

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
NOVEMBER 7, 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 November 7, 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, Lisa Lewis, and David Phillips.

4. ADOPTION OF AGENDA

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

The motion carried.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF OCTOBER 17, 2005

It was moved by McKinney, supported by Caviston, to approve the minutes of the regular Board meeting of October 17, 2005, as presented.

The motion carried.

B. SPECIAL MEETING OF OCTOBER 27, 2005

It was moved by McKinney, supported by Caviston, to approve the minutes of the special Board meeting of October 27, 2005 as presented.

The motion carried.

6. CITIZEN PARTICIPATION

A. PUBLIC HEARING ON 2006 BUDGETS – ALL FUNDS

It was moved by Caviston, supported by McKinney, to open the public hearing on the proposed 2006 budgets for all funds.

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The motion carried.

The Supervisor reviewed the proposed 2006 Budgets and entertained questions. Susan Mumm, Accountant, was also present to answer questions.

In the General Fund the revenues may change because the cable television fees may be eliminated by Congress. The State Shared Revenue should be stable. The proposed Budget will take \$26,540 from Reserves. The Elections budget is higher because there may be four elections in 2006 and the Township will have to pay for all of them. The Budget reflects the possible lawsuits concerning the Rock proposal by increasing attorney fees by \$45,000.00 and Special Projects by \$30,000.00. The Road allocation is \$150,000.00. The General Fund will supplement the Law Fund by \$30,500.00. The General Fund contribution to the Park Fund was reduced to \$179,657.00, but a cell tower may be placed on the Township land in the woods behind Harvest Moon Park, and if it is, the revenues may go to the Park Fund.

The Law Fund has increased as the Board has added an additional deputy which means funding for nine deputies. The cost per deputy in 2006 is \$94,218.00. This was based on a study presented to the Trustees regarding the ratio of deputies to citizens and requests for service.

The Fire Fund has no major changes and is in good shape.

The Side Street Maintenance Fund has made many improvements in the Oakbrook/Washington Square area.

The Building Fund has a healthy reserve which should be able to carry it through even if building slows down.

The Utility Fund has lower projections for new homes, but the reserves are strong enough to pay off the bonds.

Phillips commented that the Township is in good shape fiscally; the Law Fund is the only area of concern. The Township may need to go to the voters for more millage for police protection.

Jan Berry, Chair of the Park Commission, stated that the Park Commission has lost \$40,000.00 from their budget, along with their building which was sold to the Utility Department. The Commission was offered the Old Township Hall in return, but the cost of refurbishing the Old Hall would

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take the interest on the \$400,000.00 they received for the Park Building and they were saving the money for a new building in the future. With a growing community, the Park Commission should be expanding.

Sandi Lopez voiced concern about the cut in the Park Budget. She said that it might be better to not add the ninth deputy and increase the Park Budget.

John Hudson, Park Commissioner and Neighborhood Watch Coordinator, said that he attends both meetings and no one seems to be asking for more Park programs, but everyone wants more deputies.

Dennis Donohue did not think the \$45,000.00 for legal fees for special issues would be enough.

It was moved by McKinney, supported by Lewis, that the public hearing be closed.

The motion carried.

B. OTHER NON-AGENDA ITEMS

Michael David BenDor heard a report that Fleming Creek was becoming polluted. He could not name the source of his information.

McFarlane said that he would check it out. McFarlane also said that Mr. BenDor had said at the Planning Commission meeting that the round-about at Superior and Geddes was not funded. McFarlane called Terri Blackmore of WATS, who said that the round-about was still on the funded list.

7. REPORTS

A. SUPERVISOR

The Supervisor reported on six items:

1. The next year has the potential to have several millage requests at various elections.
 - a. May 2 - County 800 Megahertz - 0.5 mills
 - b. August 8 – Ypsilanti District Library – 1.5116 mills
 - c. ? May or August – County Jail - 0.5 mills
 - d. ? May or August – Park Commission request

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- e. McFarlane would like the Board to consider placing a 0.25 mill increase on the May ballot for a legal defense fund as the costs for Rock is already over \$30,000.00.

If the millage is to go on the May ballot, the language has to be approved by February 7. McFarlane also suggested that the voters be asked to lower the current Fire millage from 3.5 to 3.0 and raise the current Law millage from 1.5 to 2.0. Prior to the Board discussion a study group of administrative staff and fire fighters should discuss the issue.

