

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 16, 2014
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 Kenneth Schwartz at 7:30 p.m. on June 16, 2014, at the Superior Township Hall, 3040 North Prospect, Ypsilanti, Michigan.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

The members present were Ken Schwartz, David Phillips, Brenda McKinney, Nancy Caviston, Rodrick Green, Lisa Lewis and Alex Williams.

4. ADOPTION OF AGENDA

It was moved by McKinney seconded by Lewis, to adopt the agenda as presented with the addition of Zoning Report under item b of Reports and Resolution 2014-31, Resolution for the Purchase a new Computer Server System as item g. under New Business.

The motion carried by unanimous voice vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF MAY 19, 2014

It was moved by Caviston, seconded by Lewis, to approve the minutes of the regular Board meeting of May 19, 2014, as presented.

The motion carried by a unanimous voice vote.

6. CITIZEN PARTICIPATION

A. CITIZEN COMMENTS

Resident Ellen Kurath commented that the new wireless telephone systems are not as reliable as the older copper wire systems.

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7. REPORTS

A. SUPERVISOR REPORT

Supervisor Schwartz reported on the following: Standard and Poor's recently completed a bond rating review on Superior Township, They continued the Township's AA bond rating and reported the Township has a stable financial outlook. The Township Administrative staff approved \$104,000 of projects by the Road Commission, which includes three applications of dust control, township-wide applications of limestone and the resurfacing of several subdivision streets. Roads will be discussed later in the agenda. Superior Day was a resounding success. The included reports from the Sheriff's Department indicate crime is down. The site of the home that was destroyed by fire, 8830 Nottingham, has been cleaned and restored. The owner of the property, Jamshid Zahraie, was convicted of numerous felonies and is serving a prison sentence. His release date is 2029. The Township is exploring ways of recovering the Township funds spent on cleaning-up the site. Trees have been trimmed along MacArthur Boulevard. Supervisor Schwartz has been very proactive in addressing blight. He is contacting the banks and individuals who own vacant homes and has been successful with encouraging them to clean-up the homes. The Planning Commission is continuing with their work on amending the Master Plan to expand the Planned Manufacturing zoning in sections 34 and 35. Supervisor Schwartz has a meeting with Diane Height, Washtenaw County Human Relations Specialist. Ms. Height indicated she may be able to provide the Township with a Human Relations Specialist on a part-time basis. Supervisor Schwartz and Parks Director Lockie will be meeting with Sheriff's Department staff about the Township and Sheriff's Department working together on a summer program to serve at-risk youth in the MacArthur Boulevard area. Supervisor Schwartz explained progress on the beautification program along MacArthur Boulevard.

B. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FIRE DEPARTMENT, ORDINANCE OFFICER REPORT, PARK COMMISSION MINUTES, SHERIFF'S REPORT, UTILITY DEPARTMENT

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

The motion carried by a unanimous voice vote.

C. FINANCIAL REPORTS, ALL FUNDS, PERIOD ENDING MARCH 31, 2014

It was moved by Caviston, seconded by Green, for the Board to accept the Financial Reports for all funds for the period ending March 31, 2014.

The motion carried by a unanimous voice vote.

8. COMMUNICATIONS

There were no communications.

9. UNFINISHED BUSINESS

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**A. ORDINANCE 174-15, ZONING ORDINANCE AMENDMENT, SECTION 14.05
WOODLANDS AND TREE PRESERVATION. SECOND READING AND ADOPTION**

Supervisor Schwartz and Clerk Phillips explained to the Board that when the Woodlands of Geddes Glen was requesting site plan approval it became apparent that the tree replacement and preservation requirements contained in Section 14.05, F of the Zoning Ordinance resulted in excessive regulation of the trees. The Township attorney provided an opinion that the ordinance resulted in excessive regulation and he recommended the ordinance be reviewed and revised to make it more defensible in case it was challenged. The Planning Commission and Township Planners spent considerable time and effort in reviewing and revising the ordinance. The revisions include reformatting the ordinance by using more tables; defining regulated trees; changing the height and DBH requirements for regulated trees was increased so that more emphasis was placed on the preservation of more mature trees; the requirement to provide at least 30 trees per acre was removed; the requirement to preserve 35% of regulated trees on the parcel was reduced to 30%; language was added to specify that replacement is not required for dead and diseased trees, invasive species and less desirable species; a provision was added to allow up to 50% of new trees required by the ordinance for screening and buffering may also be counted towards trees required for replacement; language was added to address installation and maintenance and to encourage the permanent conservation of woodlands consistent with Master Plan policies. The Township attorney has reviewed the draft. He did have a concern with language that required the inventorying and replacement of some trees that were located on adjacent properties but that was changed.

Board members discussed the regulatory flexibility that was approved for the Woodlands of Geddes Glen, which resulted in a large decrease in the number of replacement trees required.

There were no changes to the proposed ordinance from the first to the second reading.

It was moved by McKinney, seconded by Lewis, to approve the second reading of Ordinance 174-15.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 174-15

[An ordinance to amend Sections 14.05 (Natural Features Protection), 12.10 (Design and Development Standards), and 17.03 (Definitions) of the Superior Charter Township Zoning Ordinance No. 174 to revise woodland and tree preservation and planting standards, by authority of the Public Act 110 of 2006 (being MCL 125.3101 et. seq., as amended)]

SUPERIOR CHARTER TOWNSHIP, WASHTENAW CO., MICHIGAN, HEREBY ORDAINS:

ARTICLE 14
SPECIAL DEVELOPMENT REGULATIONS

[DELETE and REPLACE the text of Section 14.05F, as follows]

Section 14.05 Natural Features Protection.

This Section is intended to establish minimum regulations necessary to protect groundwater recharge and inflow areas, preserve quality of receiving surface waters and wetlands, minimize soil erosion and siltation, and preserve woodlands and individual trees.

