

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
APRIL 17, 2006
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 at 7:30 p.m. on April 17, 2006, 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, and Lisa Lewis. David Phillips was out-of-town.

4. ADOPTION OF AGENDA

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

The motion carried.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF APRIL 3, 2006

It was moved by Caviston, supported by Lewis, to approve the minutes of the regular Board meeting of April 3, 2006, as presented.

The motion carried.

6. CITIZEN PARTICIPATION

A. WASHTENAW COUNTY ROAD COMMISSION ANNUAL MEETING

Fred Veigel, Washtenaw County Road Commissioner, Steve Purri, Managing Director of the Washtenaw County Road Commission, Ken Nixon, Operations Manager, and Eric Long, District Foreman, were present to report on the Road Projects for 2005 and suggest projects for 2006. Purri stated that the Matching Fund Program for 2006 allocated \$37,833.00 for Superior Charter Township. Long's list of 2006 projects was larger than the Township can afford and did not include Birkshire,

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which needs work. Nixon commented on dust control citing the availability and costs for the Township.

The Supervisor read a letter from Robert J. Muise who lives on Stommel Court concerning the need to significant repairs to Cherry Hill west of Prospect.

Ellen Kurath, 2203 Hickman, had several questions in writing for the Road Commission. Some of the questions concerned traffic counts on gravel roads, traffic capacity on gravel roads, cost of paving a gravel road, the cost of a grader in relation to the cost of new limestone, other sources of funding to maintain the roads.

Phillips, who was absent, sent two requests: 1. current traffic counts on gravel roads to establish a base for increase of traffic because of new development, and 2. protocol for residents removing dead trees in the right-of-way (residents may get a permit to remove, or if the tree is dangerous, the Road Commission will remove it).

Michael David Ben Dor, 2820 Stommel, wanted to know when the round-about at Geddes and Superior would be built. It is scheduled to be installed in 2007.

Residents from Ford Road Estates asked that Fleming Creek Drive and Galpin be repaired this year as nothing has been done for them for 20 years. They were also concerned about the intersection at Plymouth and Ford and requested that a light be installed there.

The Board thanked the Road Commission for attending the meeting and will have the 2006 Road Project list to the Commission before the June 15 deadline.

7. REPORTS

A. SUPERVISOR

The Supervisor reported on four items:

1. The Township Attorney, John Etter, indicated that the Township may not create a new millage while an existing millage is on the books as that would exceed the 10 mill charter township limit. The issue relates to the proposal to lower the voted 3.5 fire millage to 3.0 mills (the current fire millage with the Headlee rollback is likely to be 3.2779 mills) and

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increase the police millage from 1.5 mill to 2.0 mills (the likely Headlee rollback is going to be 1.4048 mills) in effect canceling the old and creating new. Unfortunately the law does not allow the canceling of a millage. Therefore, McFarlane recommended that the Board leave the fire millage alone and, as current police millage of 1.4048 will not be sufficient for the next three years to cover the sheriff contract, we create a new 0.75 millage for police by placing it on the ballot for August 2006 election.

It was moved by Williams, supported by Lewis, that the Superior Charter Township authorize the Township Attorney to write a ballot proposal for 0.75 mills of additional police millage to maintain current police coverage.

The motion carried.

2. The Biltmore Regency Woods proposal appears to be done. One of the properties (Donahue horse farm) that was a part of the proposal is now owned by Diversified Properties. Mr. Freidman of Diversified contacted the Township about developing the parcel. He wants sewer and water with commercial and about 100 homes. He informed the Administrative Staff that if we didn't cooperate he was going to sue. He further indicated he was part of the Arbor Woods lawsuit and the Brookside law suit.

3. Mr. Joe Block also contacted the Township about developing his property. He plans on suing also if he can't develop.

4. Based on current ordinances the Township cannot allow additional cell towers south of Geddes. There is a cell tower company who wishes to place a tower on the site of the new Utilities Maintenance Building as many residents have difficulty with their cell phones due to a lack of tower capacity. Ms. Tincer from T-Mobil was here to discuss the issue.

The Zoning Official has written some proposed language to amend the Zoning Ordinance to address the problems.

Lewis asked if Wireless Washtenaw would help. They are different technologies.

McKinney said that she had viewed the site and a tower would not be intrusive in the neighborhood.

