

**SUPERIOR CHARTER TOWNSHIP BOARD  
REGULAR MEETING  
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**1. CALL TO ORDER**

The regular meeting of the Superior Charter Township Board was called to order by the Supervisor at 7:30 p.m. on February 19, 2008, 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, Brenda McKinney, Nancy Caviston, Rodrick Green, Lisa Lewis. David Phillips was on vacation.

**4. ADOPTION OF AGENDA**

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

The motion carried.

**5. APPROVAL OF MINUTES**

**A. REGULAR MEETING OF FEBRUARY 4, 2008**

It was moved by Caviston, supported by Green, to approve the minutes of the regular Board meeting of February 4, 2008, as presented.

The motion carried.

**6. CITIZEN PARTICIPATION**

**A. PLANNING COMMISSION APPOINTMENT INTERVIEWS**

Two three-year terms on the Planning Commission expire at the end of February. The Board solicited applications for the positions from interested residents. The applicants were requested to attend the Board meeting to be interviewed. The following residents applied for the position and were interviewed by Board members: Michelle Barth – 5091 Plymouth Road, Dorothy Blackmon – 1934 Savannah Lane, Valerie Constance – 7225 Warren Road, David G. Guenther – 2365 Leforge, Michael Ingles – 7105 Warren, Sandi Lopez – 6735 Vreeland, and John G. MacNicol – 8704 Barrington. Both Jay Gardner – 999 Towsley Lane and Earl Roberson – 1768 Hamlet sent letters of interest, but did not attend the meeting.

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Supervisor McFarlane will recommend the appointments at the March 3 meeting but asked the Board members for input before the meeting.

**B. OTHER CITIZEN CONCERNS – NON-AGENDA ITEMS**

There were none.

**7. REPORTS**

**A. SUPERVISOR**

The Supervisor reported on six items:

1. The assessing department is sending an explanation of how the assessments were figured this year on the back of the assessment notice.
2. The Sheriff deputies arrested three young men involved with the recent burglaries in the subdivisions. All three are Superior Township residents.
3. The road closures for the roundabout and Leforge intersection improvements along Geddes will begin soon. Leforge will be closed south of Geddes on March 1 to replace the water line and culvert installation. Sometime between April 1 and April 15, Geddes will be closed between Leforge and Superior for the rest of the project. The entire project should be completed in early June.
4. The number of false alarms for Sheriff calls has diminished since the Township began charging for the unnecessary calls.
5. McFarlane has been monitoring the deputy assignments from the Sheriff Department and the Township has been paying for deputies who are recruits and not able to fully function as police officers. He has been working with the County to resolve the issue.
6. The Park Commission and the Ypsilanti District Library will be meeting to discuss jointly building a community center/library. McFarlane suggested that the Board have a liaison to that committee. McFarlane suggested that Willow Run Schools also participate in the discussions.

It was moved by McKinney, supported by Lewis, that Clerk Williams be appointed to the committee with the Park Commission and the Ypsilanti District Library to discuss the building of a community center/library.

The motion carried.

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**B. DEPARTMENT REPORTS: FIRE DEPARTMENT, BUILDING DEPARTMENT, SHERIFF DEPARTMENT, ORDINANCE OFFICER, PARK COMMISSION MINUTES**

It was moved by Williams, supported by McKinney, that the Fire Department Report for January, 2008, the Building Department Report for January, the Sheriff Department Report dated February 10, 2008, the Ordinance Officer report for December/January, and the Park Commission minutes for the December 28, 2007 meeting be received.

The motion carried.

**C. UTILITY FUND DECEMBER 2007 FINANCIAL STATEMENT**

It was moved by Caviston, supported by McKinney, that the Superior Charter Township Board receive the December 2007 Utility Fund Financial Statement.

The motion carried.

**8. COMMUNICATIONS**

**A. PATRICIA WILLIS RESIGNATION AS ASSISTANT TO TREASURER'S OFFICE**

Pat Willis has accepted a full-time position with the federal government and is resigning effective February 29, 2008.

It was moved by Williams, supported by McKinney, that the Superior Charter Township Board accept the resignation of Patricia Willis with regret and wishes her success in her new employment.