F. Woodlands and Tree Preservation.

The standards of this subsection 14.05F (Woodlands and Tree Preservation) shall apply to all parcels proposed for development requiring review and approval of a site plan, site condominium plan, subdivision plat, or Special District Area Plan under this Ordinance or other Township ordinances. The following tree and woodland preservation and mitigation standards shall apply to all developments subject to this Section:

1. **Intent.** Rapid growth and increasing demands upon natural resources have encroached upon, despoiled or eliminated many of the trees and other forms of vegetation, and associated processes, that constitute important physical, aesthetic, recreational, and economic assets to existing and future residents of the Township. Specifically, the Township finds that woodlands and trees:
 - a. Protect public health and safety by reducing noise and the mental and physical impacts of noise pollution; absorbing air pollutants and carbon dioxide; reducing flood risk and conserving surface water quality by minimizing soil erosion and siltation; providing buffering to reduce wind and storm impacts; and maintaining visual screening with its accompanying summer cooling effect.
 - b. Contribute significantly to the Township's general welfare by maintaining natural beauty, providing recreational and educational opportunities, and representing an irreplaceable heritage for existing and future residents.
 - c. Are matters of paramount public concern, as provided by the Michigan Constitution (1963, Article IV, Section 52), and the Natural Resource and Environmental Protection Act of 1994 (P.A. 451 of 1994, as amended).
2. **Purpose.** The woodlands and landmark tree preservation and mitigation standards of this Section are hereby established to:
 - a. Provide for the protection, preservation, replacement, proper maintenance, and use of trees and woodlands located in the Township; minimize disturbance; prevent damage from erosion and siltation and/or construction activities; and prevent loss of wildlife habitat and vegetation. In this regard, it is the intent of this Section to protect the integrity of woodlands as a whole, recognizing that woodlands serve as part of an ecosystem, and to place priority on preservation of woodlands and trees.
 - b. Protect the woodlands and trees of the Township, support local property values, and promote the natural beauty of the Township.

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- c. Prevent owners or developers of property from removing trees from land prior to or in anticipation of development.
 - d. Provide for the replacement of trees removed, where no reasonable alternative site development is available.
 - e. Respond to public concern for preservation of natural resources in the interest of public health, safety and general welfare of Township residents.
3. **Required plan information.** The following required information shall be incorporated into the applicable development review processes of this Ordinance or other Township ordinances:

Required Development Plan Information for Woodlands and Tree Preservation	Preliminary Plan	Final Plan
Required information shall be provided by a registered land surveyor, engineer or landscape architect, or a certified arborist, who shall verify the contents by seal or signature, whichever applies.	●	●
The most current available aerial photograph of the site, at a scale not less than one (1) inch equals 100 feet.	●	●
General evaluation of the quality of woodland areas and trees on and around the site by means of a reasonable sampling, including: <ul style="list-style-type: none"> 1. Diversity of tree species. 2. Tree sizes and density. 3. Health and vigor of the trees, including general documentation of dying and diseased trees by species and condition. 4. Soil conditions and drainage characteristics of the site. 5. Other factors such as the value of the woodland area as a scenic asset, wind block, noise buffer, or other environmental benefit. 	●	
General assessment of trees in adjacent road-rights-of-way, and trees located beyond the lot boundaries that may be affected by development-related access or utility improvements, grading, or other changes; by means of a reasonable sampling with trees identified by location, size, and species.	●	

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Required Development Plan Information for Woodlands and Tree Preservation	Preliminary Plan	Final Plan
<p>Tree inventory of all regulated trees as specified in Section 14.05F.5., in a form acceptable to the Planning Commission, as follows:</p> <ol style="list-style-type: none"> 1. A topographical map at the same scale as the related site plan, plat or survey drawing for the division of the land. 2. All regulated trees shall be inventoried by field survey and shown on the topographical map by identifying tag number, type, location, and crown spread drawn to scale. 3. Existing trees and woodlands shall be superimposed on the related site plan, plat or survey drawing for division of land. 4. Groups of trees whose individual bases are located at a ground elevation within one (1) foot of each other may be shown as a group with the overall crown spread drawn to scale, with estimated number and size of each predominant species. 5. General outline and evaluation of woodlands outside the development site and not otherwise impacted by the development. Detailed inventory of such trees shall only be required where necessary to verify compliance with the minimum tree preservation requirements of this Section. 		●
<p>Identify all regulated trees to be removed, relocated or preserved.</p>		●
<p>Proposed locations of any existing trees to be relocated, together with a description of how such trees are to be removed, protected, and transplanted during land clearance, development, and construction; and how they are to be maintained after construction.</p>		●
<p>A statement of compliance setting forth how existing trees to be preserved will be protected during land clearance and construction and on a permanent basis thereafter, including proposed use of tree wells, protective barriers, directional drilling, retaining walls, etc.</p>		●

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Required Development Plan Information for Woodlands and Tree Preservation		Preliminary Plan	Final Plan										
Invasive species information, including the general locations of the following four (4) species of invasive woody shrubs, a description of the extent of growth, the condition and size range of such species on the site, and percentage of the site covered by such species: <table border="1" style="margin: 10px auto; width: 80%;"> <thead> <tr> <th style="text-align: center;">Common Name</th> <th style="text-align: center;">Species</th> </tr> </thead> <tbody> <tr> <td>Common (European) and Glossy Buckthorn</td> <td><i>Rhamnaceae family</i></td> </tr> <tr> <td>Autumn Olive</td> <td><i>Elaeagnus umbellata</i></td> </tr> <tr> <td>Honeysuckle</td> <td><i>Lonicera tartarica</i></td> </tr> <tr> <td>Multiflora Rose</td> <td><i>Rosa multiflora</i></td> </tr> </tbody> </table>		Common Name	Species	Common (European) and Glossy Buckthorn	<i>Rhamnaceae family</i>	Autumn Olive	<i>Elaeagnus umbellata</i>	Honeysuckle	<i>Lonicera tartarica</i>	Multiflora Rose	<i>Rosa multiflora</i>		●
Common Name	Species												
Common (European) and Glossy Buckthorn	<i>Rhamnaceae family</i>												
Autumn Olive	<i>Elaeagnus umbellata</i>												
Honeysuckle	<i>Lonicera tartarica</i>												
Multiflora Rose	<i>Rosa multiflora</i>												
A plan for eradication and control of these four (4) invasive species as part of the development project.			●										
A general grading plan prepared by a registered engineer or land surveyor showing the anticipated drainage patterns, including the location of any areas where cut and fill operations are likely to occur and their potential impact on the viability of the existing trees.		●	●										
A statement of compliance with the tree preservation and replacement tree requirements of this Section, including the numbers of regulated trees to be preserved and removed, percentages of regulated trees on the site before and after any removal, and all required calculations.			●										
Such other information and detail as may be required to demonstrate compliance with the requirements of this Section.			●										

