

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 1**

Prior to the meeting Steve Dearing of OHM gave a brief update on the Geddes Road Corridor Study. He has established a "base line" of current traffic and will be beginning the projections

1. CALL TO ORDER

The regular meeting of the Superior Charter Township Board was called to order by the Supervisor at 7:45 p.m. on February 21, 2005, 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, Kay Williams, Rodrick Green, Lisa Lewis, and David Phillips.

Brenda McKinney and Nancy Caviston were absent.

4. ADOPTION OF AGENDA

It was moved by Lewis, supported by Green, to adopt the agenda as amended.

The motion carried.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF JANUARY 18, 2005

It was moved by Williams, supported by Lewis, to approve the minutes of the regular Board meeting of January 18, 2005, as amended.

The motion carried.

6. CITIZEN PARTICIPATION

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 2**

Ellen Kurath expressed concern about the security of Township and County records that are put on the Township Website. McFarlane said that all the “firewalls” that could be installed, were installed.

7. REPORTS

A. SUPERVISOR

The Supervisor reported on five items:

1. John Rintamaki, Chairperson of the Planning Commission, is convening a subcommittee to determine the changes needed in the Zoning Ordinance to make it compatible with the Growth Management Plan Update.
2. The Planning Commission has requested that an audio system be installed in the Board Room as it is difficult to hear during public hearing.
3. The administrative staff has been working on changes to the retiree health plan adopted in October 2003. The current plan has many draw backs and a new plan proposed by MERS might better meet our needs. The employees were informed that there will be changes at a meeting on February 18.
4. The Washtenaw County Road Commission Annual Meeting will be at the April 18 Board meeting.
5. Jill Morey, from the Ypsilanti District Library, will be at the March 7 meeting to talk about the library.

B. DEPARTMENTAL REPORTS : FIRE DEPARTMENT, FIRE DEPARTMENT 2004 GOAL REPORT, BUILDING DEPARTMENT, UTILITY DEPARTMENT, OHM MONTHLY UPDATE, ORDINANCE OFFICER, PARK COMMISSION MINUTES

It was moved by Lewis, supported by Williams, that the Fire Department Report for January 2005, the 2004 Fire Department Goal Report, the Building Department Report for January, 2005, Utility Department Report dated December 17, 2004, the Ordinance Officer Reports for December-January and January-February, OHM Monthly Update dated February 4, 2005, and the Park Commission minutes for December, 2004, be received.

The motion carried.

8. COMMUNICATIONS

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 3**

A. AATA – A-RIDE- MONTHLY SERVICE REPORT

A-Ride changed the service provider in October to control costs and improve service. The change did not go well and A-Ride is in the process of signing a new agreement with Select Ride to provide all A-Ride services. Select Ride has provided most of the service for our residents for the last several years.

During October 2004, A-Ride provided service to three residents in Superior Charter Township. Seven residents received service in November and five in December.

It was moved by Williams, supported by Lewis, that the communication for AATA regarding A-Ride service for October, November, and December 2004.

The motion carried.

9. OLD BUSINESS

There was none.

10. NEW BUSINESS

A. PLANNING COMMISSION APPOINTMENTS

The Board conducted a hearing to interview eight applicants for appointment to the Planning Commission at the January 18, 2005 meeting. Five applicants were present. Allyn Phillips had applied, but withdrew as work-related responsibilities have interfered with Planning Commission meetings; he has missed six meetings during the last year. Lynda Oswald, who has also missed six meetings during the year and was not present for the interviews, sent a letter of resignation on February 15, 2005. Because it is important that the Planning Commissioners be at the meetings, the Supervisor appointed Jay Gardner, 999 Towsley Lane, and David Guenther, 2365 Leforge, to the Superior Charter Township Planning Commission for three-year terms ending on February 29, 2008, effective immediately; further, he accepted the resignation of Lynda Oswald, and removed Allyn Phillips, whose terms end on February 28, 2005, from the Commission effective February 21, 2005.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 4**

It was moved by McFarlane, supported by Lewis, that the Superior Charter Township Board approve the appointments by the Supervisor that Jay Gardner, 999 Towsley Lane, and David Guenther, 2365 Leforge, be appointed to the Superior Charter Township Planning Commission for three-year terms ending on February 29, 2008, effective immediately; and, further, that the resignation of Lynda Oswald from the Planning Commission effective February 15, 2005, be accepted and that Allyn Phillips, whose term ended on February 28, 2005, be removed from the Planning Commission effective February 21, 2005.

