in the Debt Retirement Fund for the Bonds. From the remaining proceeds of the Bonds there shall be set aside a sum sufficient to pay the costs of issuance of the Bonds in a fund designated 2013 BOND ISSUANCE FUND (the "Bond Issuance Fund"), which may be established by the Township or by the Escrow Agent (hereinafter defined). Moneys in the Bond Issuance Fund shall be used solely to pay expenses of issuance of the Bonds. Any amounts remaining in the Bond Issuance Fund after payment of issuance expenses shall be transferred to the Debt Retirement Fund for the Bonds.

The balance of the proceeds of the Bonds, together with other available funds of the Township, if any, shall be deposited with the paying agent for the Prior Bonds or deposited in an escrow fund (the "Escrow Fund") consisting of cash and investments in direct obligations of or obligations the principal of and interest on which are unconditionally guaranteed by the United States of America or other obligations the principal of and interest on which are fully secured by the foregoing (the "Escrow Securities") and used to pay the principal of and interest on all or a portion of the Refunded Bonds as determined by either Authorized Officer at the time of sale. The Escrow Fund shall be held in trust by a Michigan bank or trust company eligible to act as escrow agent (the "Escrow Agent"), pursuant to an escrow agreement (the "Escrow Agreement") which shall irrevocably direct the transfer agent for the Refunded Bonds to take all necessary steps to pay the principal of, interest and redemption premium, if any, on the Refunded Bonds when due, and to call the Refunded Bonds for redemption on the first date such Refunded Bonds may be called for redemption. The Authorized Officers are each individually authorized and directed to appoint an Escrow Agent and execute the Escrow Agreement on behalf of the Township. The amounts held in the Escrow Fund shall be such that the cash and investments and income received thereon will be sufficient without reinvestment to pay the principal of and interest on the Refunded Bonds when due at maturity or call for redemption as required by this section. The Authorized Officers are each individually authorized and directed to purchase or cause to be purchased, Escrow Securities, including United States Treasury Obligations – State and Local Government Series (SLGS), in an amount sufficient to fund the Escrow Fund.

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6. Bond Form. The Bonds shall be in substantially the following form with such changes as may be approved by either Authorized Officer and Bond Counsel, including changes to the name or designation of the Bonds:

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**UNITED STATES OF AMERICA**

**STATE OF MICHIGAN  
COUNTY OF WASHTENAW**

**CHARTER TOWNSHIP OF SUPERIOR**

**2013 REFUNDING BOND (LIMITED TAX GENERAL OBLIGATION)**

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
_____%	May 1, 20__	_____, 2013	

Registered Owner: Cede & Co.

Principal Amount: \_\_\_\_\_ Dollars

The CHARTER TOWNSHIP OF SUPERIOR, County of Washtenaw, State of Michigan (the "Township"), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, payable on \_\_\_\_\_ 1, 20\_\_ and semiannually thereafter. Principal of this bond is payable at the designated corporate trust office of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, or such other transfer agent as the Township may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to an interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the

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fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the Township kept by the Transfer Agent, by check or draft mailed by the Transfer Agent to the registered owner of record at the registered address. For the prompt payment of this bond, both principal and interest, the full faith, credit and resources of the Township are hereby irrevocably pledged.

This bond is one of a series of bonds of even Date of Original Issue aggregating the principal sum of \$\_\_\_\_\_, issued pursuant to Act 34, Public Acts of Michigan, 2001, as amended, and a resolution duly adopted by the Township Board of the Township for the purpose of refunding a certain prior bond issue of the Township.

[Insert term bond redemption provisions, if necessary.]

This bond is transferable only upon the registration books of the Township kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the Township, and the Township is required, if necessary, to levy ad valorem taxes on all taxable property in the Township for the payment thereof, subject to applicable constitutional and statutory tax rate limitations.

It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the Township, including this bond and the series of bonds of which this is one, does not exceed any constitutional or statutory debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the Township, by its Township Board, has caused this bond to be signed in the name of the Township with the [facsimile] signatures of its Supervisor and its

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Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CHARTER TOWNSHIP OF SUPERIOR

County of Washtenaw

State of Michigan

By: \_\_\_\_\_

Its Supervisor

(SEAL)

By: \_\_\_\_\_

Its Clerk

[FORM OF TRANSFER AGENT'S CERTIFICATE OF AUTHENTICATION]

**CERTIFICATE OF AUTHENTICATION**

This bond is one of the bonds described herein.