The motion carried.

**9. UNFINISHED BUSINESS**

**A. ORDINANCE 134-50 REZONING – AMENDMENT TO AREA PLAN – ST. JOSEPH MERCY HEALTH SYSTEM – HURON OPHTHALMOLOGY – final reading**

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board adopt the following Ordinance for final reading:

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**WASHTENAW COUNTY, MICHIGAN**

**ORDINANCE # 134-50  
HURON OPHTHALMOLOGY MEDICAL OFFICE BUILDING  
AMENDMENT TO THE ST. JOSEPH MERCY HOSPITAL AREA PLAN**

The Board of Superior Charter Township of Washtenaw County, Michigan, hereby ordains that Ordinance Number 134, being the Superior Charter Township Zoning Ordinance, adopted August 4, 1997, and effective August 21, 1997, as amended, be amended as follows:

**SECTION I**

Superior Charter Township Ordinance Number 134, designated Superior Charter Township Zoning Ordinance, adopted August 4, 1997 and effective August 21, 1997, as amended, and the zoning district map attached thereto and made a part thereof, are hereby amended by amending the Area Plan for St. Joseph Mercy Health System dated April 5, 1982 as amended.

**SECTION II**

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

Commencing at the S 1/4 corner of fractional Section 31, T2S, R7E, Superior Township, Washtenaw County, Michigan, thence S 88° 07' 45" W 66.01 feet along the south line of fractional Section 31 and the centerline of Clark Road, thence N 00° 50' 30" W 60.01 feet to the POINT OF BEGINNING, thence S 88° 07' 45" W 2428.11 feet along the north right-of-way line of Clark Road (60.00 feet 1/2 width), thence along the east right-of-way line of Golfside Road extension in the following six (6) courses: N 02° 05' 59" E 133.16 feet, Northeasterly 416.82 feet along the arc of a curve to the right having a radius of 600.00 feet passing through a central angle of 39°48' 13" with a long chord bearing N 22° 00'05" E 408.49 feet, N 41° 54' 12" E 192.76 feet, Northwesterly 850.38 feet along the arc of a curve to the left having a radius of 700.00 feet passing through a central angle of 69°36' 16" with a long chord bearing N 07°06' 04" E 799.04 feet, N 23° 44' 04" E 79.54 feet, N 23° 34' 41" E 60.09 feet, thence N 63° 05' 26" W 396.19 feet along the northeasterly right-of-way line of said Huron River Drive (120.00 feet total width) thence N 36° 19' 51" E 1763.93 feet, thence N 00° 04' 55" W 332.14 feet, thence northeasterly in the following eight (8) courses along an intermediate traverse line on the southeasterly bank of the Huron River, said intermediate traverse line lying southeasterly of the 735 foot contour line of said Huron River, N 55° 50' 24" E 162.91 feet, N 48° 13' 58" E 141.41 feet, N 41°

