

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JULY 18, 2005
ADOPTED MINUTES
PAGE - 1 -**

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 July 18, 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, Rodrick Green, Lisa Lewis, Brenda McKinney and David Phillips. Kay Williams and Nancy Caviston were on vacation.

4. ADOPTION OF AGENDA

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

The motion carried.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF JULY 5, 2005

It was moved by Lewis supported by McKinney, to approve the minutes of the regular Board meeting of July 5, 2005, as written.

The motion carried.

6. CITIZEN PARTICIPATION

Report on Geddes Road Corridor Study Draft - Steve Dearing, OHM, presented the preliminary results of the study that was funded with support from developers. The study examined projected increases in traffic congestion along the six-mile stretch of Geddes Road from Ann Arbor Township to Canton Township. The major intersections were analyzed and recommendations were made for improvements. The study also created a standard model and procedure for analyzing future development proposals. The study does not include any proposed road improvements.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JULY 18, 2005
ADOPTED MINUTES
PAGE - 2 -**

The study recommends changing Geddes Road to five lanes from Superior Road to Canton between 2015 and 2020. Trustee Phillips asked about increases west of Superior Rd. and how to handle the decrease from five lanes to two lanes. Brenda Baker asked if alternatives were considered that would redirect the traffic off of Geddes Road. Mr. Dearing said that the corridor study did not include any assessment of alternative routing or at the use of buses. Terri Blackmore, Executive Director of the Washtenaw Area Transportation Study said she thought the projected number of trips used in the study was high. She also said that SEMCOG recommends a lower level of service rating as acceptable for rural areas and that a three- lane improvement could be used as an alternative to five lanes.

Supervisor McFarlane said the study should be revised to include the comments of Trustee Phillips and Teri Blackmore. He said the Township does not want to build a throughway for Ann Arbor and Canton. He asked OHM to model a three-lane alternative between the intersections. He also directed OHM to consult with WATS and the Washtenaw County Road Commission before reporting back to the Township Board.

7. REPORTS

A. SUPERVISOR

The Supervisor reported on six items:

1. Sheriff's Department – The County is proposing a 6% increase for the 2006-07 budget year and the Townships will be responsible for all overtime costs. This will increase the cost for each deputy to between \$100,000 to \$104,000 per year. However, for the 2008-09 budget year, the County is not sure how the costs will be handled. The County is expected to present a formal proposal on August 3, 2005. Supervisor McFarlane said he is working with Ann Arbor Township and Ypsilanti Township on a regional approach to policing. He will keep the Board informed of the progress.
2. Annexation – The Township asked attorneys Miller Canfield for a second opinion on the annexation laws as they relate to the Eyde property and the City of Ypsilanti. The attorney had to decline the request because the law firm is under contract to the City of Ypsilanti.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JULY 18, 2005
ADOPTED MINUTES
PAGE - 3 -**

3. Roundabouts - Supervisor McFarlane is attending an informational meeting at the County Road Commission about the benefits of roundabouts.

4. Mid-decade census – There may be an opportunity to receive additional state-shared revenue if the Township can demonstrate an increase significant increase in population. Supervisor McFarlane said Pittsfield Township increased their revenues in 1995 as a result of a mid-decade census. Deborah Kuehn will investigate the potential cost/benefits of a mid-decade census.

5. Rock Ridge Estates Wastewater Treatment Plant – Letters of support for the Township’s position opposing the permit have been requested from other communities, agencies and legislators. The opposition is based on the affects of the development on surrounding communities and on the Huron River.

6. Board of Review – Janie Jones is unable to serve on the Board of Review. Stanley Stewart has volunteered to accept the appointment.

B. DEPARTMENTAL REPORTS: SHERIFF DEPARTMENT, FIRE DEPARTMENT, PLANNING COMMISSION, BUILDING DEPARTMENT, OHM MONTHLY

Sergeant Campbell presented the Sheriff Department report. He said Deputy Burroughs has resigned and two more deputies will be leaving soon. He reported that calls for service are higher than for the same time last year.