It was moved by McKinney, supported by Caviston, that the Superior Charter Township authorize the Township Attorney to draw up the language for a millage question to put before the voters on May 2, 2006, to levy 0.25 mills for three years to create a legal defense fund to defend the Township Growth Management Plan regarding rezoning; further, if the funds are not needed for legal defense, the funds would be dedicated to be used as matching funds for purchase of development rights.

The motion carried.

2. The Washtenaw County Planning Advisory Board is holding a Workshop on TDR (Transferring Development Rights) on November 10 for elected officials and has asked Superior Township to be used as a case study for other township to follow as a positive example. The 18 acres from Fairfax Manor, the 50 acres from Bromley, the 84 acres plus 15 acres from Amberwood, and the proposed 467 acres from Regency Woods (Biltmore) are being preserved for all time by developers in our community.
3. McFarlane proposed that the Board request that the Planning Commission hold the Public Hearing on the change to the Growth Management Plan and Rezoning for the Biltmore project (Regency Woods) at a Special Meeting in January instead of at their regular meeting in December.

It was moved by Williams, supported by McKinney, that the Superior Charter Township Board request that the Planning Commission hold the Public Hearing on the amendment to the Growth Management Plan and the proposed rezoning for Regency Woods (Biltmore Project) at a Special Meeting on January 11, 2006, as the December 21, 2005, meeting may be inconvenient for

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residents as it is close to the holidays; further, that the Planning Commission render their decision on both items at the January 25, 2006, regular Planning Commission meeting, as that meeting is within the legal 180 days allowed by the Zoning Ordinance to make a recommendation while allowing the Commission to incorporate suggestions made by the public at the Hearing.

If the Planning Commission should agree to this schedule, the Township Board will send notices by first class mail to every household with at least one registered voter. So not to be lost in Christmas mail, the notice will be sent on either December 30 or January 3, depending on postage rates.

The motion carried.

4. Pat Shrewsbury will be leaving her position as part-time office assistant for the General Fund to take a full-time position with the Utility Department. McFarlane had no plans at the present time to replace her. The current staff will cover her work.
5. The Township is on the short list for the pilot program for Wireless Washtenaw. If the program begins, all residents will receive five hours per week of free internet service. Residents will be able to pay extra for more and faster service.
6. The Township Hall will be closed on Friday, November 11, to honor Veteran's Day.

B. DEPARTMENTAL REPORTS : FIRE DEPARTMENT, UTILITY DEPARTMENT, BUILDING DEPARTMENT, OHM MONTHLY, ORDINANCE OFFICER, PLANNING COORDINATOR, PARK COMMISSION MINUTES

It was moved by McKinney, supported by Caviston, that the Fire Department Report for October, the Utility Department Report dated November 4, 2005, the Building Department Report for October, the OHM Monthly Report dated November 3, 2005, the Ordinance Officer Report for September-October - 2005, the Planning Coordinator Report dated October 31, 2005, and the Park Commission minutes for September 26, 2005, be received.

The motion to receive the reports and minutes carried.

C. AUGUST 2005 FINANCIAL STATEMENTS - ALL FUNDS

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It was moved by Caviston, supported by McKinney, that the Superior Charter Township Board receive the August 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. MARION MORRIS – SUPERIOR LAND CONSERVANCY

Marion Morris, Chair of the Superior Land Conservancy, sent a letter to the Board criticizing the Board for not changing the Growth Management Plan to comply with the State requirements in order to qualify for 2005 funding by the State Agricultural Preservation Fund Board.

It was moved by Caviston, supported by McKinney, that the Superior Charter Township Board receive the letter from Marion Morris, Chair of the Superior Land Conservancy, regarding the 2005 State Agricultural Preservation Fund.

The motion carried.

B. SUPERVISOR RESPONSE TO THE LETTER FROM THE SUPERIOR LAND CONSERVANCY

McFarlane responded to the letter from Marion Morris, Chair of the Superior Land Conservancy, regarding the 2005 State Agricultural Preservation Fund, by saying that the Township Board adopted a Resolution on April 4, 2005, supporting the County Purchase of Development Rights Plan and requesting that the Planning Commission amend the Growth Management Plan (GMP) to comply with the State requirements. The Planning Commission referred the matter to a subcommittee to study the issue. The timelines were very tight and did not allow for the study needed for such an important issue.