\_\_\_\_\_

\_\_\_\_\_

Transfer Agent

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By: \_\_\_\_\_

Authorized Signature

Date of Authentication: \_\_\_\_\_

7. Notice of Sale. The Authorized Officers are each individually authorized to fix a date of sale for the Bonds and to publish a notice of sale of the Bonds in *The Bond Buyer*, New York, New York, which notice of sale shall be in substantially the following form, with such revisions as may be recommended by the financial consultant and bond counsel:

OFFICIAL NOTICE OF SALE

\$ \_\_\_\_\_\*

(Principal subject to adjustment as described herein)

CHARTER TOWNSHIP OF SUPERIOR  
COUNTY OF WASHTENAW, STATE OF MICHIGAN  
2013 REFUNDING BONDS  
(LIMITED TAX GENERAL OBLIGATION)

SEALED BIDS: Bidders may submit sealed bids for the purchase of the above bonds at the offices of the Township Clerk located at 3040 North Prospect Street, Ypsilanti, Michigan 48198 on \_\_\_\_\_, the \_\_\_\_ day of \_\_\_\_\_, 2013 until \_\_:\_\_ .m., prevailing Eastern Time at which time and place said bids will be publicly opened and read. The award or rejection of bids will occur within twenty-four hours after the time of sale.

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SEALED BIDS will also be received on the same date and until the same time at the offices of the Municipal Advisory Board of Michigan, Buhl Building, 535 Griswold, Suite 1850, Detroit, Michigan 48226, when, simultaneously, the bids will be opened and read.

FAXED BIDS: Signed bids may be submitted by fax to Township at fax number (734) 482-3842, Attention: Township Supervisor or to the Municipal Advisory Board of Michigan at fax number (313) 963-0943; provided that faxed bids must arrive before the time of sale, the bidder bears all risks of transmission failure.

ELECTRONIC BIDS: Electronic bids will also be received on the same date and until the same time by Bidcomp/Parity as agent of the undersigned. Further information about Bidcomp/Parity, including any fee charged, may be obtained from Bidcomp/Parity, Anthony Leyden or CLIENT SERVICES, 1359 Broadway, Second Floor, New York, New York 10010, (212) 849-5021. IF ANY PROVISION OF THIS NOTICE OF SALE SHALL CONFLICT WITH INFORMATION PROVIDED BY BIDCOMP/PARITY, AS THE APPROVED PROVIDER OF ELECTRONIC BIDDING SERVICES, THIS NOTICE SHALL CONTROL.

Bidders may choose any means or location to present bids but a bidder may not present a bid in more than one location or by more than one means.

BOND DETAILS: The bonds will be registered bonds of the denomination of \$5,000 or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, dated as the date of delivery, numbered in order of registration, and will bear interest from their date payable on \_\_\_\_\_ 1, 20\_\_ and semiannually thereafter.

The bonds will mature on the 1st day of May in each of the years, as follows:

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<u>Year</u>	<u>Amount</u>
2014	\$200,000
2015	205,000
2016	210,000
2017	215,000
2018	220,000
2019	225,000
2020	235,000
2021	240,000
2022	245,000
2023	250,000

\*ADJUSTMENT TO MATURITY: The Township reserves the right to decrease the aggregate principal amount of the bonds after receipt of the bids and prior to final award, if necessary, so that the purchase price of the bonds will provide an amount determined by the Township to be sufficient to refund the prior bonds being refunded and to pay costs of issuance of the bonds. Such adjustments, if necessary, will be made in increments of \$5,000, not to exceed \$10,000 per maturity, and may be made in any one or more maturities as the Township shall determine in its sole discretion. In the event of such adjustment, no rebidding or recalculation of the bids submitted will be required or permitted and the principal amount of each maturity, as adjusted, will bear interest at the same rate and must have the same initial reoffering price and per-bond underwriter's discount as specified in the bid of the successful bidder. The successful bidder may not withdraw its bid or change the interest rates bid, the per-bond underwriter's discount or any initial reoffering prices as a result of any adjustments made to the stated principal amounts.

ADJUSTMENT TO PURCHASE PRICE: Should any adjustment to the aggregate principal amount of the bonds be made by the Township, the purchase price of the bonds will be adjusted by the Township proportionally to the adjustment in principal amount of the bonds. The adjusted purchase price will reflect changes in the dollar amount of the underwriter's discount and original issue discount/premium, if any, but will not change the per-bond underwriter's discount as calculated from the bid and initial reoffering prices.

