

**SUPERIOR CHARTER TOWNSHIP BOARD  
SPECIAL MEETING  
APRIL 26, 2012  
ADOPTED MINUTES  
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**1. CALL TO ORDER**

The special meeting of the Superior Charter Township Board was called to order by the Supervisor at 4:30 p.m. on April 26, 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, David Phillips, Nancy Caviston, Lisa Lewis and Alex Williams. Treasurer McKinney and Trustee Roderick Green were absent.

**4. ADOPTION OF AGENDA**

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

The motion carried by a voice vote.

**5. APPROVAL OF MINUTES**

No minutes were approved.

**6. CITIZEN PARTICIPATION**

**A. NON-AGENDA ITEMS**

There were none.

**7. REPORTS**

**A. SUPERVISOR**

There was no report by the Supervisor.

**B. DEPARTMENT REPORTS:**

There were none.

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**8. COMMUNICATIONS**

There were none.

**9. UNFINISHED BUSINESS**

There was none.

**10. NEW BUSINESS**

At the regular Board meeting of April 16, 2012, the Board approved Resolution 2012-08, Adopt Millage Ballot Language for Fire Protection with the condition that if it was determined it was legal, to include renewal in the proposal where appropriate. Township officials consulted with the Township attorney and it was determined that “renewal” could be included in the proposal. It was also determined that it was necessary to disclose in the proposal that a portion of the millage levied would be disbursed to the Hyundai Tax Increment Finance Plan during years two and three of the proposal.

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

**A. RESOLUTION 2012-08, ADOPT MILLAGE BALLOT LANGUAGE FOR FIRE PROTECTION**

CHARTER TOWNSHIP OF SUPERIOR  
WASHTENAW COUNTY, MICHIGAN  
APRIL 26, 2012  
RESOLUTION 2012-08  
RESOLUTION TO ADOPT MILLAGE BALLOT LANGUAGE  
TO RENEW THE MILLAGE FOR FIRE PROTECTION

WHEREAS, the Superior Charter Township Board wishes to provide additional revenue for fire protection and prevention; and

WHEREAS, townships may provide fire protection and prevention as authorized by Section 42.13 of the Act 359 of 1947 as amended (the Charter Township Act); and

WHEREAS, townships may impose and levy ad valorem property taxes to finance lawful public services, as authorized by the Michigan Constitution of 1963 and other laws; and

WHEREAS, the voters of Superior Charter Township previously approved a levy of 3.0 mills for fire protection and prevention and said millage is expired; and

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WHEREAS, the Superior Charter Township Board wishes to renew the levy of 3.0 mills for fire protection and prevention;

Now, THEREFORE, BE IT RESOLVED that the Township Board of Superior Charter Township, Washtenaw County, approves the following millage ballot question language and directs the Clerk to submit it to be placed on the August 7, 2012, election ballot:

**RENEWAL OF FIRE MILLAGE**

Shall the expired previous voted increase in the tax limitation imposed under Article IX, Sec. 6 of the Michigan Constitution in the Charter Township of Superior of 3.0 mills (\$3.00 per \$1,000 of taxable value), be renewed at 3.0 mills (\$3.00 per \$1,000 of taxable value) and levied for 3 years, 2012 through 2014 inclusive, for the purpose of providing additional revenue for fire protection and prevention, which increase will raise an estimated \$ 1,655,352 in the first year the millage is levied? A portion of the second and third year millage levied on Hyundai's new construction only will be disbursed to the Local Development Finance Authority of the Charter Township of Superior.

Yes

No

AYES: McFarlane, Phillips, Caviston, Lewis, Williams

NAYS: None

ABSENT: McKinney, Green

ABSTAINED: None

The motion carried, the resolution was adopted.

**B. RESOLUTION 2012-09, ADOPT MILLAGE BALLOT LANGUAGE FOR LAW ENFORCEMENT**

At the regular Board meeting of April 16, 2012, the Board approved Resolution 2012-09, Adopt Millage Ballot Language for Law Enforcement with the condition that if it was determined it was legal, to include renewal in the proposal where appropriate. Township officials consulted with the Township attorney and it was determined that "renewal"

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could be included in the proposal. It was also determined that it was necessary to disclose in the proposal that a portion of the millage levied would be disbursed to the Hyundai Tax Increment Finance Plan during years two and three of the proposal.