It was moved by McKinney supported by Green that the Sheriff Department Report for July 16, 2005, the Fire Department Report for June 2005, the Planning Commission Monthly Report dated June 28, 2005, the Building Department Report for June 2005 and the OHM Monthly report dated July 8, 2005, be received.

The motion to receive the reports carried.

C. MAY 2005 FINANCIAL STATEMENTS – ALL FUNDS

It was moved by McKinney; supported by Lewis, that the Superior Charter Township Board receive the May 2005 Financial Statements for all funds:

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JULY 18, 2005
ADOPTED MINUTES
PAGE - 4 -**

General, Fire, Law Enforcement, Parks and Recreation, Streetlights, Payroll, Trust and Agency, Building, Side Street Maintenance, and Fire Construction Bond Fund.

The motion carried.

8. COMMUNICATIONS

A. LETTER FROM STANLEY STEWART REGARDING ELECTRICAL SERVICE

Stanley Stewart, 1787 Manchester, wrote a letter about the recurring power outages to his house, neighborhood and at the Prospect and Clark intersection and the lack of a resolution to the problem.

Treasurer McKinney reported similar problems. Michael-David BenDor also reported the street light out on Superior Rd. and that he has reported it many times to DTE.

Supervisor McFarlane said he has contacted DTE and they have agreed to do a special study of the service to the area.

It was moved by McKinney, supported by Lewis, that the letter from Stanley Stewart be received.

The motion carried.

B. COMMUNICATION FROM SENATOR LIZ BRATER REGARDING SOLID WASTE SURCHARGE

Supervisor McFarlane noted that Michigan is the state with the lowest costs for receiving out-of-state solid waste.

It was moved by McKinney, supported by Green, that the communication from Liz Brater be received.

The motion carried.

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JULY 18, 2005
ADOPTED MINUTES
PAGE - 5 -**

C. RESOLUTION FROM THE WASHTENAW COUNTY COMMISSION SETTING NOVEMBER 8, 2005 FOR A MILLAGE VOTE FOR ENHANCED EMERGENCY COMMUNICATIONS RADIO SYSTEM

Supervisor McFarlane said that holding a special election for a ballot initiative is not a good idea because of the cost of holding the election. He said it would be better to include it with the August primary.

It was moved by McKinney, supported by Lewis, that the resolution be received.

The motion carried.

D. RESOLUTION FROM THE WASHTENAW COUNTY COMMISSION REJECTING HOUSE RESOLUTION 2726 REGARDING WIRELESS COMMUNICATION.

It was moved by McKinney, supported by Green, that the resolution be received.

The motion carried.

E. LETTER FROM CLEDITH WILLIAMS REGARDING EYDE PROPERTY AND ROCK PROPERTY

Cledith Williams, 1952 Superior Rd., wrote to the Board with concerns about the proposed Biltmore-Eyde project including the density, increase in traffic problems and the impact on natural features of the area if the project is allowed to develop. Mr. Williams also encouraged the Board to oppose the Rock development.

It was moved by McKinney, supported by Green, that the letter be received.

The motion carried.

F. LETTER FROM STANLEY STEWART REGARDING APPOINTMENT TO THE BOARD OF REVIEW

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JULY 18, 2005
ADOPTED MINUTES
PAGE - 6 -**

At the May 2, 2005, Board meeting Janie Jones resigned from the Planning Commission. At the same time she requested that she be appointed to the Board of Review. She has since moved from the Township.

Stanley Stewart has requested that he be appointed to the Board of Review to finish the term Janie Jones has vacated.

It was moved by McKinney, supported by Green, that the letter be received and that Stanley Stewart be appointed to the Board of Review for the term ending December 31, 2006.

The motion carried.

10. OLD BUSINESS

There was none.

11. NEW BUSINESS

**A. WASHTENAW AREA TRANSPORTATION STUDY
(WATS) ANNUAL DUES**

The WATS membership dues provide the local match necessary to obtain the federal Metropolitan Planning funds that keep Washtenaw County communities eligible for more than 5 million dollars of federal funds for a range of projects. Superior Township dues are \$1,000.00.

