

**SUPERIOR CHARTER TOWNSHIP BOARD  
REGULAR MEETING  
SEPTEMBER 19, 2005  
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 September 19, 2005, at the Superior Township Hall, 3040 North Prospect, Ypsilanti, Michigan.

**2. PLEDGE OF ALLEGIANCE**

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

**3. ROLL CALL**

The members present were William McFarlane, Kay Williams, Brenda McKinney, Nancy Caviston, Rodrick Green, and Lisa Lewis.

David Phillips was out-of-state at his father's funeral.

**4. ADOPTION OF AGENDA**

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

The motion carried.

**5. APPROVAL OF MINUTES**

**A. REGULAR MEETING OF SEPTEMBER 6, 2005**

It was moved by McKinney, supported by Caviston, to approve the minutes of the regular Board meeting of September 6, 2005, as presented.

The motion carried.

**6. CITIZEN PARTICIPATION**

**A. ITEMS NOT ON THE AGENDA**

Ellen Kurath, 2203 Hickman Road, had concerns about the proposed donation of the Pro-lime property by Biltmore. She would like an attorney opinion on the fact that just a little part of the land abuts Ypsilanti City. She is also worried about the current condition of the property and if this would become a liability to the Township.

Sandi Lopez, 6735 Vreeland, would like to see an opinion from the Township attorney that is covered under attorney/client privilege; she feels that the taxpayers paid for the opinion and should be allowed to see it.

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**B. PUBLIC HEARING ON 2005 MILLAGE RATE**

It was moved by Caviston, supported by McKinney, that the Public Hearing for setting the millage rate for 2005 be opened.

The motion carried.

The Board is requesting that the millage rate increase from the base tax rate of 5.4851 to 5.6113. Because of the Headlee and Truth in Taxation roll back fractions, this public hearing must be held to increase the rate to increase the monies for operating and services by 1.104%.

Caviston had questions about the amount that the taxes would go up if the millage rate were increased. McFarlane answered that it was a matter of a few dollars to each taxpayer.

Jennie Bandyk, 1848 Ashley, said that the millage increase was a fair thing to ask.

It was moved by Green, supported by Lewis, that the Public Hearing be closed.

The motion carried.

**7. REPORTS**

**A. SUPERVISOR**

The Supervisor reported on three items:

1. Dave Phillips' father died which is why he is not at the meeting.
2. Next Monday, September 26, McFarlane will be meeting with Tom Yack, Supervisor of Canton Township, and representatives from AATA and WATS to discuss a Park and Ride program for commuters between Canton and Ann Arbor who drive through our Township. If the program works, it might cut down on the traffic on Geddes and Ford Roads.
3. The date of the DEQ Public Hearing on the Rock proposal for a 1950-home manufactured home community with an on-site sewage system has been changed to October 11 at 7:00 p.m. Citizens who wish to comment should submit written comments to ensure that all their thoughts get into the record as there may be limited time to speak at the hearing.

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**B. DEPARTMENTAL REPORTS : UTILITY DEPARTMENT, BUILDING DEPARTMENT, SHERIFF DEPARTMENT**

It was moved by Lewis, supported by McKinney, that the Utility Department Report dated September 16, 2005, the Building Department Report for August, 2005, and the Sheriff Department Report for August be received.

The motion carried.

**D. JULY 2005 FINANCIAL STATEMENTS - ALL FUNDS**

It was moved by Caviston, supported by McKinney, that the Superior Charter Township Board receive the July 2005 Financial Statements for all funds: General, Fire, Law Enforcement, Parks and Recreation, Streetlights, Payroll, Trust and Agency, Utilities, Building, Side Street Maintenance, Fire Reserve Fund, and Fire Construction Bond Fund.

The motion carried.

**8. COMMUNICATIONS**

**A. NICOLE M. KLINE, ET AL, THE ENCLAVE DEVELOPMENT**

Nicole M. Kline, 1980 Andover, and 32 residents of the Geddes Ridge community sent a letter expressing their concern over the proposed Enclave Development. While they understand that the property was intended for development, the current proposal almost doubles the initially proposed housing lots. They hope that the Township will consider their concerns.

It was moved by McKinney, supported by Lewis, that the Superior Charter Township Board receive the letter from Nicole M. Kline and the 32 residents of the Geddes Ridge community regarding the rezoning of the Enclave development.

The motion carried.