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INTEREST RATE AND BIDDING DETAILS: The bonds shall bear interest at rate or rates not exceeding 4.00% per annum, to be fixed by the bids therefor, expressed in multiples of 1/8 or 1/20 of 1%, or both. The interest on any one bond shall be at one rate only and all bonds maturing in any one year must carry the same interest rate. The difference between the highest and lowest interest rates bid shall not exceed three percent (3.00%) per annum. THE INTEREST RATE FOR EACH SERIAL OR TERM BOND MATURITY SHALL BE EQUAL TO OR GREATER THAN THE PRECEDING SERIAL OR TERM BOND MATURITY. No proposal for the purchase of less than all of the bonds or at a price less than 99% or more than 102% of their par value will be considered.

NO OPTIONAL PRIOR REDEMPTION: The bonds of this issue shall not be subject to optional redemption prior to maturity.

TERM BOND OPTION: Bidders shall have the option of designating any one or more maturities from May 1, 2014 through the final maturity as serial bonds, or term bonds, or both. The amounts of the maturities which are aggregated in a designated term bond shall be subject to mandatory redemption on May 1 of the years and in the amounts set forth in the above maturity schedule at a redemption price of par, plus accrued interest to the date of mandatory redemption. Term bonds or portions thereof mandatorily redeemed shall be selected by lot. Any such designation must be made at the time bids are submitted and must be listed on the bid.

BOND INSURANCE AT PURCHASER'S OPTION: If the bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the bidder/purchaser, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the purchaser of the bonds. Any increased costs of issuance of the bonds resulting from such purchase of insurance shall be paid by the purchaser, except that, if the Township has requested and received a rating on the bonds from the rating agency, the Township will pay the fee for the requested rating. Any other rating agency fees shall be the responsibility of the purchaser. FAILURE OF THE MUNICIPAL BOND INSURER TO ISSUE THE POLICY AFTER THE BONDS HAVE BEEN AWARDED TO THE PURCHASER SHALL NOT CONSTITUTE CAUSE FOR FAILURE OR REFUSAL BY THE PURCHASER TO ACCEPT DELIVERY OF THE BONDS FROM THE TOWNSHIP.

BOOK-ENTRY ONLY: The bonds will be issued in book-entry only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for The Depository Trust Company ("DTC"), New York, New York. DTC will act as securities depository for the bonds. Purchase of the bonds will be made in book-entry-only form, in the denomination of \$5,000 or any multiple thereof. Purchasers will not receive certificates representing their

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interest in bonds purchased. It will be the responsibility of the purchaser to obtain DTC eligibility. Failure of the purchaser to obtain DTC eligibility shall not constitute cause for a failure or refusal by the purchaser to accept delivery of and pay for the bonds.

TRANSFER AGENT AND REGISTRATION: Principal shall be payable at the designated corporate trust office of \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, or such other transfer agent as the Township may hereafter designate by notice mailed to the registered owner of record not less than 60 days prior to an interest payment date. Interest shall be paid by check mailed to the registered owner of record as shown on the registration books of the Township as of the 15th day preceding an interest payment date. The bonds will be transferred only upon the registration books of the Township kept by the transfer agent.

PURPOSE AND SECURITY: The bonds are authorized for the purpose of paying the cost of refunding a certain prior bond issue of the Township. The bonds will be a first budget obligation of the Township, payable from the general funds of the Township including the collection of ad valorem taxes on all taxable property in the Township subject to applicable constitutional and statutory tax rate limitations. The rights or remedies of bondholders may be affected by bankruptcy insolvency, fraudulent conveyance or other laws affecting creditors' rights generally now existing or hereafter enacted, and by the application of general principles of equity, including those relating to equitable subordination.

GOOD FAITH: A good faith deposit in the form of a certified or cashier's check drawn upon an incorporated bank or trust company, or wire transfer, in the amount of \$\_\_\_\_\_ payable to the order of the Treasurer of the Township will be required of the successful bidder. The successful bidder is required to submit its good faith deposit to the Township as instructed by the Township not later than Noon, prevailing Eastern Time, on the next business day following the sale. The good faith deposit will be applied to the purchase price of the bonds. In the event the purchaser fails to honor its accepted bid, the good faith deposit will be retained by the Township. No interest shall be allowed on the good faith check. The good faith check of the successful bidder will be cashed and payment for the balance of the purchase price of the bonds shall be made at the closing.