Roll call vote:

Ayes: McFarlane, Williams, Green, Lewis, Phillips

Nays: None

Absent: McKinney, Caviston

The motion carried.

B. RESOLUTIONS HONORING LYNDA OSWALD AND ALLYN PHILLIPS

It was moved by Green, supported by Phillips, that the Superior Charter Township Board adopt the following Resolutions:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
FEBRUARY 21, 2005**

A RESOLUTION HONORING LYNDA OSWALD

WHEREAS, Lynda J. Oswald has been on the Superior Charter Township Planning Commission for fifteen years, and

WHEREAS, while serving her community in this way, Lynda J. Oswald has donated her time, energy, and expertise to make our Township the Superior place we all love, and

WHEREAS, during that time Lynda J. Oswald was instrumental in the difficult task of preparing two Growth Management Plans for the Township, and

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 5**

WHEREAS, in developing the two Growth Management Plans for the Township Lynda devoted countless hours of study, research, and proofreading to assure that the Plans were the best possible plans, and

WHEREAS, Lynda J. Oswald served as Chairperson for the Planning Commission for nearly ten years, conducting the meetings in a professional manner while allowing citizens to express their views in an open forum without prejudice,

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board wishes to thank Lynda J. Oswald for her many years of dedicated service to the Township and wishes her well in all her future endeavors.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

FEBRUARY 21, 2005

**A RESOLUTION HONORING ALLYN PHILLIPS
FOR HIS TENURE ON THE PLANNING COMMISSION**

WHEREAS, Allyn Phillips has served on the Planning Commission for three years, and

WHEREAS, during that time Allyn Phillips has contributed his time, knowledge, and diligence in serving his community, and

WHEREAS, Allyn Phillips willingly attended the many meetings and work sessions required for the adoption of the Growth Management Plan Update, and

WHEREAS, at those meetings Allyn Phillips expressed a unique point-of-view that was valuable to the Commission and the Community, and

WHEREAS, Allyn Phillips has communicated with the Township Supervisor that added responsibilities at his place of employment necessitates that he can no longer serve on the Planning Commission,

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board thanks Allyn Phillips for his contribution to our Superior Community wishes him well in all future endeavors.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 6**

Roll call vote:

Ayes: McFarlane, Williams, Green, Lewis, Phillips

Nays: None

Absent: McKinney, Caviston,

The motion carried.

C. CHANGES TO THE PERSONNEL MANUAL

The newly adopted Personnel Manual lacks clarity concerning overtime pay/management time credit in a week in which an employee uses benefit time, i.e. sick time or vacation time, rather than actually working a full week. Such an instance might occur if an employee attended a compulsory meeting on a Wednesday evening and became sick on Friday.

Phillips asked if overtime had to be paid if an employee worked more than 8 hours a day. The question will be researched.

It was moved by Williams, supported by Lewis, that the Personnel Manual be amended as follows:

Section 1.4 Overtime.

a) Superior Charter Township generally attempts to discourage overtime. Overtime is paid to hourly employees only, and is defined as a work week over 37 ½ hours (or a workweek over 40 hours for Utility Dept employees). The Township will normally compensate eligible employees at one and one-half (1-1/2) times their regular rate of pay. The Township reserves the right to pay straight-time rather than overtime if an employee uses benefit time during the week constituting a work week over 37 ½ hours (or 40 hours Utility Dept) and has thus not physically worked more than 37 ½ hours (40 hours Utility Dept). Straight time shall be paid in lieu of overtime if the use of the benefit time created the need for the overtime, and the employee is deemed to be exhibiting excessive absenteeism as determined by the Department Head or Township Supervisor.

g) All managerial and professional employees of the Township are exempt

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 7**

from overtime pay, but (as a courtesy) shall be permitted to earn up to four Managerial Comp Days per calendar year. Managerial employees are eligible for management time credit if their workweek exceeds 37 ½ hours (or 40 hours Utility Dept). The Township reserves the right to deny management time credit if (a) The need to work additional hours outside of 8:30 a.m. - 4:30 p.m. (8:00 a.m. - 4:30 p.m. Utility Dept) does not seem warranted for the workload assigned, or (b) the need to work extra hours is caused by the use of benefit time during the workweek and the employee is deemed to have been exhibiting excessive absenteeism as determined by the Department Head or Township Supervisor. Management Time credit must be approved by the Department Head and the Township Supervisor. A managerial employee may keep no more than 37 ½ hours (40 hours Utility Dept) in his/her Managerial Comp Bank. Managerial Comp days may not be converted to cash, except upon termination of employment. Employees shall be given a report of their managerial comp hour bank total with each paycheck.