**B. DAVID P. ZELISSE – DEVELOPMENT ISSUES**

David Zelisse, 3444 Gotfredson, requested that the Board make changes to Township policies regarding sewer and water, current zoning, and development policies prior to approving the Biltmore development. His idea is that if a developer wants to build north of Geddes they will need to bear all the costs of

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waste disposal and purchase the dwelling units by donating development rights to an equal number of dwellings per acre.

It was moved by McKinney, supported by Caviston, that the letter from David P. Zelisse concerning development issues be received.

The motion carried.

**C. WETLANDS BOARD – DEVELOPMENT PROPOSALS**

The Superior Charter Township Wetlands Board is concerned about the two proposals for development north of Geddes Road – the Biltmore proposal and the Rock proposal. Both locations contain wetlands which are regulated through the Wetlands Ordinance and both properties pose more sensitive problems by their proximity to the Huron River as both ultimately discharge into the Huron River. The Wetlands Board is willing to help the Planning Commission and the Township Board insure that the wetlands in these developments are not impaired.

Bob Murray was present at the meeting and informed the Board of the new Wetlands Map which will be updated quarterly. The map is the result of several years work and each new development delineates the wetlands on their project which is incorporated into the map.

It was moved by Caviston, supported by Lewis, that the Superior Charter Township Board receive the letter from Robert Murray, Chair of the Superior Charter Township Wetlands Board, concerning the development proposals by Biltmore and Rock.

The motion carried.

**D. LEMONT GORE – HIV/AIDS RESOURCE CENTER**

Lemont Gore, Street Outreach Coordinator for HIV/AIDS Resource Center, has worked at the Superior Township Syringe Exchange for two years and reports that the program is going well. Their relationship with the neighborhood residents remains strong. To his knowledge there have not been any adverse police contacts. As the site continues to be their most consistent Syringe Exchange location, they plan to increase their time at the Harris Road/MacArthur site by adding two hours on a different day.

The Board would like more information concerning the number of residents who use the Syringe Exchange.

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It was moved by Williams, supported by Lewis, that the Superior Charter Township Board receive the letter from Lemont Gore, Street Outreach Coordinator for HIV/AIDS Resource Center, concerning the expansion of the Syringe Exchange program.

The motion carried.

**9. OLD BUSINESS**

**A. ORDINANCE 134-36 – THE ENCLAVE – REZONING – R4 TO PC – FIRST READING**

The Enclave consists of 32.71 gross acres to be developed as 149 or 153 single family detached dwellings. It is located in northwest section of Section 35 wrapping around the current Geddes Ridge Subdivision with entrances on Geddes and Harris. Part of the development is the former Phase III of Geddes Ridge Subdivision, plus six acres on Harris. One of the six acres is owned by the Township. On June 20, 2005, the Board approved a proposed option agreement with the developer to sell the 1.17 acre for \$80,000.00 when the terms were agreed upon by the Administrative Staff and the Township Attorney. The Option Agreement has not been consummated. On July 27, 2005, the Planning Commission held a public hearing on the rezoning and after the hearing the Commission voted to recommended denial of the request.

Stephen Fisher, developer for Enclave, was present to answer questions. He said that the biggest issue for the residents was the density on the site. He tried to meet with the residents to discuss a new plan, but could not arrange a meeting.

Jennie Bandyk, 1848 Ashley, did not feel that a Planned Community was appropriate for the site. She suggested that the rezoning be tabled for further discussion.

McFarlane replied that he was not in favor of tabling the issue, and, further, a Planned Community would allow the Township Board to see the development plan. He did not like the proposed density.

Beth Woods, 1913 Andover, said that she would be willing to talk with Fisher about a new plan, but she did not want a public park as part of the plan.

Bandyk said that the proposed buffer between the development and Geddes Ridge was not adequate.

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Judy Keeling, 1874 Ashley, did not want to meet with Fisher because she felt that any meeting should be with public officials, either the Board or the Planning Commission.

Michael David BenDor, 2820 Stommel, wanted to know the status of the option on the one acre that the Township agreed to sell to Fisher that was a part of his development. The option agreement has not been signed.

Bandyk had no problem with the detached condo idea; it is the density of the project that concerns her.

McFarlane said that he, too, was not opposed to development on the site. Development might solve some of the drainage problems in Geddes Ridge. It was the density of the plan he opposed.