McFarlane asked the Board to remind the Planning Commission of the need to review the GMP to comply with the State requirements.

It was moved by Williams, supported by McKinney, that the Superior Charter Township Board receive the memo from Supervisor McFarlane concerning the letter from Marion Morris, Chair of the Superior Land

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Conservancy, regarding the 2005 State Agricultural Preservation Fund, and further, send a reminder to the Planning Commission to begin the process so that the Township will be eligible by September 15, 2006, to apply for funds for the 2006 round of funding; further, that the Supervisor's memo be sent to Marion Morris, including the accompanying documents of the April memo to the Planning Commission and the Planning Commission minutes which assigns the matter to the subcommittee.

The motion carried.

C. A-RIDE MONTHLY UPDATE

During the month of July, A-Ride provided door-to-door service to six Township residents. Eleven residents were served in August and nine were served in September.

It was moved by Williams, supported by Caviston, that the A-Ride report for July, August, and September be received.

The motion carried.

9. UNFINISHED BUSINESS

There was none.

10. NEW BUSINESS

A. PURCHASE UTILITY VEHICLE FOR FIRE DEPARTMENT

The Fire Department requested permission to replace the 1992 utility truck. The Department used the State Bid to find the replacement. Chief Smith and two Fire Fighters were present to answer questions.

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board authorize the purchase a Ford F-350 4x4 with a diesel engine and snowplow from Varsity Ford of Ann Arbor for \$31,344.00; further, to contract with Priority One Emergency of Livonia to install emergency lighting for \$5,263.84, the funds coming from the Truck Replacement Fund.

Roll call vote:

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

Nays: None

The motion carried.

B. PURCHASE EMS JACKETS FOR FIRE DEPARTMENT

It was moved by Caviston, supported by Phillips, that the Superior Charter Township authorize the purchase of nine Gerber 30K Jackets from Superior Uniform Sales of Toledo for a unit price of \$370 and total cost of \$3,330.00

Roll call vote:

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

Nays: None

The motion carried.

C. HIRE UTILITY CLERK

The Utility Clerk position was open and the Department posted the position internally. Pat Shrewsbury, General Fund Part-time Receptionist, applied for the position. The Utility Department recommended that Ms. Shrewsbury be hired to fill the position. Utility Director Rick Church and Office Manager Diana Ravis were present to answer questions. Church said that Ms. Shrewsbury has been filling-in after the former clerk resigned and has been doing a good job.

It was moved by Lewis, supported by Caviston, that the Superior Charter Township Board concur with the recommendation of the Utility Department and hire Pat Shrewsbury as full-time Utility Clerk at a starting salary of \$13.50 per hour effective immediately.

The motion carried.

D. PLACE DELINQUENT UTILITY BILLS ON 2005 TAX ROLL

It was moved by McKinney, supported by Caviston, that the Superior Charter Township place the seventy-one (71) delinquent utility bills on the 2005 tax roll for a total of \$42,236.45.

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Roll call vote:

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

Nays: None

The motion carried.

**E. MEADOWS POINTE TENTATIVE PRELIMINARY PLAT
EXTENSION**

The developer from Biltmore, Steve Chizek, explained that the reason for the delay was that the Township Utility Department and Engineers were working on a plan for the sewer so that a lift station would not be necessary, and those plans are not yet finalized. Utility Director Church said it was of great benefit to the Township to have a gravity sewer, and he appreciated that Biltmore was cooperating with the project.

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board concur with the recommendation of the Planning Commission and extend the approval of STPC #04-32 Meadows Pointe Tentative Preliminary Plat (dated 9-29-04) until October 25, 2006.

Roll call vote:

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

Nays: None

The motion carried.

F. GEDDES ROAD CORRIDOR STUDY

The OHM Geddes Road Corridor Study is ready distribution. Rhett Gronevelt and Evan Pratt from OHM were here to discuss the study.

Phillips commented that OHM did a great job and the study gives the Township a baseline for future developments.

It was moved by Williams, supported by Caviston, that the Superior Charter Township Board receive the Geddes Road Corridor Study dated October 2005 prepared by OHM.

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The motion carried.