Roll call vote:

Ayes: McFarlane, Williams, Green, Lewis, Phillips

Nays: None

Absent: McKinney, Caviston,

The motion carried.

**D. ORDINANCE 164 – AMENDMENT TO UTILITY
ORDINANCE – FIRST READING**

The Ypsilanti Community Utilities Authority (YCUA) has performed a technical reevaluation of the sewer use ordinance local limits for compatible pollutants and toxic pollutants as required by the Michigan Department of Environmental Quality (MDEQ). As a result, revisions must be made to the Superior Charter Township Utility Ordinance to bring it into compliance.

It was moved by Williams, supported by Phillips, that the Superior Charter Township Board amend the following sections of Utility Ordinance for first reading:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**SUPERIOR CHARTER TOWNSHIP BOARD
 REGULAR MEETING
 FEBRUARY 21, 2005
 ADOPTED MINUTES
 PAGE 8**

ORDINANCE #164

**AN AMENDMENT TO THE SUPERIOR CHARTER TOWNSHIP UTILITY
 ORDINANCE**

BE IT ORDAINED BY THE CHARTER TOWNSHIP OF SUPERIOR:

- (1) That Section 54-194 (b) of the Superior Charter Township Code of Ordinances shall be revised as follows:

(b) No person shall discharge wastewater such that the concentration of pollutants contained in a representative 24-hour composite sample is at or above the following surcharge limits, except as otherwise permitted in writing by the director and on payment of a surcharge, and no person shall discharge wastewater such that the concentration of pollutants contained in a representative 24-hour composite sample exceeds the following upper limits, with respect to the following compatible pollutants:

COMPATIBLES

| <u>Surcharge Limits</u> | <u>Upper Limits</u> | |
|-------------------------|---------------------|---------------------------------------|
| 300 mg/l | 756 mg/l | 5-day BOD (Biochemical Oxygen Demand) |
| 350 mg/l | 2366 mg/l | Total SS (Suspended Solids) |
| 600 mg/l | 1530 mg/l | COD (Chemical Oxygen Demand) |
| 13 mg/l | 63 mg/l | Total Phosphorus |
| 25 mg/l | 452 mg/l | Ammonia-Nitrogen |

INORGANICS

No person shall discharge wastewater such that the concentration of pollutants contained in a representative 24-hour composite sample shall exceed the following limits with respect to the following inorganic or organic pollutants or phenolic compounds:

| | |
|---------------|------------------|
| 1.0 mg/l | Arsenic |
| 0.0017 mg/l | Beryllium |
| 0.100 mg/l | Cadmium |
| 4.0 mg/l | Chromium (Total) |
| 3.0 mg/l | Copper |
| 1.0 mg/l | Cyanides |
| 0.3 mg/l | Lead |
| Nondetectable | Mercury |

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 9**

3.0 mg/l Nickel
0.12 mg/l Silver
3.0 mg/l Zinc

ORGANICS

1.1 mg/l Bis (2-Ethylhexyl) phthalate
0.55 mg/l Total Phenols
Nondetectable Polychlorinated biphenyls (Nondetectable per U.S. EPA method 608. Any detectable sample exceeds this limit.)

- (2) This ordinance shall take effect and be in full force upon the eighth day following publication of second and final reading in the *Ypsilanti Courier*.

CERTIFICATION

I, Kay Williams, Clerk of the Charter Township of Superior, Washtenaw County, Michigan, hereby certify that this is a true copy of an Ordinance adopted by the Superior Charter Township Board for first reading at a regular meeting held on February 21, 2005. This Ordinance shall become effective on the eighth day following publication of second and final reading, or such later date as may be provided herein or by law.