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4. **Landmark and sovereign tree standards.** A landmark tree, as regulated by this Section, shall be any tree that has a diameter at breast height (D.B.H.) of 24 inches or greater; or that is of a type and D.B.H. equal to or greater than that shown on the following table. A sovereign tree, as regulated by this Section, shall be any tree that is registered on the National Big Tree Registry or a similar national or state registry accepted by the Planning Commission; that has been documented by the Township, a historian, or other means accepted by the Planning Commission to be closely associated with an event, person, or place of historical significance to the Township; or that is of a species and diameter at breast height (D.B.H.) equal to or greater than that shown on the following table:

Common Name	Species	Landmark Tree D.B.H.	Sovereign Tree D.B.H.
Any tree species that has a diameter at breast height (D.B.H.) of at least:		24 inches	
Basswood	<i>Tilia americana</i>	18 inches	54 inches
Beech	<i>Fagus grandifolia</i>	18 inches	45 inches
Buckeye, Ohio	<i>Aesculus glabra</i>	18 inches	
Catalpa	<i>Catalpa</i> spp.	18 inches	45 inches
Cherry, Black	<i>Prunus serotina</i>	18 inches	54 inches
Elm, American	<i>Ulmus americana</i>	18 inches	50 inches
Fir	<i>Abies</i> spp.	18 inches	
Fir, Douglas	<i>Pseudotsuga menziesii</i>	18 inches	
Kentucky Coffee Tree	<i>Gymnocladus dioicus</i>	18 inches	40 inches
Pine	<i>Pinus</i> spp.	18 inches	
Sycamore or London Plane	<i>Platanus</i> spp.	18 inches	54 inches
Spruce	<i>Picea</i> spp.	18 inches	
Tulip-tree	<i>Liriodendron tulipifera</i>	18 inches	54 inches
Walnut, Black	<i>Juglans nigra</i>	18 inches	54 inches
Hickory, various	<i>Carya</i> spp.	16 inches	35 inches
Maple	<i>Acer</i> spp.	16 inches	48 inches
Oak	<i>Quercus</i> spp.	16 inches	48 inches
Birch	<i>Betula</i> spp.	12 inches	36 inches
Cherry	<i>Prunus</i> spp.	12 inches	36 inches
American Chestnut	<i>Castanea dentata</i>	Six (6) inches	18 inches
Butternut	<i>Juglans cinerea</i>	Six (6) inches	18 inches

5. **Tree preservation and replacement.** Any development subject to this Section shall not conduct land clearing or grubbing activities; or remove, replace, transplant, damage, or destroy any woodland or individual tree regulated by this Section, except in accordance with the following:

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Standards for Tree Preservation and Replacement		Existing Trees	Replacement Trees
<p>The following trees located within the lot boundaries, along with trees adjacent to the lot boundaries or in adjacent road rights-of-way where the drip line overlaps a lot boundary or right-of-way line, shall be considered to be regulated trees for purposes of this Section, and shall be replaced if removed in accordance with the following schedule:</p>			
Regulated Trees	Replacement Ratio (number of replacement trees per removed tree)		
Coniferous (height)			
10.0 to 15.0 feet	one to one (1:1)		
15.01 to 30.0 feet	three to one (3:1)		
More than 30.0 feet	six to one (6:1)		
Landmark coniferous tree	one (1) tree per inch of removed tree D.B.H.		
Deciduous (D.B.H.)		●	●
8.0 to 12.0 inches	one to one (1:1)		
12.01 to 16.0 inches	three to one (3:1)		
More than 16.0 inches	six to one (6:1)		
Landmark deciduous tree	one (1) tree per inch of removed tree D.B.H.		
Sovereign (D.B.H.)			
Sovereign tree	two (2) trees per inch of removed tree D.B.H.		

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Standards for Tree Preservation and Replacement	Existing Trees	Replacement Trees
<p>A minimum of thirty percent (30%) of the total number of regulated trees as currently existing or that have existed on the subject site within the last five (5) years shall be preserved and left standing. This calculation shall be made based upon the number of regulated trees either within the:</p> <ol style="list-style-type: none"> 1. Defined area of the development site as shown on the development plan, where woodlands outside of this area and not otherwise impacted by the development will not be disturbed; or the 2. Lot boundaries of the development parcel, where all such trees have been included in the detailed tree inventory. <p>The Planning Commission shall consider preserved woodlands outside of the development site as part of determining whether the development plans conform to this requirement.</p>	●	
<p>No replacements shall be required for following trees otherwise regulated by this Section, subject to documentation and verification as part of the required plan information, and such trees shall not count towards the minimum required percentage of preserved trees:</p> <ol style="list-style-type: none"> 1. Dying and diseased trees. 2. Any invasive woody shrub species listed in Section 14.05F.3. 3. Any of the following species of trees: Box Elder (acer negundo), Silver Maple (acer saccharinum), Cottonwood (populus deltoids), and Red Cedar (juniperus virginiana). 	●	●
<p>If regulated trees were removed within the past five (5) years, the Township Planner or designee shall use historical aerial photos and other available data to determine the number, characteristics, and extent of such trees; and the amount of additional tree mitigation required for such removed trees.</p>	●	●
<p>Regulated tree removal shall be limited to any of the following:</p> <ol style="list-style-type: none"> 1. When necessary for the location of a structure or site improvement where no reasonable alternative location for the structure or improvement can be identified, after consideration of all development options available under this Ordinance. 	●	
<ol style="list-style-type: none"> 2. When necessary for the location of a structure or site improvement where no reasonable alternative location for the structure or improvement can be identified, after 	●	