AWARD OF BONDS: The bonds will be awarded to the bidder whose bid produces the lowest true interest cost determined in the following manner: the lowest true interest cost will be the single interest rate (compounded on November 1, 2013 and semi-annually thereafter) necessary to discount the debt service payments from their respective payment date to \_\_\_\_\_, 2013, in an amount equal to the price bid, excluding accrued interest.

LEGAL OPINION: Bids shall be conditioned upon the approving opinion of Miller, Canfield, Paddock and Stone, P.L.C., attorneys of Detroit, Michigan, a copy of

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which opinion will be furnished without expense to the purchaser of the bonds at the delivery thereof. The fees of Miller, Canfield, Paddock and Stone, P.L.C. for services rendered in connection with such approving opinion are expected to be paid from bond proceeds. Except to the extent necessary to issue its approving opinion as to validity of the above bonds, Miller, Canfield, Paddock and Stone, P.L.C. has not been requested to examine or review and has not examined or reviewed any financial documents, statements or materials that have been or may be furnished in connection with the authorization, issuance or marketing of the bonds, and accordingly will not express any opinion with respect to the accuracy or completeness of any such financial documents, statements or materials. In submitting a bid for the bonds, the bidder agrees to the representation of the Township by Miller, Canfield, Paddock and Stone, P.L.C., as bond counsel.

TAX MATTERS: In the opinion of Miller, Canfield, Paddock and Stone, P.L.C., bond counsel, under existing law, assuming compliance with certain covenants, interest on the bonds is excludable from gross income for federal income tax purposes as described in the opinion, and the bonds and interest thereon are exempt from all taxation by the State of Michigan or by any taxing authority within the State of Michigan except inheritance and estate taxes and taxes on gains realized from the sale, payment or other disposition thereof. The successful bidder will be required to furnish, at delivery of the bonds, a certificate in a form acceptable to bond counsel as to the "issue price" of the bonds within the meaning of Section 1273 of the Internal Revenue Code of 1986, as amended (the "Code"). Such certificate will include (i) for those maturities where 10% of each such maturity of the bonds has been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the bonds, the price at which the first 10% of each such maturity was sold to members of the general public, and (ii) for those maturities where 10% of such maturity has not been sold to members of the general public (excluding underwriters, brokers and dealers) prior to delivery of the bonds, an agreement by the successful bidder to provide bond counsel with the prices at which the first 10% of each such maturity is ultimately sold to members of the general public.

"QUALIFIED TAX EXEMPT OBLIGATIONS": The Township has designated the bonds as "qualified tax exempt obligations" for purposes of deduction of interest expense by financial institutions.

DELIVERY OF BONDS: The Township will furnish bonds ready for execution at its expense. Bonds will be delivered without expense to the purchaser through DTC in New York, New York, or such other place to be agreed upon. The usual closing documents, including a certificate that no litigation is pending affecting the issuance of the bonds, will be delivered at the time of delivery of the bonds. If the bonds are not tendered for delivery by twelve o'clock noon, prevailing Eastern Time, on the 45th day following the date of sale, or the first business day thereafter if said 45th day is not a business day, the successful bidder may on that

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day, or any time thereafter until delivery of the bonds, withdraw its proposal by serving notice of cancellation, in writing, on the undersigned in which event the Township shall promptly return the good faith deposit. Payment for the bonds shall be made in immediately available funds.

CONTINUING DISCLOSURE: As described in greater detail in the Official Statement, the Township will agree to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12 (the "Rule") promulgated by the Securities and Exchange Commission, (i) on or prior to the last day of the sixth month following the end of the fiscal year of the Township, commencing with the fiscal year ending December 31, 2012, certain annual financial information and operating data, including audited financial statements for the preceding fiscal year, (or if audited financial statements are not available, unaudited financial statements) generally consistent with the information contained or cross-referenced in the Official Statement relating to the bonds, (ii) timely notice of the occurrence of certain material events with respect to the bonds and (iii) timely notice of a failure by the Township to provide the required annual financial information on or before the date specified in (i) above.

CUSIP NUMBERS: It is anticipated that CUSIP identification numbers will be printed on the bonds, but neither the failure to print such numbers on any bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the purchaser thereof to accept delivery of and pay for the bonds in accordance with terms of the purchase contract. All expenses in relation to the printing of CUSIP numbers on the bonds shall be paid for by the Township; provided, however, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the purchaser.