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

**CHARTER TOWNSHIP OF SUPERIOR  
WASHTENAW COUNTY, MICHIGAN  
APRIL 26, 2012  
RESOLUTION 2012-09**

**A RESOLUTION TO ADOPT BALLOT LANGUAGE  
TO RENEW THE MILLAGE FOR LAW ENFORCEMENT**

WHEREAS, the Superior Charter Township Board wishes to provide additional revenue for law enforcement; and

WHEREAS, townships may provide law enforcement as authorized by Section 42.12 of the Act 359 of 1947 as amended (the Charter Township Act); and

WHEREAS, townships may impose and levy ad valorem property taxes to finance lawful public services, as authorized by the Michigan Constitution of 1963 and other laws; and

WHEREAS, the voters of Superior Charter Township previously approved a levy of 2.25 mills for law enforcement and said millage is expired; and

WHEREAS, the Superior Charter Township Board wishes to renew the levy of 2.25 mills for law enforcement;

Now, THEREFORE, BE IT RESOLVED that the Township Board of Superior Charter Township, Washtenaw County, approves the following millage ballot question language and directs the Clerk to submit it to be placed on the August 7, 2012, election ballot:

**RENEWAL OF LAW ENFORCEMENT MILLAGE**

Shall the expired previous voted increase in the tax limitation imposed under Article IX, Sec. 6 of the Michigan Constitution in the Charter Township of Superior of 2.25 mills (\$2.25 per \$1,000 of taxable value), be renewed at 2.25 mills (\$2.25 per \$1,000 of taxable value) and levied for 3 years, 2012 through 2014 inclusive, for the purpose of for law enforcement, which increase will raise an estimated \$1,241,514 in the first year the millage is levied? A portion of the second and third year millage levied on Hyundai's new construction only will be disbursed to the Local Development Finance Authority of the Charter Township of Superior.

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Yes

No

AYES: Phillips, Caviston, Lewis, Williams, McFarlane

NAYS: None

ABSENT: Green, McKinney

ABSTAINED: None

The motion carried and the Resolution was adopted.

**C. RESOLUTION 2012-10, ADOPT MILLAGE BALLOT LANGUAGE FOR  
MASTER PLAN AND ZONING ORDINANCE DEFENSE**

At the regular Board meeting of April 16, 2012, the Board approved Resolution 2012-10, Adopt Millage Ballot Language for Master Plan and Zoning Ordinance Defense. Township officials consulted with the Township attorney and it was determined that it was necessary to disclose in the proposal that a portion of the millage levied would be disbursed to the Hyundai Tax Increment Finance Plan during years two and three of the proposal.

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

CHARTER TOWNSHIP OF SUPERIOR  
WASHTENAW COUNTY, MICHIGAN  
APRIL 26, 2012  
RESOLUTION 2012-10

A RESOLUTION TO ADOPT MILLAGE BALLOT LANGUAGE FOR  
MASTER PLAN AND ZONING ORDINANCE DEFENSE AND  
WHICH MAY INCLUDE THE PURCHASE OF DEVELOPMENT  
RIGHTS AND CONSERVATION EASEMENTS

WHEREAS, the Superior Charter Township Board wishes to provide additional revenue for defense and promotion of its Master Plan, Zoning Ordinance and which may include the purchase of Development Rights and Conservation Easements; and

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WHEREAS, townships may impose and levy ad valorem property taxes to finance lawful public services, as authorized by the Michigan Constitution of 1963 and other laws; and

WHEREAS, the Superior Charter Township Board wishes to levy 0.25 mills for Master Plan protection and promotion, the defense of the Zoning Ordinance and may which include the purchase of Development Rights and Conservation Easements; and

NOW, THEREFORE, BE IT RESOLVED that the Township Board of Superior Charter Township, Washtenaw County, approves the following millage ballot question language and directs the Clerk to submit it to be placed on the August 7, 2012, election ballot:

**CHARTER TOWNSHIP OF SUPERIOR TAX-RATE LIMITATION AND LEVY  
PROPOSAL FOR TOWNSHIP MASTER PLAN DEFENSE AND PROMOTION,  
AND DEFENSE OF THE ZONING ORDINANCE, WHICH MAY INCLUDE THE  
PURCHASE OF DEVELOPMENT RIGHTS AND CONSERVATION  
EASEMENTS**