It was moved by McKinney, supported by Lewis, that the Superior Charter Township Board authorize the payment of the WATS FY 2005-2006 Membership Dues of \$1,000.00.

Roll call vote:

Ayes: McFarlane, McKinney, Green, Lewis, Phillips

Nays: None

Absent: Williams, Caviston

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JULY 18, 2005
ADOPTED MINUTES
PAGE - 7 -**

The motion carried.

B. MTA DISTRICT MEETING

The Michigan Townships Association Fall District Meeting will be held on September 22 in Ann Arbor.

It was moved by McKinney, supported by Lewis, that the Superior Charter Township Board authorize the expenditure for any Board Member who wishes to attend the meeting.

The motion carried.

C. LEFORGE ROAD WATER MAIN REPLACEMENT

The Hyundai Research and Development Project Development Agreement stipulated that Hyundai was responsible for installing a new 16" diameter ductile-iron water main along their frontage of Geddes Road. Per the Township Utility Ordinance an Availability Fee was collected from Hyundai for the existing water and sewer lines located along the Hyundai Leforge Road frontage.

During the design of the off-site roadway improvements in the Leforge Road right-of-way, it became necessary for Hyundai to replace several section of the existing water main. Rather than replace only portions of the existing water main, the Utility Department met with Hyundai to discuss replacement of the entire section. Hyundai has verbally agreed to replace the entire 2,131 feet of water main along the Leforge frontage if the Township will refund the \$95,895.00 Availability Fee. The projected cost of replacing the water main is \$223,665.00. The cost to replace the section from Geddes Road to just south of the entrance is \$139,221.00. As required for the off-site road improvements, the cost to replace the three separate sections of water main is 129,741.00.

It was moved by Phillips, supported by McKinney, that the Superior Charter Township Board approve the refund of the \$95,895.00 Availability Fee assessed for the Leforge Road frontage in return for Hyundai Motor America paying for all costs of design, construction, and inspections for placing 2131 liner feet of 16" water main along the west

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JULY 18, 2005
ADOPTED MINUTES
PAGE - 8 -**

side of Leforge Road from Geddes Road south, the refund occurring after completion and acceptance of the new water main.

Roll call vote:

Ayes: McFarlane, McKinney, Green, Lewis, Phillips

Nays: None

Absent: Williams, Caviston

The motion carried.

D. BUDGET AMENDMENTS

It was moved by McKinney, supported by Lewis, that the 2005 General Fund Budget be amended as follows:

Increase the following line items:

101-266-947-016	Sewer Environmental Impact Study	\$30,000.00
101-210-801-075	Legal Fees for Impact Study	10,000.00
101-000-699-000	Appropriation from Fund Balance	40,000.00

Roll call vote:

Ayes: McFarlane, McKinney, Green, Lewis, Phillips

Nays: None

Absent: Williams, Caviston

The motion carried.

**E. RESOLUTION TO REQUEST A DEQ PUBLIC HEARING ON THE
ROCK RIDGE SEWER APPLICATION**

Supervisor McFarlane said the Township is requesting that the Michigan Department of Environmental Quality (MDEQ) hold a public hearing on the request for a waste water treatment plant for Rock Ridge Manufactured Housing Community. He explained that the MDEQ is

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JULY 18, 2005
ADOPTED MINUTES
PAGE - 9 -**

processing the application, even though it is contrary to the zoning and the Growth Management Plan, because the Michigan Attorney General's office has directed them to do so. He said the Township will use every avenue possible to oppose the permit.