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53' 37" E 224.29 feet, N 47° 10' 21" E 117.00 feet, N 38° 21' 20" E 151.52 feet, N 57° 10' 34" E 201.88 feet, N 77° 13' 14" E 165.93 feet, N 02° 57' 08" E 374.74 feet to the southwesterly right-of-way line of the Penn Central Railroad, thence southeasterly along the southwesterly right-of-way line of said Penn Central Railroad 1065.99 feet along the arc of a non-tangential circular curve concave southwesterly, radius 2167.90 feet, central angle 28° 10' 24", chord S 78° 08' 32" E 1055.29 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, 684.31 feet along the arc of a non-tangential circular curve concave southwesterly, radius 2196.90 feet, central angle 17° 50' 49", chord S 54° 41' 26" E 681.54 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, 390.76 feet along the arc of a non-tangential circular curve concave southwesterly radius 2091.90 feet, central angle 10° 42' 09" chord S 40° 31' 56" E 390.19 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, S 35° 11' 26" E 235.05 feet, thence continuing southeasterly along the southwesterly right-of-way line of said Penn Central Railroad, S 34° 19' 33" E 697.23 feet, thence S 23° 55' 12" W 1020.86 feet, thence N 89° 18' 12" E 399.19 feet, thence southerly in the following twelve (12) courses along an intermediate traverse line on the westerly bank of the Huron River, said intermediate traverse line lying westerly of the waters edge of said Huron River, S 03° 42' 01" E 80.37 feet, S 06° 17' 26" E 150.00 feet, S 17° 05' 18" W 101.77 feet, S 36° 22' 47" W 93.24 feet, S 64° 41' 21" W 95.32 feet, S 08° 50' 35" W 118.19 feet, S 20° 01' 21" W 312.87 feet, S 03° 23' 57" E 61.70 feet, S 10° 27' 52" E 231.19 feet, S 33° 30' 27" E 124.44 feet, S 34° 44' 42" E 96.92 feet, S 42° 09' 35" E 168.35 feet, thence S 25° 42' 23" W 473.67 feet, thence S 87° 25' 00" W 46.69 feet, thence N 59° 34' 37" W 60.59 feet along the northeasterly right-of-way line of Huron River Drive, thence S 87° 25' 00" W 265.87 feet along the north right-of-way line of Huron River Drive, thence S 89° 06' 22" W 914.80 feet along the north right-of-way line of Huron River Drive, thence S 87° 25' 00" W 66.02 feet along the north right-of-way line of said Huron River Drive, thence N 00° 50' 30" W 251.35 feet, thence S 89° 09' 30" W 440.02 feet, thence S 00° 50' 30" E 263.99 feet to the POINT OF BEGINNING, being a part of Fractional Section 31, T2S, R7E, Superior Township, Washtenaw County, Michigan, together with all that land lying between the 735 foot contour line of the Huron River and the intermediate traverse line, also all that land lying between the waters edge of the Huron River and the intermediate traverse line on the easterly side of the above described parcel, containing 340.8 acres of land, more or less.

Parcel Tax ID Number: J-10-31-350-029

**SECTION III**

The Area Plan of St. Joseph Mercy Hospital Health System shall be amended to include the Huron Ophthalmology Medical Office Building Area Plan Amendment dated 12-26-07.

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SECTION IV

This Ordinance shall be published in a newspaper circulated within the Township of Superior within thirty (30) days following the final adoption thereof. This Ordinance shall become effective on the eighth day following said publication or such later date as is provided by law. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

CERTIFICATION

I, 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 4, 2008 and for final reading on February 19, 2008. 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

Kay Williams, Clerk

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

**B. ORDINANCE 171 – COMPILATION OF ORDINANCES - FINAL READING**

At the February 4 Board meeting there was discussion concerning Section 24-01 (b) of the Weed Ordinance which stated that weeds in lots over an acre in size needed to be cut in the front, side, and rear setback areas. Board consensus was that the entire section (b) should be deleted from the Weed Ordinance.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board adopt the following Ordinance for final reading:

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**ORDINANCE No. 171**

**AN ORDINANCE TO APPROVE THE COMPILATION OF THE SUPERIOR  
CHARTER ORDINANCES AND AMEND OR REPEAL EXISTING ORDINANCES**

**Section 171-01. Short Title.** This ordinance shall be known and cited as the Superior Charter Township Ordinance Book.

**Section 171-02. Purpose.** The purpose of this ordinance is to:

- a. list the adopted ordinances of Superior Charter Township from Ordinance No.1, adopted April 3, 1951 until the present;
- b. amend or repeal any ordinance that is out-of-date;
- c. repeal any ordinance that is no longer needed or has been superceded by a subsequent ordinance; combine any ordinances that have been amended;
- d. publish the compilation in notebook form according to Michigan State Statutes;
- e. publish the compilation on the Superior Charter Township Website;
- f. maintain the compilation with future ordinances as adopted.