It was moved by Lewis, supported by McKinney, that the Superior Charter Township Board authorize the Administrative Staff to review the

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conditions for placement of the cell towers, prepare language to amend the Zoning Ordinance to allow cell phone towers as a conditional use with restrictions, and submit the language to the Planning Commission for Public Hearing and recommendation.

The motion carried.

B. DEPARTMENT REPORTS: FIRE DEPARTMENT, BUILDING DEPARTMENT, ORDINANCE OFFICER, SHERIFF DEPARTMENT, TREASURER REPORT

It was moved by Caviston, supported by McKinney, that the Fire Department Report for March, the Building Department Report for March, the Ordinance Officer Report for March/April, the Sheriff Department report dated April 11, 2006, and the Treasurer Report on On-line Tax payments be received.

The motion carried.

8. COMMUNICATIONS

A. YPSILANTI MEALS ON WHEELS THANK YOU LETTER

Ann Harris, Executive Director of the Ypsilanti Meals on Wheels, thanked the Board for the donation of \$2,150.00 to help Superior Charter Township residents “deliver more than a meal” to those who really need it.

It was moved by Williams, supported by Caviston, that the letter from the Ypsilanti Meals on Wheels be received.

McKinney thanked the Board members and others in the audience for their contributions to the Meals on Wheels Annual Dinner. More than \$30,000 was raised for the program.

The motion carried.

B. JOHN RINTAMAKI RESIGNATION FROM PLANNING COMMISSION

John Rintamaki, Chair of the Superior Charter Township Planning Commission, tendered his resignation from the Planning Commission because of significant travel times required by his consulting business. He

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would like to remain on the Zoning Board of Appeals as those meetings can be arranged around his schedule.

It was moved by McKinney, supported by Caviston, that the Superior Charter Township Board accept the resignation from the Planning Commission from John Rintamaki with regret.

The Supervisor will ask residents to submit a letters of intent if they are interested in filling the vacancy in the term ending February 28, 2007. He asked that the letters be sent by May 10 and interviews will be conducted at the May 15 Board meeting.

The motion carried.

C. METRO ALLIANCE PLAN FOR COORDINATED PARKLAND AND OPEN SPACE

The Washtenaw Metro Alliance would like to set a presentation workshop with boards and committees in Superior Township that are involved with parkland and open space preservation/acquisition. The purpose of this workshop is to present the Washtenaw Metro Alliance with a Plan for Coordinated Parkland and Open Space and explore ways of moving forward in a coordinated fashion throughout the region.

It was moved by McKinney, supported by Lewis, that the a Parkland and Open Space Workshop be set for May 15, 2006, at 6:00 p.m. and the Board, Parks Commission, Planning Commission, Superior Land Conservancy, and other interested citizens will be invited.

The motion carried.

9. UNFINISHED BUSINESS

A. ORDINANCE 134-38- REZONING LEFORGE CLARK ESTATES – R-4 & A2 TO PC – FINAL READING

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

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
ORDINANCE # 134-38
Leforge Clark Estates Rezoning and Area Plan**

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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 the approved Area Plan for the following described property in Superior Township, Washtenaw County, Michigan:

Part of the Southwest ¼ of Section 33, T2S, R7E, Superior Township, Washtenaw County, Michigan Beginning at the W ¼ corner of said Section 33; thence N87°41'30"E 2696.01 feet; thence S02°42'00"E 971.99 feet; thence S87°41'30"W 1341.39 feet; thence S03°06'00" E 21.88 feet; thence S87°39'30"W 79.20 feet; thence S03°06'00" E 934.65 feet; thence S87°39.30"W 1255.20 feet' thence N03°30'00" W 922.46 feet; thence N87°41'30"E 358.19 feet; thence N05°21'00 W 100.05 feet; thence S87°50'27" W 35.00 feet; thence N03°30'00" W 65.00 feet; thence N87°41'30" E 32.85 feet; thence N05°21'00"W 530.71 feet; thence S87°41'30" W 335.72 feet; thence N03°30'00" W 312.10 feet to the Point of Beginning. Containing 82.21 acres.

SECTION II

The Area Plan of Leforge Clark Estates 3-1-06, shall constitute the Approved Area Plan.

SECTION III

This Ordinance shall be published by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – pursuant to Section 8 of the Charter Township Act, being MCL 42.8, 3(b) 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 April 3, 2006, and for final reading on April 17, 2006. 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.