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Standards for Tree Preservation and Replacement	Existing Trees	Replacement Trees
<p>consideration of all development options available under this Ordinance.</p> <p>3. Where necessary, as determined by the Township Engineer, to provide reasonable drainage on the site, and when no reasonable alternative drainage is available without the removal of the trees.</p> <p>Land clearing shall be minimized and limited to designated road rights-of-way, drainage and utility easements, minimum building and driveway envelopes, and other minimum areas necessary for site improvements, considering the development options available under this Ordinance.</p>		
<p>The Planning Commission may require that sovereign trees on a development parcel subject to this Section be preserved and incorporated into the proposed development, and will consider creative arrangements and clustering of lots or development areas to preserve additional landmark and sovereign trees.</p>	●	
<p>Regulated trees shall be tagged in the field, using non-corrosive metal tags, with by the identifying number designated on the required tree inventory.</p>	●	
<p>All trees to be removal shall be so identified on site by fluorescent orange spray paint (chalk base) or by red flagging tape prior to any activity. Trees selected for transplanting shall be flagged with a separate distinguishing color.</p>	●	
<p>Replacement trees shall be of the same or a more desirable species suitable for the habitat and location that is on the list of landmark trees in this Section or otherwise native to Michigan, except those listed in Section 14.10H (Prohibited Plant Materials).</p> <p>Trees of such species that are otherwise required by this Ordinance for screening or buffering purposes may also be used to satisfy up to fifty percent (50%) of the replacement tree requirements of this Section.</p>		●
<p>Replacement trees shall conform to Section 14.10B (General Plant Material Standards) and Section 14.10C (Standards for Size and Variety of Plant Materials). Such trees shall be:</p> <ol style="list-style-type: none"> 1. Nursery grown or comparable relocated from the same lot. 2. Tree spade transplanted while in the dormant state or, if not in the dormant state, balled and burlapped with a solid, well laced root ball when in the dormant state. Burlap to be 		●

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Standards for Tree Preservation and Replacement	Existing Trees	Replacement Trees
removed or cut open at planting. 3. Number I grade, with a straight, unsecured trunk and a well-developed uniform crown (park grade acceptable).		
The location of any replacement tree shall be on the same parcel as the removed tree wherever feasible, as determined by the Township. If tree replacement on the same parcel is not feasible, the Township may: 1. Accept an alternative planting location in the Township; or 2. Allow a deposit into a tree-planting fund maintained by the Township in an amount acceptable by the Township, based upon the current retail market value for the tree replacement, to be utilized for planting, maintenance, and preservation of trees and woodland areas in the Township.		●
Replacement trees shall be approved through inspection by the Zoning Inspector or designated representative.		●

6. **Installation and maintenance.** Installation, care, and maintenance of all existing trees and replacement trees subject to the requirements of this Section shall conform to the requirements of Section 14.10I (Plant Material Installation and Maintenance), and the following:

Installation and Maintenance Requirements	Existing Trees	Replacement Trees
Replacement and transplanted trees shall be staked, fertilized, watered, and mulched to ensure their survival in a healthy, growing condition and replaced at the developer's expense if they die within three (3) years.	●	●
Prior to the issuance of the first building permit, the developer shall post a performance guarantee with the Township [per Section 1.12C (Performance Guarantee)] in an amount estimated by the developer and approved by the Township Engineer to ensure preservation or installation of required trees for a period of three (3) years from the date of receiving written notification from the developer that the last required tree has been planted or preserved, and has been inspected by the designated Township official.	●	●

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Installation and Maintenance Requirements	Existing Trees	Replacement Trees
The developer shall be responsible for replacing any tree used to satisfy the replacement requirements of this Section determined by the developer, Zoning Inspector or designated Township representative to be diseased, dead or dying within three (3) years after installation.	●	●
The developer shall be responsible for replacing any regulated tree determined by the developer, Zoning Inspector or designated Township representative to have been damaged due to on-site construction activity, or that is determined to be diseased, dead, dying, or otherwise destroyed or removed within three (3) years after final approval of a site plan or subdivision plat. Such identified tree(s) shall be replaced in accordance with the replacement ratio specified in this Section.	●	●
Three (3) years after all trees have been planted within the development, the Township shall release the guarantee, less any funds needed to complete required tree replacement.	●	●
After this initial three (3) year period, the developer or any successor entity responsible for common area maintenance shall be responsible for replacing any healthy regulated tree or replacement tree within a general common element or other common area of the development determined by the Zoning Inspector or designated Township representative to have been damaged, destroyed or otherwise removed from the site. Such identified tree(s) shall be replaced in accordance with the replacement ratio specified in this Section. No replacements shall be required for dead or diseased trees.	●	●
Road rights-of-way, utility easements, and large land areas separate from the construction or land-clearing area may be cordoned by placing stakes a minimum of 50 feet apart and tying ribbon, plastic tape, or other brightly visible materials at least 30 inches above the ground from stake to stake along the outer perimeter of areas to be cleared.	●	
Protected area around preserved trees shall be defined by the drip line of all woodlands and individual trees designated to remain, plus an area outside of the drip line defined by a parallel boundary line placed a minimum of five (5) feet outward from the drip line. Such areas around preserved trees shall be protected before and during development, filling, land clearing, or any property alteration or construction activity.	●	