**Section 171-02. Repeal the Following Ordinances**

- a. Ordinance No. 3 – Building Code – BOCA- adopted 10/3/55
- b. Ordinance No. 19 – BOCA Code – adopted 9/20/65
- c. Ordinance No. 19A – Garbage and Rubbish – adopted 4/15/68
- d. Ordinance No. 25 - Electrical Ordinance – adopted 8/16/71
- e. Ordinance No. 29 – Construction Code – adopted 4/21/75
- f. Ordinance No. 30 – Heating Code – adopted 10/21/74
- g. Ordinance No. 32 – Electrical Code – adopted 12/2/74
- h. Ordinance No. 33 – Construction Code – adopted 4/21/75
- i. Ordinance No. 48 – Electrical Code – adopted 11/21/77
- j. Ordinance No. 56 – Refrigeration Code – adopted 6/19/78
- k. Ordinance No. 59 – Refrigeration Code – adopted 8/7/78
- l. Ordinance No. 60 – Plumbing Code – adopted 9/5/78
- m. Ordinance No. 61 - Property Maintenance Code – adopted 9/6/78
- n. Ordinance No. 70 – Mechanical Code – adopted 4/7/80
- o. Ordinance No. 71 - Construction Code – adopted 2/17/81
- p. Ordinance No. 83 – Electrical Code – adopted 1/7/85
- q. Ordinance No. 84 – Plumbing/Heating Code – adopted 1/7/85
- r. Ordinance No. 99 – BOCA Building Code – adopted 5/15/89
- s. Ordinance No. 100 – BOCA Plumbing Code – adopted 5/15/89
- t. Ordinance No. 101- BOCA Mechanical Code – adopted 5/15/89
- u. Ordinance No. 102 – BOCA Electrical Code – adopted 5/15/89
- v. Ordinance No. 103 – Property Maintenance Code – adopted 5/15/89
- w. Ordinance No. 124 - Subdivision Fees – adopted 2/7/94 –

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- x. Ordinance No. 131 – BOCA Fire Code – adopted 6/19/95
- y. Ordinance No. 144 – Code of Ordinances – adopted 11/3/97
- z. Ordinance No. 146 – Purchase of Development Rights – adopted 6/15/98
- aa. Ordinance No. 147 – Soil Removal and Deposit
- bb. Ordinance No. 148 – Right of Way Ordinance

**Section 171-03 Amendments to Adopted Ordinances.** The following ordinances shall be amended as stated:

**a. Ordinance No. 24 – Weeds -shall be amended to read as follows:**

**Section 24-01. Limitations on Height of Certain Weeds, Grass, and Uncultivated Vegetations**

Section 24-01(a) shall be amended to read:

- a. No person who is the owner, occupant or person in control of occupied or unoccupied property which is one acre or less in size shall permit weeds, grass or other vegetation located on the property to grow to a height greater than 10 inches, except as set forth in c below.
- b. Delete entire paragraph
- c. Amend the following:
  - (1) shall be amended by deleting “except grass or hay” from Agricultural crops
  - (2) shall be amended by deleting “cultivated”
  - (3) shall be amended by deleting “cultivated”.

Section 24-02 (f) shall be amended to read:

- (f) Lien to secure costs. The costs so incurred are hereby made a lien upon the property, and the statement of expenses or a certified copy thereof shall be prima facie proof of the expenses incurred by the Township. Whenever any such costs against any piece of property shall be delinquent for 30 days after the mailing of the statement of costs, the Township official in charge of the collection thereof shall certify by November 1 of each calendar year to the Treasurer of the Township, the fact of such delinquency, whereupon such costs shall be entered upon the next tax roll as a charge against such premises and shall be collected and the lien thereof enforced in the same manner as general Township taxes against such premises are collected and the lien



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thereof enforced.

Section 24-02 (h) shall be added to read:

(h) The Township Ordinance Officer shall be the Commissioner of Noxious Weeds as specified by State Statute.

Section 24-03 shall be amended to read

In lieu of the notice required in Section 24-02 above, the township may publish a notice in a newspaper of general circulation in the township during the month of March that weeds not cut by May 31, and then not cut again by August 31, of that year would be cut by the township and the owner of the property charged with costs under the provisions of Section 24-02. The township's publication shall also contain all other information required of the notice provided for in Section 24-02. The township may cut weeds as many times as necessary and charge the costs to the property owner.