William McFarlane, Supervisor
February 21, 2005

Kay Williams, Clerk

Roll call vote:

Ayes: McFarlane, Williams, Green, Lewis, Phillips

Nays: None

Absent: McKinney, Caviston,

The motion carried.

E. RESOLUTION – APPLICATION FOR GRANT TO PURCHASE VOTING EQUIPMENT

The State is in the process of implementing a statewide, uniform optical scan voting system to comply with Public Act 91 of 2002. The funds that Michigan has received under the Help America Vote Act of 2002 (HAVA)

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 10**

is being used to pay for voting equipment. Washtenaw County is participating in the first purchase period of 2005 and the Township is slated to receive eight new Accuvote devices, six for use in the precincts and two for absent voter counting boards, at a cost of \$4,750 each or \$38,000.00. In order to receive these devices, the Township must sign a grant application immediately.

It was moved by Williams, supported by Phillips, that the Superior Charter Township Board adopt the following Resolution:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
FEBRUARY 21, 2005**

**A RESOLUTION TO APPLY FOR A GRANT TO PURCHASE AN
OPTICAL SCAN VOTING SYSTEM TO COMPLY WITH THE HELP
AMERICA VOTE ACT**

WHEREAS, the Superior Charter Township Board wishes to apply to the Secretary of State for a grant to purchase an optical scan voting system and related Election Management System (EMS) software to comply with the Help America Vote Act (HAVA).

WHEREAS, the Superior Charter Township Board has chosen to submit a grant application for a new optical scan voting system in 2005.

NOW, THEREFORE, BE IT RESOLVED that the Superior Charter Township Clerk is authorized to submit this grant application on behalf of Washtenaw County on this twenty-first day of February, 2005.

Roll call vote:

Ayes: McFarlane, Williams, Green, Lewis, Phillips

Nays: None

Absent: McKinney, Caviston

The motion carried.

F. RESOLUTION – PROSPECT POINTE PHASE 1 - STREET LIGHTS

The developers for Prospect Pointe have requested that the Township set up a special assessment district for street lights for Phase 1.

It was moved by Williams, supported by Phillips, that the Superior Charter Township Board adopt the following Resolution:

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

**PROSPECT POINTE SUBDIVISION PHASE 1
STREET LIGHTING SPECIAL ASSESSMENT DISTRICT**

RESOLUTION NO. 1

WHEREAS, this Board has received requests for installation of street lighting in Prospect Pointe Subdivision Phase 1 and the Township by its Subdivision Ordinance requires installation of street lights at the expense of the developer; and

WHEREAS, this Board believes that it is in the best interests of the Township and the residents of this Subdivision that such improvements be made and that the costs thereof beyond initial installation of the street lights be defrayed by special assessment on the properties benefited thereby; and

WHEREAS, the Detroit Edison Company has proposed to provide such street lighting to consist of Thirteen (13) poles and lights for an initial annual charge of \$291.64 per light, such lighting system to be installed at the expense of the developer but owned by said Detroit Edison Company, and such annual charge to include full service of the system including general maintenance and cleaning, bulb and glass replacement, pole repair and replacement, electrical maintenance and vandalism repair;

NOW THEREFORE, BE IT RESOLVED THAT:

1. The plans showing the street lighting improvements and location thereof and the estimate of cost of such street lighting, including the costs of establishing the district and the Township's administrative costs, be filed with the Township Clerk and be available for public inspection.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 12**

2. The Township Board tentatively declares its intention to provide said street lighting.

3. The Township Board tentatively designates a special assessment district against which the cost of such street lighting is to be assessed consisting of all the lands in Prospect Pointe Subdivision Phase 1. The Township Board hereby estimates the cost of providing such street lighting for the initial year to be \$3,791.27, or \$35.10 per lot.

5. The Township Board shall meet at the Township Hall located 3040 N. Prospect in said Township on Monday, March 7, 2005, at 7:30 p.m. for a public hearing on the question of creating the special assessment district and defraying the expenses of the district by special assessment.

6. The Township Clerk is hereby ordered to cause a notice of such hearing to be published at least seven (7) days before the time of the hearing and shall cause notice of said hearing to be mailed by first class mail to each owner of or party in interest in property in the special assessment district whose name appears upon the last tax assessment records of the Township, at least ten (10) days before the date of such hearing.