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Installation and Maintenance Requirements	Existing Trees	Replacement Trees
Protective barriers of wood, metal, or other suitable materials (such as snow fencing, cyclone fencing, etc.) acceptable to the Township Engineer shall be placed parallel to the outer perimeter of each protected area.	●	
No person shall conduct any construction activity; place, park or store solvents, building materials, equipment, soil, gravel, debris, vehicles, trailers, temporary structures or similar items; or attach a device or wire to any remaining tree within such protected areas except to cordon off such areas as required.	●	
Protective barriers shall remain in place and be maintained in proper condition until the Township authorizes their removal or issues a final certificate of occupancy, whichever occurs first.	●	
Removal of brush, invasive species, and other land grubbing activities within the protected area of a landmark tree or sovereign tree shall be done by hand. No tracked or motorized vehicles or machinery shall be permitted within this area.	●	

7. **Additional tree removals.** Additional removal of regulated trees resulting from review or approval of construction plans or outside agency permits or approvals, or any action by the developer following final development plan approval, shall be subject to the requirements of this Section. Tree replacement shall not be required for removal of regulated trees from within a road right-of-way by written order of the county or state road authority with jurisdiction for traffic safety purposes; or from within the boundaries of an adjoining parcel of land by the independent action of a landowner not associated with the development subject to this Section.

8. **Woodland protection.** In accordance with Master Plan objectives and policies for woodlands protection, developers of land subject to this Section are encouraged to conserve woodlands through the use of conservation easements, inclusion of such areas within the development's general common elements or other common areas, or by other methods of long-term protection.
 - a. The official Township Woodland Map is on file at the Township offices, and all notations, references, and information shown thereon shall be as much a part of this Section as if fully described herein.
 - b. If, because of problems with scale or detail, there is any ambiguity as to whether a particular area is a part of a woodland, that determination shall be made by or through the direction of the Planning Commission.

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9. **Verification of plan information.** The Township may engage the services of a landscape architect, certified arborist or other consultant whose expertise the Township values to confirm the accuracy of the tree survey and related documentation of compliance with this Section before a final decision is made. Such expenses shall be subject to reimbursement by the applicant per Section 1.12B (Escrow Deposits for Variable Costs and Expenses).
10. **Inspections.** To ensure compliance with this Section, the Township may perform periodic inspections of subject lots or parcels prior to mass grading and during all phases of construction and development, as well as for up to three (3) calendar years after completion of the development project. The Township may employ a landscape architect, certified arborist or other consultant whose expertise the Township values to verify compliance with the approved final site plan, and to inspect and verify the health and condition of any tree designated to remain, any transplanted tree, and any replacement trees under this Section. The applicant shall incur all costs associated with such inspections.

**ARTICLE 12
CONDOMINIUM REGULATIONS**

[REVISE subsection "F" to ADD a new subsection "3" prohibiting street tree species that would buckle adjacent sidewalks as they mature, as follows]

Section 12.10 Design and Development Standards.

The following shall apply to all condominium units and developments in the Township:

F. Trees.

Trees shall be provided in the margins of both sides of all streets in a condominium development, and shall be placed at the minimum rate of two (2) per single-family residential lot or at a maximum distance apart of 60 feet. The Planning Commission may also require the installation of trees according to the same distances in pedestrian ways.

1. These requirements may be relaxed by the Planning Commission if existing trees within the right-of-way or easement, or trees growing adjacent to the right-of-way or easement, satisfy the intent of this Ordinance.
2. Trees to be installed in the street margins or pedestrian ways shall be of a large deciduous type, and shall conform to the standards of Section 14.10 (Screening and Land Use Buffers). The Planning Commission may permit substitution of deciduous ornamental trees for some or all of the required street trees.
3. Species, such as the Norway Maple (*Acer platanoides*), that have shallow root zones or may otherwise cause uplift or buckling of adjacent sidewalks or paved pedestrian ways as they mature shall be prohibited.

**ARTICLE 17
DEFINITIONS**

[INSERT new definitions for "regulated tree," "sovereign tree," and "woodland" as follows]

Section 17.03 Definitions.

Whenever used in this Ordinance, the following words and phrases shall have the meaning ascribed to them in this Section:

- 215a. **Tree, Regulated.** Any coniferous tree ten (10) feet in height or larger, any deciduous tree eight (8) inches in diameter at breast height (D.B.H.), and any tree meeting the definition of a landmark tree under this Ordinance that is located within the lot boundaries of a parcel of land subject to Section 14.05F (Woodlands and Tree Preservation), along with trees adjacent to such lot boundaries or in adjacent road rights-of-way where the drip line overlaps a lot boundary or right-of-way line. Dead trees are not considered to be regulated trees under this Ordinance.
- 215b. **Tree, Sovereign.** Any tree that is registered on the National Big Tree Registry or a similar national or state registry accepted by the Planning Commission; that has been documented by the Township, a historian, or other means accepted by the Planning Commission to be closely associated with an event, person, or place of historical significance to the Township; or that is otherwise designated and regulated as a sovereign tree by this Ordinance.
- 234a. **Woodland.** Land covered with woody vegetation, with concentrations of trees from 20% to 100% tree canopy coverage, and land areas identified in the Township Master Plan as woodlands (see Map 3-3 (Major Woodlands in Superior Township); also referred to as timberland or forest.

Ayes: Schwartz, Phillips, McKinney, Green, Lewis, Williams

Nays: Caviston

Absent: None

The motion carried. The second reading and adoption of Ordinance No. 174-15 was approved.

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10. NEW BUSINESS

Item G. was taken out of order so that Mr. Dave Donoghue could address the Board

G. RESOLUTION 2014-31, APPROVE PURCHASE OF COMPUTER SERVER

Dave Donoghue of Parhelion Technologies, provided a letter and made a presentation to the Board about the proposal to purchase a computer server. He explained that since the Fire Department is in immediate need of a server and the Utility Department will need a new server with a year or two, he felt that it would be a good time to upgrade the Township Hall to a terminal server, which would also accommodate the Fire Department and the Utility Department. He also proposed that the Township transition to a thin client system where the software is installed on the server instead of each individual work stations. He said this transition for three local area networks (LAN's) to one wide-area-network (WAN) is a logical progression of the computer system and it will result in savings to the Township over time. He also indicated that this system will allow for more remote access, which will allow staff to access the computer data base and work remotely.