**b. Ordinance No. 31 – Pension Plan - shall be amended as follows:**

Section 31-04 shall be amended to read:

**Section 31-04. Persons Covered**

The annuity or pension plans (defined contribution) created, established and contracted for under this ordinance shall cover each person within the following classes of officers and employees:

1. Trustees of the Township Board
2. All Township Employees who were part of the Pension Plan before March 7, 2005, who did not join the MERS (Michigan Employee Retirement System).

All full-time employees hired after March 7, 2005, are required to join the MERS Pension and MERS Health Care Retirement Plans.

**c. Ordinance No. 65 – Solid Waste - shall be amended as follows:**

Section 65-05 – Solid Waste - shall be amended to read:

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**Section 65-05. Municipal Contract for Refuse Collection Authority**

Whenever in the judgment of the Township Board such action may be necessary or advisable, they may determine to have the Township enter into a contract or contracts and to grant a license or franchise to such persons as it may deem best able to collect residential, municipal refuse in the Township in accordance with the best interest of the Township and its citizens. The contract shall be for such term as they may determine, but not to exceed in any instance five (5) years, and such contract may be, but need not be, exclusive, and the Township Board may authorize the making on the part of the Township of one or more contracts and if they determine it necessary, may limit such contract to a certain part of the Township or to certain types of premises, such as residential, commercial, industrial.

Section 65-06 shall be amended as follows:

**Section 65-06. Application for License or Franchise**

Every person, firm, or corporation request required to obtain a license or franchise for the collection, removal, and transportation of commercial municipal refuse, building refuse, industrial refuse, garbage or rubbish shall make applications to the Township Clerk and state such facts as may be required for the granting of such license or franchise including the following:

A. The full names, business and residence addresses, and telephone numbers of all owners, officers, and managers of the applicant's business.

B. The name, address, and telephone number of applicant's business.

C. The route, districts, or territories within which applicant proposes to make such collection or removal of garbage and/or rubbish, and the day of week, and disposal site should be designed at the time of application for license.

D. A description of the vehicles and equipment the applicant proposes to use in such collection, removal and transportation.

E. Such other information as may be required by the Township Board. No license shall be granted to any applicant therefore with all of the laws of the State of Michigan, Ordinances of the Charter Township of Superior, and approved rules and regulations of the Supervisor, pertaining to the collection, removal and transportation of municipal refuse, garbage or rubbish, nor shall such a license be issued until the application therefore has been referred to and

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approved by the Township Supervisor or his representative and until such applicant has paid to the Township Clerk a license fee according to a schedule adopted by a resolution of the Township Board, and has deposited with the Township Clerk a bond as required by the provisions of this Ordinance. The Township Clerk shall issue a license when all of the provisions of this Ordinance have been complied with satisfactorily.

F. No license, franchise, or contract issued, granted or entered into with any contractor under the provisions of this Ordinance shall be assignable or sublet without the express written permission of the Township Supervisor.

Section 65-14 shall be added as follows:

**Section 65-14. Recycling at Multifamily Apartment Complexes and Manufactured Home Communities**

All multifamily residential housing communities of any nature, including but not limited to, apartment complexes, condominiums, manufactured home communities and mobile home parks, shall provide recycling to the residents of such housing communities.

Section 65-19 A shall be amended as follows:

A. The Township Board shall solicit competitive bids for residential municipal waste collection, including recycling, and award a contract for sole responsibilities for residential municipal waste and recycling collection for the entire Township or any section therein as determined by the Township Board. The contract shall be awarded to the contractor with the best ability to perform the duties specified in the bid for the lowest price as determined by the Board. The lowest price will not necessarily guarantee the awarding of the contract. With the concurrence of the contractor, the Township Board shall approve the days and times of collection.

**d. Ordinance 134-49 – shall be amended by adding**

23, Section II - The Area Plan of Humane Society of Huron Valley dated May 2007, shall constitute the Approved Area Plan.

**Section 171-03. Severability.** Should any section, subdivision, sentence, clause or phrase of this Ordinance be declared by the Courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part as invalidated.

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**Section 171-04. Publication.**

This Ordinance shall be published pursuant to Section 8 of the Charter Township Act, being MCL 42.8 by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – with notice of such in *The Ypsilanti Courier*, a newspaper of general circulation in the Township, qualified under state law to publish legal notices, and the same shall be recorded in the Ordinance Book of the Township, and such recording authenticated by the signatures of the Supervisor and Clerk.