OFFICIAL STATEMENT: The Township will provide the winning bidder with a reasonable number of final Official Statements within 7 business days from the date of sale so as to permit the underwriter to comply with the Securities and Exchange Commission Rule 15c2-12. Additional copies of the Official Statement will be supplied by Stauder, Barch & Associates, Inc. upon request and agreement by the underwriter to pay the cost of additional copies. Requests for additional copies should be made to Stauder, Barch & Associates, Inc. within 24 hours of the date of sale.

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ADDITIONAL INFORMATION: Further information with respect to the bonds may be obtained from the Township's Financial Consultant, Stauder, Barch & Associates, Inc., 3989 Research Park Drive, Ann Arbor, Michigan 48108; telephone (734) 668-6688.

THE RIGHT IS RESERVED TO REJECT ANY OR ALL BIDS.

ENVELOPES containing the bids should be plainly marked "Proposal for 2013 REFUNDING BONDS (LIMITED TAX GENERAL OBLIGATION)."

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David M. Phillips, Clerk

Charter Township of Superior

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

Nays: None

Absent: None

The Resolution was adopted.

**E. SET PUBLIC HEARING FOR THE FIRST READING OF ORDINANCE 185, BURNING ORDINANCE**

Clerk David Phillips reported that Township officials and staff drafted Ordinance No. 185, Burning Ordinance, which repeals and replaces Ordinance No. 105, Burning Ordinance. The new ordinance includes suggestions and comments from the 16 member Burning Ordinance Review Committee. He indicated a "News You Can Use" will be mailed in the first week of February that will include a notice on the hearing. The new ordinance includes changes to the manner in which open burning, agricultural burning, prescribed burning and other burning is regulated.

It was moved by Caviston, seconded by Williams, to set the public hearing for Ordinance 185, Burning Ordinance for the next regularly scheduled Superior Township Board of Trustees meeting of Tuesday, February 19, 2013.

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

Nays: None

Absent: None

The motion carried,

**F. APPROVE MAILING OF NEWS YOU CAN USE**

Clerk Phillips provided a copy of the estimate and a copy of the proposed “News You Can Use”, which contained articles on fireplace safety, the first reading of Ordinance No. 185, Burning Ordinance, information on a new bookmobile stop and the Republic Waste’s new pickup schedule for recyclables that begins in April. Supervisor McFarlane indicated there were two recent fires in homes caused by fireplaces and the article was timely.

It was moved by Caviston, seconded by Lewis, to approve the printing and mailing of the proposed “News You Can Use” in February at a cost of \$1,942.85.

The motion carried by a voice vote.

**G. MCM GROUP INVOICE FOR 2013 MICHIGAN MUNICIPAL INSURANCE COVERAGE**

The Township’s insurance coverage for 2013-2014 through the MCM Group, Inc. agency needed to be renewed at a cost of \$55,941.00, which is an increase of \$1,037.00 increase from the cost of 2012.

It was moved by McKinney, seconded by Lewis, to approve the payment of the invoice from the MCM Group, Inc. for insurance coverage in 2013-2014 in the amount of \$55,941.00.

The motion carried by a voice vote.

**H. MEALS ON WHEELS INVOICE FOR 2012**

The Board received an invoice from the Ypsilanti Meals on Wheels (YMOW) for 2012 in the amount of \$2,150.00. Board members indicated that it has been a while since the YMOW has forwarded a list of the addresses where the meals were being delivered and they would like to see the list.

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It was moved by McKinney, seconded by Lewis, for the Board to approve the payment of the invoice for 2012 from Ypsilanti Meals on Wheels in the amount of \$2,150.00.

The motion carried by a voice vote.

**11. PAYMENT OF BILLS**

It was moved by McKinney, seconded by Williams, that the bills be paid as submitted in the following amounts: General - \$ 2,210.00; Parks – \$7,001.93; and, Utilities - \$7,71470 for a total of \$16,926.63 Further, that the Record of Disbursements be received.

The motion carried by a unanimous voice vote.

**12. PLEAS AND PETITION**

Washtenaw County Commissioner Dan Smith addressed the Board. He said the County will have to cut \$3.5 million from their 2013 budget. He said the County previously made extensive cuts and it is getting harder to find areas to cut. Commissioner Smith said the County Board of Commissioners may be taking over the responsibilities of the Washtenaw County Road Commission.

**13. ADJOURNMENT**

It was moved by Caviston, seconded by Lewis, that the meeting be adjourned. The motion carried by a voice vote and the meeting adjourned at 8:20 p.m.

Respectfully submitted,

David Phillips, Clerk

William McFarlane, Supervisor

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