7. Said notice shall be in substantially the following form:

**NOTICE OF HEARING ON SPECIAL ASSESSMENT
BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF SUPERIOR**

**TO: ALL OWNERS OF OR PARTIES IN INTEREST IN PROPERTY
LOCATED IN PROSPECT POINTE SUBDIVISION PHASE 1,
CONSISTING OF LOTS 1 THROUGH 108.**

PLEASE TAKE NOTICE that the Township Board of the Charter Township of Superior has tentatively declared its intention to provide street lighting of the streets within said described property for an initial annual charge of \$3,791.27, or \$35.10 per lot, and has tentatively designated the special assessment district against which the cost of such street lighting is to be assessed as consisting of all such described lands.

Plans and estimates for said street lighting have been prepared and are on file with the Township Clerk for public examination.

TAKE FURTHER NOTICE that the Township Board will meet on Monday, March 7, 2005, at 7:30 p.m., at the Township Hall, 3040 N. Prospect, in the Charter Township of Superior, for the purpose of a public hearing on the question of creating the district and defraying the expenses of the district by special assessment.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, or his or her agent,

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 13**

may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter delivered to the Clerk by 7:30 p.m., on Monday, March 7, 2005, and his or her personal appearance shall not be required. Superior Township will provide necessary reasonable auxiliary aids and services to individuals with disabilities upon four business days notice to the Township. Individuals requiring auxiliary aids and services should contact the Township by writing the Clerk. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

Dated: February 24, 2005

Kay Williams, Clerk
Charter Township of Superior
3040 N. Prospect
Ypsilanti, MI 48198
734-482-6099

8. All resolutions and parts of resolutions insofar as they conflict with the provision of this resolution be and the same hereby are rescinded.

CERTIFICATE

I, Kay Williams, certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board for Superior Township, County of Washtenaw, State of Michigan, at the regular meeting held on February 21, 2005, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Roll call vote:

Ayes: McFarlane, Williams, Green, Lewis, Phillips

Nays: None

Absent: McKinney, Caviston,

The motion carried.

G. RESOLUTION – BROOKSIDE OF SUPERIOR III - STREET LIGHTS

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 14**

The developers of Brookside of Superior III have requested that a special assessment district be established for street lights.

It was moved by Williams, supported by Phillips, that the Superior Charter Township Board adopt the following Resolution:

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

**BROOKSIDE OF SUPERIOR III
STREET LIGHTING SPECIAL ASSESSMENT DISTRICT**

RESOLUTION NO. 1

WHEREAS, this Board has received requests for installation of street lighting in Brookside of Superior III and the Township by its Subdivision Ordinance requires installation of street lights at the expense of the developer; and

WHEREAS, this Board believes that it is in the best interests of the Township and the residents of this Subdivision that such improvements be made and that the costs thereof beyond initial installation of the street lights be defrayed by special assessment on the properties benefited thereby; and

WHEREAS, the Detroit Edison Company has proposed to provide such street lighting to consist of Four (4) poles and lights for an initial annual charge of \$298.25 per light, such lighting system to be installed at the expense of the developer but owned by said Detroit Edison Company, and such annual charge to include full service of the system including general maintenance and cleaning, bulb and glass replacement, pole repair and replacement, electrical maintenance and vandalism repair;

NOW THEREFORE, BE IT RESOLVED THAT:

- 1.** The plans showing the street lighting improvements and location thereof and the estimate of cost of such street lighting, including the costs of establishing the district and the Township's administrative costs, be filed with the Township Clerk and be available for public inspection.
- 2.** The Township Board tentatively declares its intention to provide said street lighting.
- 3.** The Township Board tentatively designates a special assessment district against which the cost of such street lighting is to be assessed consisting of all the lands

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 15**

in Brookside of Superior III. The Township Board hereby estimates the cost of providing such street lighting for the initial year to be \$1,193.00, or \$9.18 per lot.

5. The Township Board shall meet at the Township Hall located 3040 N. Prospect in said Township on Monday, March 7, 2005, at 7:30 p.m. for a public hearing on the question of creating the special assessment district and defraying the expenses of the district by special assessment.