It was moved by Williams, supported by McKinney, that the Superior Charter Township Board concur with the recommendation of the Planning Commission and deny the rezoning of the 32.71 acres known as the Enclave development from R-4 to PC.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

**10. NEW BUSINESS**

**A. ALLIED WASTE SERVICES REQUEST FOR FUEL RECOVERY FEE**

Jack Iwema, General Manager of Allied Waste Services, formerly Great Lakes Waste Services, requested that the Board approve a Fuel Recovery Fee (FRF) to control the volatility of the current fuel market. The FRF would be indexed by calculating fuel costs each month for the previous 30 day segment. The FRF would be recovered through a surcharge to the resident's bills. As an example, the FRF for September, 2005, has been calculated to be 5.3%. Starting in October, 2005, the rate per month for a household is \$11.71 billed quarterly or \$35.13. If the FRF is approximately 5.3% for the billing period, the household bill would increase \$1.86 or total \$36.99.

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Jack Iwema was present and said that non-municipal customers have been paying the FRF since January.

McFarlane said that the price of gasoline went up to \$3.50 a gallon two weeks ago when Hurricane Katrina destroyed many oil rigs near New Orleans, but the price has gone down now and he doesn't think that the FRF is necessary at this time.

Williams said that the proposal was too open-ended. She wanted to know if there could be a cap on the percentage. She also wanted documentation on how the FRF was figured.

Ann Robbins, 6100 Vreeland, said that many garbage trucks went down her road each pick-up day and maybe they could save gas by consolidating the routes.

Sandi Lopez, 6735 Vreeland, concurred that several trucks go by each day.

Green said that we have a signed contract which is good until September, 2007, and Allied Waste should honor it.

Judy Keeling, 1874 Ashley, said that she works for a school district and they do not open contracts.

Beth Woods, 1913 Andover, did not think an increase was necessary.

Michael David BenDor, 2820 Stommel, the Township representative to the Washtenaw County Solid Waste Consortium, said that although the cost of gas is down, Hurricane Rita was heading for the Gulf of Mexico and the prices will be going up again. He said that Superior Township has a good contract and the Allied Waste was a good company.

It was moved by Lewis, supported by McKinney, that the Superior Charter Township Board receive the letter from Allied Waste Services concerning a Fuel Recovery Fee (FRF) to control the volatility of the current fuel market.

The motion carried.

**B. RESOLUTION ADOPTING GENERAL APPROPRIATIONS ACT:  
MILLAGE RATES**

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

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**SUPERIOR CHARTER TOWNSHIP BOARD  
RESOLUTION  
SEPTEMBER 19, 2005**

**A RESOLUTION ADOPTING GENERAL APPROPRIATIONS ACT:  
MILLAGE RATES**

WHEREAS, the Superior Charter Township Board has carefully reviewed the Township's current and projected financial needs, and

WHEREAS, the Board recognizes its responsibility to the citizens of Superior Charter Township to carefully monitor the Township funds and provide for the needs of the Township, and

WHEREAS, the Board has held the proper hearings on the proposed year 2005 millage rates and on the proposed budgets for all Funds;

THEREFORE BE IT RESOLVED that the Superior Charter Township Board adopt the following millage rates for the 2005 fiscal year:

		Expires
Fire Renewal 2004	1.4326 mills	2008
Fire Renewal 2004	1.9102 mills	2008
Law Fund 2004	1.4326 mills	2008
General Fund	.8359 mills	
For a Total of	5.6113 mills	

Roll call vote:

Ayes: McFarlane, Williams, McKinney, Green, Lewis

Nays: Caviston

Absent: Phillips

The motion carried.

**C. AMENDMENTS TO THE PERSONNEL POLICY**

Several sections of the Superior Charter Township Personnel Policy need to be amended. Susan Mumm, Human Resources, and the administrative staff have been reviewing the policy and offered several amendments. Mumm was present at the meeting.



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After much discussion it was moved by McKinney, supported by Lewis, that the Superior Charter Township Board amend the Township Personnel Policy by adding the following items:

**Section 1.4 Overtime:**

(h) All managerial and professional employees of the Township are exempt from overtime pay, but (as a courtesy) shall be permitted to earn up to four Managerial Comp Days per calendar year. Managerial employees are eligible for management time credit if their workweek exceeds 37½ hours (or 40 hours Utility Dept) Managerial hours are awarded on a one hour for each hour worked basis, not 1.5 hours credit/ hour worked as with compensatory overtime. The Township reserves the right to deny management time credit if (a) The need to work additional hours outside of 8:30 a.m. - 4:30 p.m. (8:00 a.m. - 4:30 p.m. Utility Dept) does not seem warranted for the workload assigned, or (b) the need to work extra hours is caused by the use of benefit time during the workweek and the employee is deemed to have been exhibiting excessive absenteeism as determined by the Department Head or Township Supervisor. Management Time credit must be approved by the Department Head and the Township Supervisor. A managerial employee may keep no more than 37½ hours (40 hours Utility Dept) in his her Managerial Comp Bank. Managerial Comp days may not be converted to cash, except upon termination of employment. Employees shall be given a report of their managerial comp hour bank total with each paycheck.