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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 134-39- REZONING VILLAS AT HONEY CREEK – A1 TO PC – FINAL READING

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

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
ORDINANCE # 134-39**

Villas at Honey Creek Rezoning and 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 the approved Area Plan for the following described property in Superior Township, Washtenaw County, Michigan:

Parcel A – Beginning at the Southwest corner of Section 5, T2S, R7E, Superior Township, Washtenaw County, Michigan; said Southwest corner of Section 5 being the PLACE OF BEGINNING; thence N00°13'34" E 871.72 feet along the West Line of Section 5; thence N89°20'28" E 576.67 feet; thence S00°13'25" W 871.71 feet to the South Line of Section 5; thence S89°20'26" W 567.70 feet along the South Line of Section 5 to the PLACE OF BEGINNING. Containing 11.54 acres of land, more or less, subject to easements, conditions, restrictions and exceptions of record, if any.

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Parcel B-1 – Commencing at the Southwest corner of Section 5, T2S, R7E, Superior Township, Washtenaw County, Michigan; thence N00°13'34" E 871.72 feet along the West line of Section 5 for a PLACE OF BEGINNING; thence N00°13'34E 464.89 feet along said West line of Section 5; thence N89°18'22" E 1600.24 feet along the North line of the South ½ of the SW ¼ of Section 5; thence S00°17'22" W 1337.60 feet along the East line of the West 8 acres of the Southeast ¼ of the Southwest ¼ of Section 5, as delineated per a Certificate of Land Survey by Donald W. Ross, Professional Surveyor #19005, Project #88-2198, dated May 24th 1988; thence S89°20'26" W 1022.04 feet along the South Line of Section 5; thence N00°13'25" E 871.71 feet; thence S89°20'28" W 576.67 feet to the PLACE OF BEGINNING. Containing 37.55 acres of land, more or less, subject to easements, conditions, restrictions and exceptions of record, if any.

SECTION II

The Area Plan of Villas at Honey Creek 2-22-06, shall constitute the Approved Area Plan.

SECTION III

This Ordinance shall be published by posting in the Office of the Clerk, 3040 N. Prospect, Ypsilanti, 48198, and on the Township website – www.superior-twp.org – pursuant to Section 8 of the Charter Township Act, being MCL 42.8, 3(b) 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 April 3, 2006, and for final reading on April 17, 2006. 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

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Absent: Phillips

The motion carried.

**C. ORDINANCE 134-40 – TEXT AMENDMENTS – FINAL
READING**

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

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE # 134-40

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, is hereby amended as follows:

Amend Section 4.22(E)(4)(g) as follows:

The Density and Height Regulations which apply to single family detached dwellings located on individual lots within a PC zoning district shall be based upon the Density and Height Regulations of the zoning district which the Planning Commission determines most nearly reflects the policies of the Growth Management Plan. The Planning Commission may allow modification to the proposed Density and Height Regulations when the Commission deems such modifications as necessary to meet the “Intent” of Section 4.22(A). The area plan and the preliminary and final site plans accompanying the application shall clearly identify the proposed minimum lot area, minimum lot width, maximum ground floor coverage, maximum floor area ratio, minimum yards, maximum height and accessory building regulations. The provisions outlined in this section shall not supersede the “Maximum Net Residential Density” requirements of Section 4.22(E).

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Amend Section 4.22(E)(8)(c) as follows:

A single-family dwelling shall be located at least twenty (20) feet from any other single-family dwelling.

Exception: Single-family detached dwellings located on individual lots where minimum yards are regulated by Section 4.22(E)(4)(g).

Amend Section 4.24(G)(2)(b) as follows:

The surface areas of lakes, streams, ponds (natural, man-made, or storm water retention), marsh lands, or similar areas may be included in the acreage used for calculating ~~residential densities~~ ground **floor** coverage, and floor area ratios, if fifty (50) percent or more of the frontage of such areas are part of lands devoted to parks and open space used for and accessible to employees and occupants within the PM District.

Amend Section 7.14(B)(2)(a) as follows:

A Special Districts final site plan shall expire and be of no effect unless, within three hundred sixty (360) days of the Planning Commissions approval, a fully executed Development Agreement has been recorded and the construction drawings have received detailed engineering final approval.

Amend Section 10.04(G)(1) as follows:

A final site plan shall expire and be of no effect unless, within three hundred sixty (360) days of the Planning Commissions approval, a fully executed Development Agreement has been recorded and the construction drawings have received detailed engineering final approval.

SECTION II

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.