6. The Township Clerk is hereby ordered to cause a notice of such hearing to be published at least seven (7) days before the time of the hearing and shall cause notice of said hearing to be mailed by first class mail to each owner of or party in interest in property in the special assessment district whose name appears upon the last tax assessment records of the Township, at least ten (10) days before the date of such hearing.

7. Said notice shall be in substantially the following form:

**NOTICE OF HEARING ON SPECIAL ASSESSMENT
BY THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF SUPERIOR**

TO: ALL OWNERS OF OR PARTIES IN INTEREST IN PROPERTY
LOCATED IN BROOKSIDE OF SUPERIOR III, CONSISTING OF
LOTS 242 THROUGH 371.

PLEASE TAKE NOTICE that the Township Board of the Charter Township of Superior has tentatively declared its intention to provide street lighting of the streets within said described property for an initial annual charge of \$1,193.00 or \$9.18 per lot, and has tentatively designated the special assessment district against which the cost of such street lighting is to be assessed as consisting of all such described lands.

Plans and estimates for said street lighting have been prepared and are on file with the Township Clerk for public examination.

TAKE FURTHER NOTICE that the Township Board will meet on Monday, March 7, 2005, at 7:30 p.m., at the Township Hall, 3040 N. Prospect, in the Charter Township of Superior, for the purpose of a public hearing on the question of creating the district and defraying the expenses of the district by special assessment.

TAKE FURTHER NOTICE that appearance and protest at this hearing is required in order to appeal the amount of the special assessment to the State Tax Tribunal if an appeal should be desired. A property owner or party in interest, or his or her agent, may appear in person at the hearing to protest the special assessment or may file his or her appearance by letter delivered to the Clerk by 7:30 p.m., on Monday, March 7, 2005, and his or her personal appearance shall not be required. Superior Township will provide

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 16**

necessary reasonable auxiliary aids and services to individuals with disabilities upon four business days notice to the Township. Individuals requiring auxiliary aids and services should contact the Township by writing the Clerk. The property owner or any person having an interest in the property subject to the proposed special assessments may file a written appeal of the special assessment with the State Tax Tribunal within thirty days after confirmation of the special assessment roll if that special assessment was protested at this hearing.

Dated: February 24, 2005

Kay Williams, Clerk
Charter Township of Superior
3040 N. Prospect
Ypsilanti, MI 48198
734-482-6099

8. All resolutions and parts of resolutions insofar as they conflict with the provision of this resolution be and the same hereby are rescinded.

CERTIFICATE

I, Kay Williams, certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board for Superior Township, County of Washtenaw, State of Michigan, at the regular meeting held on February 21, 2005, and that public notice of said meeting was given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Roll call vote:

Ayes: McFarlane, Williams, Green, Lewis, Phillips

Nays: None

Absent: McKinney, Caviston,

The motion carried.

H. WASHTENAW COUNTY CONTRACTS FOR SCHOOL ELECTIONS

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 17**

The new Election Consolidation Laws became effective on January 1, 2005, which mandate that clerks conduct all elections including the school elections. Local clerks had the choice of “opting in” and completely running the school elections (which meant doing all the things we normally do plus printing ballots, programming memory cards, etc.) or “opting out” which meant that the County Clerk would do everything except send out absent voter application, give the County Clerk our list of election inspectors (precinct workers), and let the County Clerk use Township equipment. Most of the clerks in the County asked the County Clerk to offer a compromise, which he did. The compromise is as follows:

Superior Township has agreed to perform the following School Election related duties:

- Receive and distribute Absent Voter Applications
- Receive and distribute Absent Voter Ballots
- Provide voting equipment at polling locations on election day
- Provide Voter Lists to polling locations on election day
- Provide election inspectors to work polling locations on election day
- Handle the setup of polling locations on election day
- Store voted ballots after election
- Submit reimbursement requests to County

The Washtenaw County Clerk/Register has agreed to perform the following School Election related duties:

- Post all election related notices for the school district including notice of accuracy test
- Serve as the schools’ filing official and accept candidate filings, check petitions for sufficiency, accept candidate withdrawals and certify candidates.
- Receive special election resolutions and ballot proposal language adopted by the district’s board
- Handle ballot generation, proofing, printing and distribution
- Program Memory cards/Prom Packs for entire jurisdiction
- Assist in test deck preparation and accuracy testing
- Order necessary precinct supply kits
- Assist in Election Day “trouble-shooting”
- Reimburse cities/townships for School Election related costs including:
 - Election Inspector wages

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 18**

- Election Day supplies
- Printing and postage for new voter ID cards (where precincts are changing)
- Polling location rental fees
- Supplies and postage related to accepting and distributing Absent Voter Applications and Absent Voter Ballots
- Overtime accrued due to the processing of Absent Voter related materials, as well as overtime/fees accrued by staff for opening/closing polling locations on Election day.