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

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**RESOLUTION TO PURCHASE A NEW COMPUTER SERVER SYSTEM TO SERVE
THE TOWNSHIP HALL, FIRE DPARTMENT AND UTILITY DEPARTMENT**

Resolution Number: 2014-31

Date: June 16, 2014

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

WHEREAS, the Charter Township of Superior Fire Department is in need of a new computer server, the Utility Department's server will need to be replaced within a few years and the entire Township's computers are operating on an outdated local area network server system connected to individual desktop computers; and,

WHEREAS, on January 21, 2014 the Township Board adopted Resolution 2014-01, "A **RESOLUTION FOR APPROVAL OF THE PURCHASE OF ONE SERVER AND 2 DESKTOP COMPUTERS FOR THE SUPERIOR TOWNSHIP FIRE DEPARTMENT**" at a cost not to exceed \$30,000.00 but this purchase was never completed; and,

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WHEREAS, Township staff has completed extensive research and investigation into which computer server and workstation system would best meet the immediate needs of the Fire Department and the future needs of the Utility Department and the Township Hall; and,

WHEREAS, it is the consensus of the Township Administrative Staff to agree with Parhelion's June 13, 2014, letter, which recommends that instead of installing a new computer and two new desktop computers at the Fire Department, to transition the entire Township to a thin client environment RDS/Terminal Services over time, with the Township Fire Department being moved as soon as possible; and

WHEREAS, this transition would require the purchase and installation of a new server at the Township Hall, which would also serve the Fire Department and the Utility Department; and,

WHEREAS, the new server would be bid out to at least three suppliers and the estimated cost is \$27,000; and

WHEREAS, the labor to install the new server and thin client systems would be provided by Parhelion at a cost not to exceed \$10,000.00; and,

WHEREAS, there are other costs including software and licensing that would initially cost approximately \$5,940.00; and,

NOW THEREFORE, BE IT RESOLVED, the Superior Township Board declares the action outlined in Resolution 2014-01 null and void; and,

NOW THEREFORE, BE IT FURTHER RESOLVED, the Township Board approves the purchase of the new server for the Township Hall and thin client systems as outlined in Parhelion Technologies' June 13, 2014 letter at a cost not to exceed \$45,000.00 and approves the Supervisor to sign all necessary agreements to proceed with the purchase; and,

NOW THEREFORE, BE IT FURTHER RESOLVED, the funds for the purchase will be properly apportioned to the various Funds and line items as determined appropriate; and,

NOW THEREFORE, BE IT FURTHER RESOLVED, Township Administrative staff shall provide the Township Board with regular updates as to what was purchased from what suppliers, the cost and the progress of installation.

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

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Nays: None

Absent: None

The motion carried. The resolution was adopted.

A. UTILITY DEPARTMENT CAPITAL IMPROVEMENT PLAN 2014-2018

Keith Lockie, Utility Department Director and Jacob Rushlow, OHM, made a presentation to the Board about the projects and equipment needed by the Township's Utility Department to provide reliable water and sewer service. The report also discussed the financial projections for revenues and expenditures. Supervisor Schwartz said the plan was well put together and will be helpful to determine what projects should be funded and to assist with setting the rates for water and sewer service and the connection fees for new service.

It was moved by Green, seconded by Caviston, for the Board to adopt the Charter Township of Superior Utility Department Capital Improvement Plan 2014-2018.

The motion carried by a unanimous voice vote.

B. RESOLUTION 2014-28, UTILITY DEPARTMENT, CONTRACT FOR NEW POLE BARN

Keith Lockie, Utility Director, provided information and made a presentation to the Board. He said that when the Utility Maintenance Building was constructed in 2007, a pole barn was planned to be constructed with the new building. However, in order to save money, the Utility Department continued to use the building at the corner of Harris and MacArthur Boulevard. There has been \$75,000 in the budget for the construction of the pole barn. Bids were received from three vendors and they were reviewed by Utility Department staff and the Township's Building Official. They were unanimous that the proposal from Mystic Meadows was the best proposal and recommended the Township board approve the proposal from Mystic Meadows.

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

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**RESOLUTION TO APPROVE AN AGREEMENT TO CONSTRUCT
A POLE BARN FOR THE UTILITIES DEPARTMENT**

Resolution Number: 2014-28

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Date: June 16, 2014

WHEREAS, the Charter Township of Superior owns the pole barn at the corner of MacArthur and Harris Roads for the use of the utility department for equipment and cold storage; and,

WHEREAS, the Superior Township Utility capital improvement plan anticipates the construction of a cold storage barn to be located at the rear of the utility maintenance yard at 9699 MacArthur Boulevard; and,

WHEREAS, funds have been set aside to pay for the construction of a cold storage barn and there currently exists \$75,000.00 in the utility budget for this purpose, more specifically line item #125 Capital Reserves and,

WHEREAS, the utility department has indicated the need to expand the area of the new facility and to provide a cement floor; and,

WHEREAS, the existing structure is unattractive and contributes to the deterioration of the neighborhood; and,

NOW THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby approves the contract with Mystic Meadows Construction to construct the pole barn as submitted on the bid packet, with additions authorized by Township Administrative staff, for a price not to exceed \$75,000 and authorizes the Supervisor to sign the contract. The funds shall be appropriated from utility budget line item 611 building and equipment (capital reserves).

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

Nays: None

Absent: None

The motion carried. The resolution was adopted.