**Section 171-05. Effective Date.** This ordinance shall be effective on publication as required by law.

Adopted February 19, 2008

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

**C. VIRCHOW KRAUSE POLICE STUDY**

The Board received the Draft Final Report of the Virchow Krause Washtenaw County Police Authority Study on January 4, 2008, with the intention of allowing the Board to study the long and detailed report and discussing it at a later date.

Seven municipalities retained Virchow Krause and Company to investigate the feasibility of creating a consolidated police department through a jointly operated police authority concept. The participating municipalities are Ann Arbor Township, Augusta Township, Salem Township, Scio Township, Superior Township, York Township, and the City of Ypsilanti.

Based on their analysis of police services in the area encompassing the seven municipalities, the Study concludes that the creation of a seven municipal police authority is a feasible alternative to current police services. Such a merger would provide the following benefits:

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- Overall cost of providing police services will be reduced by more than \$1.8 million per year in the first year and over \$9.7 million over five years.
- The level of service will increase in the townships by having direct access to investigative services, availability of a large number of officers as an authority participant, municipal code and traffic enforcement services and community-oriented policing system focused on crime prevention.
- As a police authority participant and member of the authority board, municipalities will have direct control over services being provided and their related costs, through the budget approval process.
- A higher level of police professionalism through a centralized police services system that will provide improved training and supervision of personnel.
- Improved enforcement through shared information systems as well as uniform operating policies, procedures and regulations.
- Specialized training among the members of the police department that translates into improved crime prevention capabilities, traffic accident investigations, and better community relations.
- Better accessibility by citizens for such things as obtaining accident reports, crime reports, and general communications.
- Improved long-range planning through the authority board to meet the changing needs of the area as growth occurs and demographics change.

There are still many questions concerning the implications of starting a police authority such a service costs and equity among municipalities. Before the Township entered into such an authority, public hearings would be held.

It was moved by Williams, supported by McKinney, that the Superior Charter Township Board direct the Supervisor to continue to investigate a comparison between the Sheriff Department current service and possibility of being a part of a police authority as depicted in the Virchow Krause Police Authority Study.

The motion carried.

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**10. NEW BUSINESS**

**C. EMPLOYEE HEALTH INSURANCE – PRIORITY HEALTH CONTRACT**

The employee health coverage contract with Care Choices Health Insurance, which was sold to Priority Health in 2007, expires on March 1. The law requires that the Township seek competitive bids for health care coverage from several companies. The Administrative Staff reviewed bids from Priority Health, Blue Care Network, Humana, and Principal Life Insurance Company. Priority Health Plan HMO 100% provided the closest equivalent to the current Care Choices Plan at an increase in cost to the Township of 2%. Employee costs for co-pays are slightly higher. No company offers the same benefit plan as Care Choices had offered.

It was moved by Caviston, supported by McKinney, that the Superior Charter Township Board concur with the Administrative Staff authorize the Supervisor to sign the contract with Priority Health Plan HMO 100% for employee health care.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

**D. AMENDMENTS TO MERS HEALTH CARE SAVINGS PLAN**

The Township was recently assigned a new account manager at MERS for the Health Care Savings Plan administration. The new manager feels that the amendments that the Board approved for changes in the employees' participation agreements do not fully comply with IRS guidelines as they did not include the date of hire, which is what distinguishes each separate plan, and she recommends that they be re-adopted. The Administrative Staff agrees that the safest course of action would be to re-adopt the amendments, as employee health care benefits may be at risk. Susan Mumm, Human Resource Administrator, prepared new resolutions for current employees. Resolutions for former employees may be necessary and, if so, will be presented at a future date.