Each school district has a separate contract between the Township and the County Clerk. This contract will insure that our voters are able to vote in their own precincts and obtain absent voter ballots here in the Township. Our precincts will be operated by our own residents and we will be the only ones using our equipment.

So far there is no agreement for Plymouth-Canton Schools or Schoolcraft College.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board authorize the Supervisor to sign the Agreements with the County Clerk for School Elections for Ann Arbor, Willow Run, Ypsilanti, Washtenaw Community College and the Washtenaw Intermediate School District.

Roll call vote:

Ayes: McFarlane, Williams, Green, Lewis, Phillips

Nays: None

Absent: McKinney, Caviston,

The motion carried.

I. APPOINTMENTS TO CONSTRUCTION BOARD OF APPEALS

The State Construction Code requires that each governmental subdivision enforcing the code shall maintain a Construction Board of Appeals. The law states that the term length shall be two years. Rick Mayernik, our Building Official recommends that the current board be reappointed.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 19**

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board concur with the recommendation of the Building Official and reappoint Philip Tocco, Gary Dresselhouse, Bruce Proper, Joseph Veltri and Thomas Tocco to the Superior Charter Township Construction Board of Appeals for two-year terms ending March 5, 2007.

The motion carried.

**J. RESOLUTION – URBAN COUNTY COOPERATION
AGREEMENT**

The Township has been participating in the Washtenaw Urban County which enabled the Township to receive federal Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) grand funding. The new qualification period requires a new Resolution for participation.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board adopt the following Resolution:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
FEBRUARY 21, 2005
A RESOLUTION ANNOUNCING THE INTENT OF SUPERIOR CHARTER
TOWNSHIP
TO PARTICIPATE IN THE WASHTENAW URBAN COUNTY FOR FEDERAL
ASSISTANCE FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT DURING THE PERIOD OF JULY 1, 2006- JUNE 30, 2009.**

WHEREAS, the Charter Township of Superior has been notified by the County of Washtenaw of its intent to seek status as an Urban County for the qualification period of July 1, 2006- June 30, 2009; and

WHEREAS, the County of Washtenaw invites all units of government within its boundaries to participate in the Urban County, in order to realize the benefits of the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) Program funding that the Urban County receives from the U.S. Department of Housing and Urban Development; and

WHEREAS, the U.S. Department of Housing and Urban Development requires that the governing body of each participating jurisdiction consider and make known its decision by resolution whether to be included in (or excluded from) the Washtenaw Urban County; and

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 20**

WHEREAS, each of the participants in the Urban County are represented by the chief elected official of that jurisdiction or their formal designee on the Urban County Executive Committee.

NOW THEREFORE BE IT RESOLVED that the Charter Township of Superior Board hereby agrees to participate in the Washtenaw Urban County for federal assistance from the U.S. Department of Housing and Urban Development during the period of July 1, 2006 - June 30, 2009.

BE IT FURTHER RESOLVED that the Charter Township of Superior intends to remain in the Washtenaw Urban County Community Development Block Grant and Home Investment Partnerships Programs, which shall be automatically renewed in successive three-year qualification periods of time, or until such time as it is in the best interest of the Township to terminate the Cooperation Agreement with Washtenaw County, which was originally signed in July of 2002.

CERTIFICATE

I, Kay Williams, Clerk of the Charter Township of Superior, Washtenaw County, Michigan, hereby certify that the forgoing constitutes a true and complete copy of a Resolution which was duly adopted by the Township Board of the Charter Township of Superior at a Regular Meeting of said Board held on February, 21, 2005. I further certify that the Resolution was adopted _____.