C. RESOLUTION 2014-29, CONTRACT TO INSTALL NEW FLOORING

Supervisor Schwartz and Treasurer McKinney explained that the kitchen area was recently painted and to further upgrade the area, the floor needs replacing. McKinney said it is the original floor from when the building was constructed in the 1950's.

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

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**RESOLUTION TO ENTER INTO AN AGREEMENT FOR
FLOOR TILE REPLACEMENT AND OTHER IMPROVEMENTS
AT THE TOWNSHIP HALL**

Resolution Number: 2014-29

Date: June 16, 2014

WHEREAS, the Charter Township of Superior owns and operates the Township Hall located at 3040 Prospect Road, Superior Township, MI 48198; and,

WHEREAS, the Township Hall's kitchen and hallway have not been improved or replaced since original construction; and,

WHEREAS, the staff of the Superior Township uses the kitchen on a daily basis for lunch, scheduled breaks, exercise and preparation of Township events; and,

WHEREAS, the Treasurer has taken the lead on improving the working environment for Superior Township employees; and,

WHEREAS, the existing kitchen and hallway floor is approximately 60 years old, is dingy and incapable of being restored; and there being several areas of the floor in need of repair and leveling including the areas under the sills, and the replacement of the baseboard due to age, wear and tear.

NOW THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby approves Handi-Helper Construction and Maint. Co. to replace the kitchen and hallway floor and to replace the baseboard and to perform all the labor and supply all the materials as set forth in the proposed contract dated 6/6/2014 and the funds shall be appropriated from General Fund budget line item repair and maintenance 101-101-903-000.

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

Nays: None

Absent: None

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The motion carried. The resolution was adopted.

D. RESOLUTION 2014-30, ARCHITECTURAL SERVICES FOR REMODELING OF THE SHERIFF'S RESTROOM FACILITIES

Supervisor Schwartz and Treasurer McKinney explained that the restroom for the Sheriff's Deputies is disheveled and in need of upgrading. The deputies have complained that they cannot use the restroom facilities or shower. The proposal is to hire an architect to prepare construction drawings for the improvements.

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

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**RESOLUTION TO ENTER INTO AN AGREEMENT FOR
ARCHITECTUAL SERVICES FOR THE REMODELING OF THE SHERIFF'S
DEPARTMENT RESTROOM AT THE TOWNSHIP HALL**

Resolution Number: 2014-30

Date: June 16, 2014

WHEREAS, the Charter Township of Superior owns and operates the Township Hall located at 3040 Prospect Road, Superior Township, MI 48198; and,

WHEREAS, the Township provides the Superior Township Substation to the Washtenaw County Sheriff's Department, which includes office space, a locker room and a rest room; and

WHEREAS, the restroom for the Sheriff's Department at the Superior Township Substation has not been improved in many years. It is outdated, needs repair and needs upgrading to adequately serve the male and female Sheriff's Department staff who work there; and

WHEREAS, the Township Building Official has obtained proposals from two architects to design the improvements and create the construction drawings for the renovation to the Sheriff's Department restroom; and,

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NOW THEREFORE, BE IT RESOLVED, that the Superior Township Board of Trustees hereby approves the proposal dated May 17, 2014 from A3C Collaboration Architecture to prepare schematic design and construction documents at a cost not to exceed \$2,250.00, approves the Township Supervisor to sign the agreement and the cost shall be appropriated from Law Fund budget line item repair and maintenance 266-310-930-000.

NOW, THEREFORE, BE IT FUTHER RESOLVED, a budget amendment shall be prepared to reflect the cost of this serve.

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

Nays: None

Absent: None

The motion carried. The resolution was adopted.

E. RESOLUTION 2014-27, AMEND BOARD POLICY 03.01.01, PURCHASING

Supervisor Schwartz explained the need to increase the amounts Township officials and department heads can expend without Board approval. He said the amounts have not changed in a long time and it is sometimes difficult to make a purchase due to having to delay until the Board can approve the funds. Board members indicated they wanted to have all contacts and purchases provided to the Board so they knew where the money was being spent.

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

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**RESOLUTION TO AMEND SUPERIOR TOWNSHIP BOARD OF TRUSTEES POLICY
03.03.001 PURCHASING POLICY**

Resolution Number: 2014-27

Date: June 16, 2014

WHEREAS, Superior Township has written policies of the Board of Trustees to provide guidance and governance to the elected officials and staff when purchasing materials, supplies, equipment or services; and,

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WHEREAS, The administrative staff is requesting an amendment to purchasing policy 03.01.001 to permit the purchase of supplies, materials equipment and services not to exceed \$3,000.00 without first obtaining Board approval on the basis that the current amount of \$1,000.00 has never been amended, that inflation has eroded the value of \$1,000.00 since first instituted and that more financial flexibility is needed for a township the size and scope of Superior Township.

NOW THEREFORE, BE IT RESOLVED that the Superior Township Board of Trustees hereby amends Board Policy 03.01.001 (2.3) to read as follows:

2.3 The purchase of supplies, materials, equipment, and services is the responsibility of the Board Officers (Supervisor, Clerk, and Treasurer) and should ensure the efficient operation of the Township government. Such purchases include normal items and services that are required to conduct these operations. If these purchases are within the approved budget, do not exceed ~~\$1000.00~~ \$3,000.00 and are not an unusual acquisition, they may be approved by the appropriate Department Head, Township Supervisor, Clerk or Treasurer and do not require approval by the full Township Board.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Superior Township Board of Trustees hereby amends Board Policy 03.01.001 (2.6) to read as follows:

2.6 In the event of emergencies, in order to protect the health, welfare, safety and well-being of the community, the Supervisor may make or authorize an expenditure exceeding ~~\$1,000.00~~ \$3,000.00, after receiving the consent of one other member of the Board of Trustees. In the event the Supervisor is not available, the Clerk or Treasurer may authorize such an emergency expenditure exceeding ~~\$1,000.00~~ \$3,000.00, after receiving the consent of at least one other member of the Board of Trustees. Such expenditures shall be reported to the Board of Trustees at the next schedule Board meeting.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Superior Township Board of Trustees hereby amends Board Policy 03.01.001 (3.1) to read as follows:

3.1 Due to the nature of the Utility Department and its operations, the Utility Department Manager is authorized to purchase supplies, materials, equipment and services costing up to ~~\$1,000.00~~ \$5,000.00 when necessary without prior Board approval. The Utility Department Director shall, however, request approval from the Board for such amounts in excess of ~~\$1,000.00~~ \$5,000.00, when possible. If the expenditure is required to respond to an emergency, the Utility Department Manager may obtain approval of the expenditure as indicated in Section 2.6 of this policy. Such expenditures shall be reported to the Board of Trustees at the next scheduled Board meeting.