**Section 1.9 Workers' Compensation.**

(a) Township employees are covered by the Workers Compensation laws of Michigan. Any employee involved in a work-related accident or injury shall report that accident or injury to his/her Department Head and the benefits representative or his/her designee as soon as possible after the mishap and fill out the proper reporting forms. In the event a regular full-time employee who has been employed for one (1) year or more is off work and is being compensated under the Worker's Compensation Law for an on-the-job injury or illness, the Employer will continue the insurances provided hereunder for a maximum of 365 days from the date of the injury. Thereafter the employee is eligible to continue insurance coverage at his/her expense under COBRA which allows employee purchased coverage for 18 months.

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(b) If the employee is in the Manulife Pension Plan, participation in the pension plan will be suspended while on workers compensation; this is dictated by Manulife. If the employee is in the MERS Pension Plan the wages will not be reported and therefore no employee deduction or employer contribution will be paid. However, the employee will receive service credit for the time they are on disability this is a MERS policy.

(c) The employee shall not continue to accrue vacation, sick and personal time while on workers compensation disability.

(d) The employee shall have the option but not be required to cash in sick, vacation and personal time to make up the difference between his normal pay and the compensation he/she receives while on workers compensation.

**Section 2.2 Sick Time**

c) If an employee needs to be off from work due to illness or injury, and does not have enough sick time in his/her bank to cover the time off, he/she may use vacation or personal time if a doctor's excuse is presented.

d) If an employee needs to be off from work due to illness or injury and he/she has no sick, personal, or vacation time to cover his/her absence, the Township may grant the employee permission to take unpaid time off.

**Section 2.3 Vacation Days**

d) All vacations should, if possible, be requested two weeks in advance. However, requests with less than two weeks notice may be approved if this does not cause problems for the department. Each request is decided on a case-by-case basis by each department at the time the request is made. Given the fact that each department has different needs and operating modes, and different levels of staff coverage, it is quite possible that similar requests approved in one department may be declined in another department or vice versa. Likewise, some departments may allow these requests during certain parts of the year but not others depending on the seasonal workload of the department.

**h) Unpaid Vacation** -- Employees in their first year of employment may be permitted to take up to one week of **unpaid** vacation if

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approved by their Department Head and the Township Supervisor. Such requests shall be submitted at least two weeks in advance. Beyond the first year of employment, the Township does not normally allow unpaid time off for vacation or personal business. Since fulltime employees are being given pension and health insurance benefits based on the fact they are full-time employees, it is expected that they are working full time. However, employees may, upon occasion, request to take unpaid vacation days if they have exhausted their vacation bank and desire additional time off. Each request is decided on a case-by-case basis by each department at the time the request is made. Given the fact that each department has different needs and operating modes, and different levels of staff coverage, it is quite possible that similar requests approved in one department may be declined in another department or vice versa. Likewise, some departments may allow these requests during certain parts of the year but not others depending on the seasonal workload of the workload.

**Section 2.7 Option for Cash Payment in Lieu of Care Choices Medical Insurance.**

A regular full-time employee of the Township is eligible for the Township's Care Choices Medical Insurance for him/herself, spouse and dependent children. An employee may opt out of coverage for him/herself, spouse, and children if he/she and the children are covered under the health insurance plan of his/her spouse or other group plan coverage from retirement, severance, etc. The employee must provide proof of health-care coverage under another group plan. The employee shall be compensated 40% of the cost of the family plan he/she was eligible for. This amount shall be paid in (26) equal payments each pay period as a taxable benefit. Employees choosing to opt out of the plan must state so in writing. Employees who opt out may rejoin the Care Choices Plan at a future date under various conditions: divorce, loss of employment by spouse resulting in loss of coverage, loss of other group plan benefits, and during Care Choice's open enrollment period each year.