SECTION III

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

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Charter Township Board for first reading at a regular meeting held on April 3, 2006 and for final reading on April 17, 2006. 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.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

10. NEW BUSINESS

A. BLUE RIBBON COMMITTEE ON LAW ENFORCEMENT

At the last Board meeting McFarlane received informal approval from the Board to establish a Blue Ribbon Committee on Law Enforcement. The charge for the committee has been developed by the Administrative Staff.

It was moved by McKinney, supported by Williams, that the Superior Charter Township Board approve the following Charge for the Blue Ribbon Committee for Law Enforcement Needs Assessment for Superior Township 2009 and Beyond:

The charge will be to investigate and report back to the Board of Trustees:

1. Maintain a contract with the Sheriff's Department and forecasting revenue/budget needs and deployment needs.
2. Investigate developing collaboration with neighboring communities via an existing police department as the hub for expansion.
3. Investigate starting a Superior Township Police Department.
4. Investigate establishing a regional approach with neighboring communities.

RECOMMENDATIONS

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Membership should be citizens, township staff, and township elected persons and a representative from the Sheriff's Department.

- a. Cross section of citizens from township (7 or 8).
- b. Township elected person(s) (3).
- c. Township staff, (Neighborhood Watch, Planning Department, Building Department and Fire Chief).
- d. Representative from Sheriff's Department.
- e. Possible work study public administration student from U of M or EMU.

TASKS

Sheriff's Department contract extension:

1. Provide breakdown on projected needed revenue based on Sheriff contract.
2. Provide breakdown on deployment needs using Sheriff Deputies.
3. Compare deployment ratio of neighboring communities versus Superior Township using Sheriff's Department.
4. Compare township statistics regarding request for service by location.
5. Investigate potential hospital subcontracting based on request for service.
6. Consider support alternatives offered by Sheriff's Department.

Establishing background for discussion on potential resources for law enforcement:

1. Contact neighbors regarding interest.
 - a. Ypsilanti Township has a committee looking at issue on law enforcement.
 - b. Salem Township, Ann Arbor Township and others.
 - c. Northfield Township has an interest in a local regional police authority using them as a hub.
 - d. Ypsilanti City has an interest in local regional police authority using them as a hub.
 - e. Inquire with Canton Township regarding contracting for police service.
 - f. Inquire with City of Ann Arbor, Northfield Township and Ypsilanti City regarding contracting as an option.
2. Township attorney to provide authority for a metro department or independent department.
3. Investigate other authority success/failures.
4. Start up cost/operating cost for discussion on potential providers.

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5. What support services would be needed and who controls?

Research township police departments and or regional/contract policing.

1. Investigate start up cost.
2. Investigate operating cost.
3. Investigate deployment needs.
4. Township attorney to provide authority.
5. Building needs, other capital needs. (i.e. patrol cars, radios etc.)
6. Support.

General information for review:

1. Projected revenue based on growth in Growth Management Plan.
2. Projected law enforcement deployment needs based on expected population growth in:
 - a. FBI suggestion on deployment.
 - b. Michigan Sheriff's Association deployment recommendation.
 - c. Washtenaw County Police Department's deployment stats.
 - d. Review Washtenaw County operation cost of existing Police Departments.
 - e. Provide revenue versus deployment of existing sections within Township using sheriff and township statistics.
 - f. Other information committee feels needed for informed decision.

Provide written report to Board of Trustees on findings of fact.

McKinney, Lewis, and Phillips have volunteered to be on the Committee.

The motion carried.

B. APPOINTMENT TO THE WETLANDS BOARD

The current terms of John Langs and Bill Secrest have expired on the Wetlands Board effective April 7, 2006. Mr. Langs represents the Township on the Huron River Watershed Council Association. Mr. David Zelisse a life long resident of the Township who is involved in a Family Farming operation has also provided interest in the Wetlands Board. Currently no Wetlands Board members have a working knowledge of farming operations. Therefore, the Supervisor recommended Mr. John Langs and Mr. David Zelisse be appointed for three year terms ending April 7, 2009.

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It was moved by Lewis, supported by Green, that the Superior Charter Township Board reappoint John Langs, 5270 Geddes, and appoint David Zelisse, 3444 Gotfredson, to the Superior Charter Township Wetlands Board for three-year terms ending April 7, 2009; further that the Board thanks Mr. Secrest for his past service.

The motion carried.