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NOW THEREFORE, BE IT FURTHER RESOLVED that the Superior Township Board of Trustees hereby amends Board Policy 03.01.001 (4.1) to read as follows:

4.1 Notwithstanding the above exceptions, purchases of more than ~~\$1,000.00~~ \$3,000.00 for general expenses and \$5,000.00 for utilities and fire department expenses require approval of the Township Board and may require competitive bidding in accordance with the following procedure:

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

Nays: None

Absent: None

The motion carried. The resolution was adopted.

F. BUDGET AMENDMENTS

It was moved by Caviston, seconded by Lewis to approve the following budget amendments:

To: **Superior Township Board of Trustees**
 From: **Keith Lockie**
 Date: **June 16, 2014**
 Re: **2014 Budget Amendment #2**



Acct. #	Account Name	Increase	Decrease	Approved	REQUESTED	
O&M:						
404	Water Sales		71	1,845,247	\$1,845,176	Based on 1st Quarter Results
405	Sewer Sales	94,632		1,047,424	\$1,142,056	Based on 1st Quarter Results
408	Penalty Revenue	16,000		44,000	\$60,000	Based on 1st Quarter Results
410	Meter Sales Revenue		3,000	6,000	\$3,000	Fewer Replacement Meters
419	COBRA Admin. Fees		15	95	\$80	COBRA Now Handled by Ge
421	Fees	3,050		1,950	\$5,000	COBRA Now Handled by Ge
422	HSA Admin. Fees		485	840	\$355	Eff. April No HSA Admin. Fee
423	Customer Call Out Income	1,000		1,000	\$2,000	
441	Interest on Bank Accts.	32		1,968	\$2,000	Funds Moved to Interest Bea
450	Interest on Loans to Developers		1,732	1,732	\$0	Autumn Woods Availability F
	Total Revenue	\$114,714	\$5,303			
555	Water Purchased	193,582		1,090,823	\$1,284,405	Based on 1st Quarter Results

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560	Sewer Purchased	25,061		837,939	\$863,000	Based on 1st Quarter Results
602	Overtime Premium	456		3,544	\$4,000	More OT Due to Water Main
610	MERS Health Savings		1,120	12,600	\$11,480	Employee Reduction
677-AB	Leased Equipment	200		3,500	\$3,700	
620-MF	R&M - Maintenance Facility	5,000		10,000	\$15,000	Door & Lighting Repair to Ma
645-MF	Operating Supp. - Maint. Fac.		2,000	8,000	\$6,000	
665-MF	Utilities - Maint. Fac.	3,000		22,000	\$25,000	
620-LB	R&M - Lift & Booster Sta.		2,000	6,000	\$4,000	
645-LB	Operating Supp. - Lift & Booster		500	1,000	\$500	
631	Prof. Services - Engineers	20,000		30,000	\$50,000	Clark Rd. Lift Sta. Rehab. Co
636	Prof. Services - Other		250	250	\$0	Not Needed
638	Magic Wrighter Fees	100		500	\$600	More Utilization of Online Pa
651	Uniforms	600		2,400	\$3,000	Added Supervisor
652	Transportation		500	1,500	\$1,000	
653	Employee Training		1,000	3,000	\$2,000	
671	Meters & Supplies		5,000	30,000	\$25,000	Fewer Replacement Meters
673	Insurance & Bonds		2,000	27,000	\$25,000	Based on 1st Quarter Results
676	Postage	1,500		4,500	\$6,000	Postage Increase
704	Bad Debt Expense	1,800		0	\$1,800	Possible Autumn Woods
709	Printing & Publishing		2,500	4,000	\$1,500	
711	Memberships & Dues		4,000	9,000	\$5,000	
	Total Expenses	\$251,299	\$20,870			
	Total Rev. & Exp.	(\$136,585)	(\$15,567)	(\$121,018)		
856	Transfers to Cap. Res.		121,018	221,949	\$100,931	Decreased Transfer
Capital Reserves:						
427	Grant Income	454,509		\$0	\$454,509	SAW Grant
441	Interest on Bank Accts.		\$132	\$2,232	\$2,100	
	Total Revenue	\$454,509	\$132			
622	Project Expenses	505,010		\$0	\$505,010	SAW Grant Related Expense
675	Depreciation		\$13,796	\$715,000	\$701,204	Actual Depreciation Received
	Total Expenses	\$505,010	\$13,796			
	Total Rev. & Exp.	(\$50,501)	(\$13,664)	(\$36,837)		
809	Transfers from O&M	0	121,018	221,949	\$100,931	Decreased Transfer
System Repair Reserve:						
441	Interest on Bank Accts.		\$36	\$1,236	\$1,200	
	Total Revenue	\$0	\$36			
	Total Rev. & Exp.	\$0	\$36	(\$36)		

The motion carried by a unanimous voice vote.

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11. PAYMENT OF BILLS

It was moved by Caviston, seconded by Green to approve the Bills for Payment in the amount of \$6,572.64 for the Fire Fund and 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 Green, that the meeting be adjourned. The motion carried by a voice vote and the meeting adjourned at 9:05 p.m.

Respectfully submitted,

David Phillips, Clerk

Kenneth Schwartz, Supervisor