Dated: February 21, 2005

Kay Williams, Clerk
Superior Charter Township

Roll call vote:

Ayes: McFarlane, Williams, Green, Lewis, Phillips

Nays: None

Absent: McKinney, Caviston,

The motion carried.

K. REQUEST PLANNING COMMISSION TO AMEND THE ZONING ORDINANCE IN REGARD TO DECKS

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 21**

In June of 2002 the Board amended the Zoning Ordinance to allow decks in rear yard setback of a subdivision lot. This was to alleviate a constant complaint from homeowners in Brookside who were going to the ZBA for permission to build a deck. At that time the Board limited the amendment to lots of 10,000 square feet or less, which was adequate for the normal subdivision lot being built in the Township at that time. But now we are getting larger homes on larger lots, a trend we would like to encourage. And the deck problem has arisen again. The biggest current problem is with corner lots that have two front yard setbacks and therefore the building envelope is further back from the street. Some proposed lots are more than 15,000 square feet, giving more open space.

The simplest way to solve the problem is to increase the size of the lot allowed for setback encroachment. After discussion with the Zoning Administrator we have determined that an increase to 18,000 square feet would not jeopardize the required setbacks in other zoning districts but would allow larger homes in subdivisions to have decks.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board request the Planning Commission to hold a public hearing and submit a recommendation on increasing the lot area of a parcel in section 4.04 (H)(1)(d)(4) to 18,000 square feet.

d. Porches and decks may encroach into the required rear yard setback when all of the following conditions apply:

1. The porch or deck does not enlarge, expand, or extend an existing nonconformity.
2. The porch or deck serves a single family detached dwelling.
3. The maximum encroachment is limited to ten (10) feet in depth and two hundred (200) square feet in area.
4. The lot area of the parcel is ten thousand (10,000) square feet or less.
5. Portions of porches or decks which encroach into the setback shall be unroofed and open-sided except for guards and handrails as required by the Building Code.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 22**

The motion carried.

L. EASEMENTS FOR BAZLEY-FOSTER DRAIN

The Drain Commissioner has sent four separate easements for the revised location of the branch of the Bazley-Foster Drain which is slated to be cleaned.

It was moved by Williams, supported by Phillips, that the Superior Charter Township Board authorize the Supervisor to sign the easements for the revised location of the Bazley-Foster Drain.

The motion carried unanimously.

M. ATTORNEY FOR EMPLOYEE RELATIONS AND BENEFITS

The Township Attorneys are not specialists in employee relations and benefits and the Supervisor has contacted the law firm of Reach, Ranney and Carpenter, P.C., the firm used by Washtenaw County for employee relations and benefits issues. Mr. Jim Fink, an attorney with the firm, is willing to provide this service for the Township at a rate of \$145.00 per hour.

It was moved by Williams, supported by Lewis, that the Superior Charter Township retain Jim Fink as Township Attorney for employee relations and benefits.

The motion carried.

N. CARE CHOICES RENEWAL

The annual Care Choices Health Insurance contract is up for renewal with a 1.7% increase.

It was moved by Williams, supported by Green, that the Superior Charter Township Board authorize the Supervisor to sign the contract with Care Choices Health Insurance at the new monthly rates of \$322.68 for a single person and \$806.67 for a family.

Roll call vote:

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
FEBRUARY 21, 2005
ADOPTED MINUTES
PAGE 23**

Ayes: McFarlane, Williams, Green, Lewis, Phillips

Nays: None

Absent: McKinney, Caviston,

The motion carried.

O. UTILITY MAINTENANCE DEPARTMENT TEAM/CREW LEADER

The Utility Department requested Board approval to post a newly-created position of Utility Maintenance Team/Crew Leader. The position will be filled from existing personnel and will be a combination working and supervisory position.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board approve posting the position of Utility Maintenance Team/Crew Leader at a starting salary of \$39,208.00.

The motion carried.

11. PAYMENT OF BILLS

It was moved by Williams, supported by Phillips, that the bills be paid in the following amounts: General Fund - \$1,035.05 and Law Fund - \$836.50 for a total of \$1,871.55.

The motion carried.

12. PLEAS AND PETITIONS

There were none.

13. ADJOURNMENT

It was moved by Williams, supported by Green, that the meeting adjourn.

The motion carried and the meeting adjourned at 8:45 p.m.

Respectfully submitted,

Kay Williams, Clerk