C. CONTRACT FOR SIDESTREET MAINTENANCE

Mr. Charles E. Swanson, a Township resident, has maintained the sides of the streets in Oakbrook and Washington Square Subdivisions for five years and has done an excellent job. He not only mows the grass, but keeps the trash picked up, trims the bushes, and generally keeps the side streets beautiful. He has also volunteered to maintain two trash barrels along side the bus stops to help keep the trash picked up.

It was moved by McKinney, supported by Caviston, that the Superior Charter Township Board authorize the Supervisor and Clerk to sign the contract with Charles E. Swanson to maintain the street-sides in Oakbrook and Washington Square subdivisions weekly for the 2006 summer season ending November 15, 2005, for \$13,500.00.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

D. RESOLUTION TO RETAIN LOCAL CONTROL OF CABLE FRANCHISING.

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

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A Resolution to Retain Local Control of Cable Franchising

WHEREAS, it is the mission of Superior Charter Township, Washtenaw County, Michigan, to preserve and protect the rights of all its citizens;

WHEREAS, the existing federal and local cable franchising rules have resulted in \$100 billion investment in advanced telecommunications services nationwide and formed the basis for a national policy of broadband (high-speed internet);

WHEREAS, Superior Charter Township strongly supports the provisions contained within the federal 1984 Cable Act including the anti-discrimination sections that have ensured against a 19th century world of digital "haves and have-nots" and ensured that Americans of all incomes, races and backgrounds can have equal access to television and broadband service as the information and communication that it provides becomes more essential in our daily lives;

WHEREAS, the current federal cable law has been effective in ensuring robust build-out of broadband networks and in protecting against cherry-picking of communities, and should be applied to both existing cable providers and new entrants into the cable marketplace;

WHEREAS, some telecommunications companies that now seek to enter the cable marketplace are attempting to gain a competitive advantage through federal and state preemption of local authority and are seeking to undermine the anti-discrimination and build-out requirements that have been a bipartisan cornerstone of our telecommunications laws for decades;

WHEREAS, these telecommunications companies are attempting to label their service as "video service" to bypass traditional cable laws and regulations, and have encouraged the introduction of legislation in Congress and in various states to attempt to circumvent federal and local regulations;

WHEREAS, in Michigan, legislation has been introduced in the House of Representatives, HB 5895, and in the Senate, SB 1157, that would strip away local cable franchising authority and hand control over to the State of Michigan (secretary of state);

WHEREAS, Superior Charter Township strongly supports competition for telephone, broadband and video services, and recognizes that competition for such services is growing rapidly and encourages that these new competitive services are available to all its citizens;

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WHEREAS, new entrants into the video marketplace face no unreasonable barriers to entry as federal law expressly provides that cable franchises not be exclusive and that local governments have franchised numerous second cable providers throughout the country;

WHEREAS, excluding local elected officials from the franchise process as some telecommunications carriers and HB 5895 and SB 1157 suggests would be harmful to the citizens of Superior Charter Township who use local franchise rules to ensure that cable services are provided to everyone, that service territory appropriately covers key areas for economic development and public safety and other community needs are met;

WHEREAS, HB 5895 and SB 1157 does not permit a build-out requirement which will allow companies entering the cable market to cherry-pick high-value residents only, leaving low-value residents without service;

WHEREAS, Superior Charter Township agrees that government policies should not determine winners and losers in the marketplace and thus the rules governing local franchises, including rules regarding build-out of networks, should apply to all cable providers equally;

WHEREAS, HB 5895 and SB 1157 would drastically limit or abolish the important role of local government franchising and weaken the non-discrimination provisions of the 1984 Cable Act that protects the interests of all citizens and promotes competition.

NOW, THEREFORE, BE IT RESOLVED that Superior Charter Township, Washtenaw County, Michigan, strongly urges the Michigan Legislature to reject legislative proposals such as HB 5895 and SB 1157 that abolish the role of local government franchising and the ability of local governments to protect all citizens, that do not allow for build-out requirements, and that ensure that non-discrimination provisions of the 1984 Cable Act are met and promote competition for all its citizens;

BE IT RESOLVED, Superior Charter Township, Washtenaw County, Michigan supports legislation which promotes competition in broadband and cable services for everyone, recognizes and preserves local community needs, preserves local control over franchising, prohibits redlining and other discriminatory practices, and ensures that any new entrants into the cable market abide by the same standards that current cable, broadband or multichannel video providers live by.