Employees with children who have health insurance coverage for their children from other sources i.e. through a divorce decree, Department of Human Services etc. may opt out of the family coverage and be compensated 40% of the difference between family coverage and coverage for themselves. This amount shall be paid in (26) equal payments each pay period as a taxable benefit. Such an employee may reinstate coverage for his/her children under the plan under certain

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conditions: Loss of coverage for the child, or during Care Choices' open enrollment period. The employee must provide proof of coverage for his/her children and state his/her choice to opt out of coverage for his/her children in writing.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

**D. GENERAL FUND PERSONNEL CHANGES**

The Administrative Staff requested Board approval for two changes General Fund staff as a result of Dino Lupi's resignation.

Paula Calopisis will transfer out of her position as Inter-departmental Administrative Assistant and take over the Assessing Assistant position vacated by Dino Lupi. Her starting salary will be \$15.04/hour. When she passes her Level I Assessing test, she will get an 80¢ per hour raise. When she passes her Level II Assessing test, her salary will be raised to whatever the base rate is for Level II Assessor.

We have offered the Inter-departmental Administrative Assistant position to Diane Rebottaro for a starting salary of \$13.75/hour. She will work 1/5 for the General Fund and 4/5 for the Building Department. She is the candidate selected by the hiring committee consisting of Susan Mumm, Brenda McKinney and Rick Mayernik. She comes to us with excellent skills and experience and she scored very high on our clerical tests.

It was moved by Williams, supported by Lewis, that the Superior Charter Township Board concur with the recommendation of the administrative staff and hire Paula Calopisis as Assessing Assistant at the starting salary of \$15.04/hour and Diane Rebottaro as Inter-departmental Administrative Assistant at \$13.75/hour.

The motion carried.

**E. CREATE FIRE RESERVE FUND**

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The Auditors have suggested that the Fire Fund reserves be combined into a single Reserve Fund.

It was moved by Caviston, supported by Lewis, that the Superior Charter Township Board create a new fund designated as Fire Reserve Fund which will include the Truck Replacement Reserve, Accrued Absences Reserve and the Bond Payment Reserve.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

**F. RESOLUTION CONFIRMING THE HAZARD MITIGATION PLAN FOR SUPERIOR TOWNSHIP**

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

**SUPERIOR CHARTER TOWNSHIP  
WASHTENAW COUNTY, MICHIGAN  
OCTOBER 18, 2004**

**RESOLUTION CONFIRMING THE HAZARD MITIGATION PLAN FOR SUPERIOR TOWNSHIP AND DESIGNATING THE TOWNSHIP SUPERVISOR TO BE RESPONSIBLE FOR IMPLEMENTING THE PLAN AS FUNDING AND STAFF RESOURCES PERMIT**

WHEREAS Michigan has experienced disasters that have resulted in injury or loss of life, damaged properties, displaced citizens and business, closed streets and bridges and presented general public health and safety concerns; and

WHEREAS as of November 2004 the Federal Emergency Management Agency (FEMA) requires that communities have an adopted Hazard Mitigation Plan as a requirement for receiving funding under certain FEMA programs, and

WHEREAS the Hazard Mitigation Plan for Superior Township (plan) ranks hazards for the

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community, and identifies goals, objectives and strategies to reduce overall damage and impact from natural and technological hazards; and

WHEREAS Superior Township worked with Washtenaw County to prepare the Plan by participating in the planning process and providing comments with respects to hazards, vulnerable areas and strategies, and

WHEREAS residents, community officials, business owners, educational institutions neighboring jurisdictions and the Michigan State Police Division of Emergency Management have had the opportunity to review the plan and their comments have been incorporated,

NOW THEREFORE BE IT RESOLVED that the Hazard Mitigation Plan for Superior Township is hereby confirmed as an official plan for Superior Township; that the Plan will be reviewed annually by the Township Board and updated every five years as required by FEMA; and that the Township Supervisor shall be responsible for implementing the plan as funds and staff resources permit.

Roll call vote:

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

Nays: None

Absent: Phillips

The motion carried.

**11. PAYMENT OF BILLS**

All bills were either pre-approved or under \$1,000.

**12. PLEAS AND PETITIONS**

BenDor wanted to know when the Township was going to change to the County website. The Clerk is working on it.

**13. ADJOURNMENT**

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

The motion carried and the meeting adjourned at 9:25 p.m.

Respectfully submitted,  
Kay Williams, Clerk