Shall the limitation on the total general ad valorem taxes which may be assessed in any one year upon real and tangible personal property in the Charter Township of Superior, Washtenaw County, Michigan, as provided by Article IX, Section 6, of the Michigan Constitution, be increased by 0.25 mills (\$0.25 per \$1,000 of taxable value) for a period of three years, 2012 through 2014, inclusive, for costs associated with defending the Township Master Plan and Zoning Ordinance, which may include the purchase of development rights and conservation easements and shall the Township levy this millage increase for those purposes, thereby raising in the first year an estimated \$ 137,945? A portion of the second and third year millage levied on Hyundai's new construction only will be disbursed to the Local Development Finance Authority of the Charter Township of Superior.

Should this proposal be approved?

Yes

No

AYES: Caviston, Lewis, Williams, McFarlane, Phillips

NAYS: None

ABSENT: Green, McKinney

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ABSTAINED: None

The motion carried and the Resolution was adopted.

**D. RESOLUTION 2012-12, RESOLUTION REGARDING THE BAZLEY FOSTER DRAIN**

Supervisor McFarlane explained that he had received a number of complaints of flooded basements from residents of the Washington Square Subdivision who lived near the Bazley Foster Drain. The Water Resources Commission investigated and determined that the Bazley Foster Drain was causing the flooded basements because it was not flowing properly. They indicated it needed to be cleaned out and suggested that the Township petition the Water Resources Commission to conduct a Board of Determination on that portion of the Drain. Since this portion of the Drain flows through a number of communities, if the Board of Determination makes a decision that the drainage improvements are needed, the cost will be assessed roughly as follows: Water Resources Commission 24%; Superior Township 27%; Ypsilanti Township 7.5%; Ypsilanti City 0.05%; Superior Township Property Owners 31%; Ypsilanti Township Property Owners 10%; and, City of Ypsilanti Property Owners 0.03%.

**CHARTER TOWNSHIP OF SUPERIOR  
WASHTENAW COUNTY, MICHIGAN  
APRIL 26, 2012  
RESOLUTION 2012-12**

**RESOLUTION REGARDING THE BAZLEY FOSTER DRAIN**

Minutes of a Regular Meeting of the Board for the Municipality of Superior Township, Washtenaw County, Michigan, held in said Township on the 26<sup>TH</sup> day of April, 2012.

MEMBERS PRESENT: McFarlane, Phillips, Caviston, Lewis, Williams

MEMBERS ABSENT: McKinney, Green

The following preamble and resolution were offered by Williams and supported by Lewis.

WHEREAS, the Charter Township of Superior hereby petitions the Washtenaw County Water Resources Commissioner to clean out, relocate, widen, deepen, straighten, tile, extend or relocate along a highway as needed the Bazley Foster Drain; and

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WHEREAS, the of Charter Township of Superior acknowledges that it will be liable for an assessment at large for a percentage of the total amount to be levied for the proposed work; and

WHEREAS, it has been determined necessary to proceed as soon as possible to accomplish the aforesaid improvements, and

NOW THEREFORE BE IT RESOLVED, that the of Charter Township of Superior hereby petitions to the Washtenaw County Water Resources Commissioner to clean out, relocate, widen, deepen, straighten, tile, extend or relocate along a highway as needed the Bazley Foster Drain.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be attached to the petition.

BE IT FURTHER RESOLVED, that Supervisor McFarlane and Clerk Phillips be authorized to execute the petition on behalf of the Township Board.

Roll call vote:

Ayes: McFarlane, Phillips, Caviston, Lewis, Williams

Nays: None

Absent: Green, McKinney

Abstain: None

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
David Phillips  
Clerk

Dated: \_\_\_\_\_

CERTIFICATE



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I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Municipality of Superior Township, County of Washtenaw, State of Michigan, at a regular meeting held on April 26, 2012, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said act.

\_\_\_\_\_  
David Phillips  
Superior Township Clerk

Dated: \_\_\_\_\_

**11. PAYMENT OF BILLS**

There were no bills for payment.

**12. PLEAS AND PETITIONS**

There were none.

**13. ADJOURNMENT**

It was moved by McKinney, supported by Caviston, that the meeting adjourn. The motion carried by a voice vote and the meeting adjourned at 4:50 p.m.

Respectfully submitted,

David Phillips, Clerk

William McFarlane, Supervisor