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It was moved by McKinney, supported by Lewis, that the Superior Charter Township Board concur with the Administrative Staff and adopt the following resolutions amending the health care employee participation agreements for the following employees: Shaun Bach, Jordan Braman, Barry Conklin, Jeffrey French, David Judson, Jeffrey Kujawa, and Susan Mumm:

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A RESOLUTION TO AMEND THE HEALTH CARE SAVINGS PLAN  
PARTICIPATION AGREEMENT CREATED FOR ALL UNION EMPLOYEES  
HIRED ON APRIL 1, 2003**

WHEREAS Superior Charter Township employees are permitted to request that the Superior Charter Township Board amend their MERS Health Care Savings Plan Participation Agreement once per calendar year; and

WHEREAS Shaun Bach has not requested a change this calendar year heretofore;

NOW, THEREFORE, BE IT RESOLVED that a new MERS Health Care Savings Plan Participation Agreement be created for all Union Employees hired on April 1, 2003, consisting of employee Shaun Bach with the effective date of February 19, 2008, which shall have the same provisions as his existing MERS Health Care Savings Plan Participation Agreement dated, other than the following changes:

the percentage of the mandatory salary reduction shall be 6% of pay;

BE IT FURTHER RESOLVED that there be a change in the definition of pay eligible for the mandatory salary reduction to:

regular and overtime pay, education and longevity pay, and an option to cash 0% to 100% of benefit hours upon separation from service.

Roll call vote:

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

Nays: None

Absent: Phillips

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The motion carried.

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A RESOLUTION TO AMEND THE HEALTH CARE SAVINGS PLAN  
PARTICIPATION AGREEMENT CREATED FOR ALL UNION EMPLOYEES  
HIRED ON JUNE 24, 2004**

WHEREAS Superior Charter Township employees are permitted to request that the Superior Charter Township Board amend their MERS Health Care Savings Plan Participation Agreement once per calendar year; and

WHEREAS Jordan Braman has not requested a change this calendar year heretofore;

NOW, THEREFORE, BE IT RESOLVED that a new MERS Health Care Savings Plan Participation Agreement be created for all Union Employees hired on June 24, 2004, consisting of employee Jordan Braman with the effective date of February 19, 2008, which shall have the same provisions as his existing MERS Health Care Savings Plan Participation Agreement dated June 20, 2005, other than the following changes:

the percentage of the mandatory salary reduction shall be 10% of pay;

BE IT FURTHER RESOLVED that there be a change in the definition of pay eligible for the mandatory salary reduction to:

regular and overtime pay.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

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**A RESOLUTION TO AMEND THE HEALTH CARE SAVINGS PLAN  
PARTICIPATION AGREEMENT CREATED FOR ALL UNION EMPLOYEES  
HIRED ON NOVEMBER 19, 2001**

WHEREAS Superior Charter Township employees are permitted to request that the Superior Charter Township Board amend their MERS Health Care Savings Plan Participation Agreement once per calendar year; and

WHEREAS Barry Conklin has not requested a change this calendar year heretofore;

NOW, THEREFORE, BE IT RESOLVED that a new MERS Health Care Savings Plan Participation Agreement be created for all Union Employees hired on November 19, 2001, consisting of employee Barry Conklin with the effective date of February 19, 2008, which shall have the same provisions as his existing MERS Health Care Savings Plan Participation Agreement dated June 20, 2005, other than the following change:

the percentage of the mandatory salary reduction shall be 5% of pay;

BE IT FURTHER RESOLVED that there be no change in the definition of pay eligible for the mandatory salary reduction which is currently defined as regular and overtime pay, education and longevity pay, and an option to cash 0% to 100% of benefit hours upon separation from service.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
FEBRUARY 19, 2008  
A RESOLUTION TO AMEND THE HEALTH CARE SAVINGS PLAN  
PARTICIPATION AGREEMENT CREATED FOR ALL UNION EMPLOYEES  
HIRED ON MAY 6, 2002**

WHEREAS Superior Charter Township employees are permitted to request that the Superior Charter Township Board amend their MERS Health Care Savings Plan Participation Agreement once per calendar year; and

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WHEREAS Jeffery French has not requested a change this calendar year heretofore;

NOW, THEREFORE, BE IT RESOLVED that a new MERS Health Care Savings Plan Participation Agreement be created for all Union Employees hired on May 6, 2002, consisting of employee Jeffery French with the effective date of February 19, 2008, which shall have the same provisions as his existing MERS Health Care Savings Plan Participation Agreement dated June 20, 2005, other than the following change:

the percentage of the mandatory salary reduction shall be 3% of pay;