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

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION AND PETITION TO THE MDEQ TO HOLD A PUBLIC HEARING ON
PROPOSED NPDES PERMIT NO. M10057844 FOR A PROPOSED ROCK RIDGE MHC
WWTP AND TO EXTEND THE TIME FOR PUBLIC COMMENT THEREON**

WHEREAS, the Township has received notice from the Michigan Department of Environmental Quality (MDEQ) that it proposes to issue a new NPDES discharge permit No. M10057844 to Riverine Development, Inc. for a proposed Rock Ridge Manufactured Housing Community Wastewater Treatment Plant to be located in the SW 1/4, SW 1/4, Section 29, T2S, R7E of Superior Township, which would collect and treat the sanitary wastewater generated within the proposed manufactured housing community and then discharge such treated sanitary wastewater into the Huron River in the SE 1/4, SE 1/4, Section 30, T2S, R7E in Superior Township; and

WHEREAS, the Township Board considers that any such proposed permit is a matter of great concern to all of the residents and property owners in the Township, including those in proximity to the proposed plant and discharge points, and all those whose properties border the Huron River as well as those in other communities downstream, and believes that such persons should be given an opportunity to express their concerns at a public hearing held by the MDEQ; and

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2005
ADOPTED MINUTES
PAGE 10**

WHEREAS, the Board has employed experts to review the proposed permit and the Antidegradation Demonstration submitted by the applicant, and has been informed by its experts that there are substantial issues of concern raised by the proposed permit and Antidegradation Demonstration which would benefit from a public hearing; and

WHEREAS, R 323.2130 provides that an interested person or agency may file a petition with the Department for a public hearing on an application for such a discharge permit, and R 323.2119 (1) provides that the time for public comment may be extended by the Department if it determines that an extension of time is necessary to facilitate additional public comment;

NOW, THEREFORE, BE IT RESOLVED that this Board does hereby petition the Michigan Department of Environmental Quality as follows:

A. Pursuant to R 323.2130 (1), this Board requests that the MDEQ hold a public hearing in Superior Charter Township to give all interested residents and property owners, and the experts hired by the Township, an opportunity to express their concerns and discuss them with the MDEQ staff. In particular the portions of the application or other NPDES form or information which require a public hearing are as follows:

- 1.** The Antidegradation Demonstration of the applicant which appears to be flawed and misleading and requires a public hearing for a fair and accurate evaluation of the socio-economic benefits alleged by the applicant.
- 2.** The pollutants proposed for discharge, including phosphorous, may not be controllable at the levels necessary to prevent degradation of the Huron River, particularly in those areas of the Township which are closest to the discharge point, as well as downstream in Ford and Belleville Lakes.

B. Pursuant to R 323.2119 (1), this Board requests that the time for public comment be extended for not less that 30 days after the public hearing to facilitate additional public comment.

BE IT FURTHER RESOLVED that the Township Clerk or her Deputy, or the Township Supervisor, is hereby directed to forward a certified copy of this Resolution and Petition to the MDEQ.

Roll call vote:

Ayes: McFarlane, McKinney, Green, Lewis, Phillips

Nays: None

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
JUNE 20, 2005
ADOPTED MINUTES
PAGE 11**

Absent: Williams, Caviston

The motion carried.

F. BILTMORE WETLAND CREATION AT VREELAND AND PROSPECT

Steve Chizek of Biltmore Homes requested that the Township Board support the creation of new wetlands on the 84 acres on the southwest corner of Prospect and Vreeland roads, the land on which Biltmore is dedicating the development rights to the Township. Sandi Lopez, a member of the Township Wetlands Board, said the new wetlands would require a review and permit from the Township. Mr. Chizek said he was not seeking a permit at this time but he wanted a statement of support for the proposal. Supervisor McFarlane said that as a concept, wetlands are an attribute and he asked Mr. Chizek to prepare a written proposal for the wetlands project that the Township Attorney would review. McKinney said Lopez should also have input into the project.

11. PAYMENT OF BILLS

There were no invoices to be paid in any funds.

12. PLEAS AND PETITIONS

13. ADJOURNMENT

It was moved by McKinney, supported by Lewis, that the meeting adjourn.

The motion carried and the meeting adjourned at 9:45 p.m.

Respectfully submitted,

Deborah Kuehn
Deputy Clerk