Roll call vote:

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

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Nays: None

Absent: Phillips

The motion carried.

E. ESTABLISHMENT OF EMERGENCY CLINIC FOR PUBLIC HEALTH

Washtenaw County Public Health wants to use the Township Hall in case of a health emergency in the area.

It was moved by McKinney, supported by Williams, that the Superior Charter Township Board authorize the Supervisor to sign the Memorandum of Understanding for Establishment of an Emergency Clinic for Mass Vaccination, Dispensing of Pharmaceuticals, or Other Public Health Emergency to allow the use of the Township Hall in the event of such emergencies.

The motion carried.

F. HYUNDAI RESOLUTION REVISITED

When the Board adopted the Resolution in March to approve the second phase of the Hyundai facility, some required phrases were omitted. The following resolution is what is required by the State:

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

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**A RESOLUTION TO AMEND THE RESOLUTION TO GRANT AN
INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE TO
HYUNDAI AMERICA TECHNICAL CENTER, INC.**

WHEREAS Hyundai America Technical Center, Inc. applied for an Industrial Facilities Exemption Certificate on December 16, 2005, and

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WHEREAS the company is a subsidiary of Hyundai Motor Company and seeks to expand the research and development of the North American Headquarters in Superior Charter Township, and

WHEREAS the facility will design, develop, research and modify Hyundai and Kia brand cars including internal systems and exterior design, and

WHEREAS the company proposes to purchase 79 acres, build a facility of 168,000 square feet and invest in machinery, equipment, furniture, and fixtures, and

WHEREAS the company proposes to add a minimum of three hundred twenty-nine (329) new jobs to the community, and

WHEREAS the total estimated project cost is \$164,750,000.00, and

WHEREAS the project period will consist of an additional one (1) year to the required two year project period for a total of a project period of three (3) years,

NOW THEREFORE BE IT RESOLVED that the Superior Charter Township Board:

1. finds and determines that the granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of Superior Charter Township, or impairing the financial soundness of a taxing unit which levies ad valorem property taxes in Superior Charter Township.
2. finds that the application of (applicant) for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed on the following described parcel of real property situated within the Superior Charter Township Industrial Development District.
3. grants the Industrial Facilities Exemption Certificate which, when issued, shall be and remain in force and effect for a period of 12 years after completion for new construction and new personal property subject to a contract between the Township and Hyundai America Technical Center, Inc. which the Administrative Staff of the Township will prepare

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for submittal and approval by the Township Board.

CERTIFICATE

I hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a meeting of the Township Board held at Superior Township Hall, Washtenaw County, Michigan on the 17th day of April, 2006, at 7:30 p.m., that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.

Kay Williams
Superior Charter Township Clerk
Dated: January 3, 2006

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

G. HURON RIVER WATERSHED COUNCIL DUES

It was moved by Caviston, supported by McKinney, that the Superior Charter Township Board pay the Huron River Watershed Council Annual Dues of \$612.18.

The motion carried.

H. EMPLOYEE CHANGES TO MERS HEALTH CARE SAVINGS PLAN DEDUCTIONS

Three employees changed their deductions to the MERS Health Care

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Savings Plan. Their changes must be approved by the Board.

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

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
APRIL 17, 2006
A RESOLUTION TO AMEND THE MERS HEALTH CARE SAVINGS PLAN**

WHEREAS three employees of Superior Charter Township wish to amend their deduction amounts in their Health Care Savings Plan;

NOW, THEREFORE, BE IT RESOLVED that the mandatory deductions for the MERS Health Care Savings Plan for the following employees be amended as follows:

Susan Mumm - Change from Option 3 with a 5% deduction to Option 3 with a 2% deduction

Shaun Bach – Change from Option 2 with a 3% deduction to Option 3 with a 4% deduction

Jordan Braman – Change from Option 1 with a 2% deduction to Option 2 with a 10% deduction.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

11. PAYMENT OF BILLS

It was moved by Caviston, supported by McKinney, that the bills be paid in the following amounts: General Fund - \$1,125.00 and Utilities Fund - \$1,214.00 for a total of \$2,339.00.

The motion carried.

12. PLEAS AND PETITIONS

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There were none.

13. ADJOURNMENT

It was moved by McKinney, supported by Caviston, that the meeting adjourn. The motion carried and the meeting adjourned at 9:15 p.m.

Respectfully submitted,

Kay Williams, Clerk