BE IT FURTHER RESOLVED that there be no change in the definition of pay eligible for the mandatory salary reduction which is currently defined as regular pay only.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

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A RESOLUTION TO AMEND THE HEALTH CARE SAVINGS PLAN  
PARTICIPATION AGREEMENT CREATED FOR ALL UNION EMPLOYEES  
HIRED ON FEBRUARY 2, 1990**

WHEREAS Superior Charter Township employees are permitted to request that the Superior Charter Township Board amend their MERS Health Care Savings Plan Participation Agreement once per calendar year; and

WHEREAS David Judson has not requested a change this calendar year heretofore;

NOW, THEREFORE, BE IT RESOLVED that a new MERS Health Care Savings Plan Participation Agreement be created for all Union Employees hired on February 2, 1990, consisting of employee David Judson with the effective date of February 19, 2008, which shall have the same provisions as his existing MERS Health Care Savings Plan Participation Agreement dated June 20, 2005, other than the following change:

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the percentage of the mandatory salary reduction shall be 4.5% of pay;

BE IT FURTHER RESOLVED that there be no change in the definition of pay eligible for the mandatory salary reduction which is currently defined as regular and overtime pay, education and longevity pay, and an option to cash 0% to 100% of benefit hours upon separation from service.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

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A RESOLUTION TO AMEND THE HEALTH CARE SAVINGS PLAN  
PARTICIPATION AGREEMENT CREATED FOR ALL UNION EMPLOYEES  
HIRED ON JANUARY 5, 2005**

WHEREAS Superior Charter Township employees are permitted to request that the Superior Charter Township Board amend their MERS Health Care Savings Plan Participation Agreement once per calendar year; and

WHEREAS Jeffrey Kujawa has not requested a change this calendar year heretofore;

NOW, THEREFORE, BE IT RESOLVED that a new MERS Health Care Savings Plan Participation Agreement be created for all Union Employees hired on January 5, 2005, consisting of employee Jeffrey Kujawa with the effective date of February 19, 2008, which shall have the same provisions as his existing MERS Health Care Savings Plan Participation Agreement dated June 20, 2005, other than the following change:

the percentage of the mandatory salary reduction shall be 10% of pay;

BE IT FURTHER RESOLVED that there be no change in the definition of pay eligible for the mandatory salary reduction which is currently defined as regular and overtime pay, education and longevity pay, and an option to cash 0% to 100% of benefit hours upon separation from service.

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Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

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**A RESOLUTION TO AMEND THE HEALTH CARE SAVINGS PLAN  
PARTICIPATION AGREEMENT CREATED FOR ALL UNION EMPLOYEES  
HIRED ON JANUARY 11, 1996**

WHEREAS Superior Charter Township employees are permitted to request that the Superior Charter Township Board amend their MERS Health Care Savings Plan Participation Agreement once per calendar year; and

WHEREAS Susan Mumm has not requested a change this calendar year heretofore;

NOW, THEREFORE, BE IT RESOLVED that a new MERS Health Care Savings Plan Participation Agreement be created for all Non-Union Employees hired on January 11, 1996, consisting of employee Susan Mumm with the effective date of February 19, 2008, which shall have the same provisions as his existing MERS Health Care Savings Plan Participation Agreement dated June 20, 2005, other than the following changes:

the percentage of the mandatory salary reduction shall be 2% of pay;

BE IT FURTHER RESOLVED that there be a change in the definition of pay eligible for the mandatory salary reduction to:

regular and overtime pay only.

Roll call vote:

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

Nays: None

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Absent: Phillips

The motion carried.

**11. PAYMENT OF BILLS**

It was moved by McKinney, supported by Green, that the bills be paid as submitted.

The motion carried.

**12. PLEAS AND PETITIONS**

There were none.

**13. ADJOURNMENT**

It was moved by Williams, supported by McKinney, that the meeting adjourn.  
The motion carried and the meeting adjourned at 9:00 p.m.

Respectfully submitted,

Kay Williams, Clerk