**G. RESOLUTION OF SUPPORT FOR REMOVING THE US 23
EIS STUDY FROM THE DEFERRED LIST**

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

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN
3040 North Prospect, Ypsilanti, Michigan 48198**

NOVEMBER 7, 2005

**RESOLUTION OF SUPPORT FOR REMOVING THE US-23 EIS STUDY
FROM THE DEFERRED LIST**

Whereas, the State of Michigan has been moving projects off of the deferred list as funding becomes available; and

Whereas, the US-23 freeway is highly congested during both the morning and evening peak times and this peak congestion lasts more than an hour in the morning period and for more than three hours in the evening period; and

Whereas, the US-23 freeway serves as an important route for Michigan tourism and the economy connecting Ohio residents with northern Michigan and is congested on Fridays and Sundays; and

Whereas, AATA has a federal grant to operate regional commuter service, however, transit service is unable to operate on this route due to the congestion; and

Whereas, this route is a major commuter route that currently has a high volume of single occupant vehicles; and

Whereas, Washtenaw County is committed to managing traffic and congestion using the least amount of resources while providing the greatest number of options;

Now Therefore Be It Resolved, that the Superior Charter Township Board concurs with the intergovernmental committee and Transportation Management Area (TMA) responsible for transportation planning in Washtenaw County, the Washtenaw Area Transportation Study (WATS), and requests that the Michigan Department of

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Transportation (MDOT) work with the Washtenaw County elected officials, planners and road professionals to move the US-23 Study off of the deferred project list.

Be it further Resolved, that the Superior Charter Township Board agrees with the WATS Policy Committee and requests that MDOT, as part of its US-23 roadway improvement study, seriously consider the inclusion of a lane that is dedicated for use by high occupant vehicles and transit during the analysis. The Board also requests that MDOT and the local officials ensure that the new capacity is utilized to carry the maximum number of people in the most efficient manner while having the least amount of impact on water and air quality.

Roll call vote:

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

Nays: None

The motion carried.

H. STREETLIGHT ASSESSMENTS ON 2005 TAX ROLL

It was moved by McKinney, supported by Caviston, that the Annual Streetlight Assessment for Brookside Phase 1 & 2, Fairway Glens, Woodland Acres 1,2,3,4,5,6,7,8,9,10, and 11, Prospect Woods and Park, Washtenaw Autumn, Bromley 1 & 2, and the Superior Charter Township be placed on the 2005 Tax Roll for a total annual assessment of \$65,906.38.

Roll call vote:

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

Nays: None

The motion carried.

I. RESOLUTION OPPOSING THE CLOSING OF THE EAST RAMP OF BARTON DRIVE/M-14 INTERSECTION

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

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**WASHTENAW COUNTY, MICHIGAN
3040 North Prospect, Ypsilanti, Michigan 48198**

NOVEMBER 7, 2005

**A RESOLUTION OPPOSING THE CLOSING OF THE EAST RAMP OF THE
BARTON DRIVE/ M14 INTERCHANGE**

WHEREAS the Planning Department of the City of Ann Arbor sent the Northeast Area Transportation Plan Final Report to area communities for comment; and

WHEREAS while many of the suggestions for improving transportation in the area will help alleviate traffic problems, the suggestion that the east ramp to M-14 be closed is not necessary; and

WHEREAS there may be problems with this ramp in the future, closing it now would increase traffic there as well as causing longer trips, compromised safety, and congestion for residents in the area; and

WHEREAS the Report did not offer any alternatives for traffic in the area; and

WHEREAS there is no demonstrated necessity to have a test closing of the entry/exit ramp;

NOW, THEREFORE, BE IT RESOLVED that the Superior Charter Township Board requests that the closing of both lanes of the east ramp of the Barton Drive/M13 interchange be deleted from the Report.

Roll call vote:

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

Nays: None

The motion carried.

J. BUDGET AMENDMENTS

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

General Fund

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Increase the following line items:

101-000-574-050	State ROW Revenue	\$ 1,965.00
101-000-664-000	Interest	3,703.00
101-265-920-075	Drains	8,126.00
101-209-703-000	Contract Labor – Assessing	6,100.00
101-210-801-075	Legal Fees – Rock	15,000.00
101-266-947-008	Geddes Road Traffic Study	5,000.00
101-266-947-016	Professional fees – Rock	3,000.00
101-411-702-000	ZBA Salaries	300.00
101-000-699-000	Approp from Fund Balance	16,933.00

Decrease the following line items:

101-266-947-013	New Park Fund Building	\$ 7,373.00
101-266-947-015	Building Renovation – Law	8,300.00
101-000-695-050	Donations	15,682.16

Fire Fund

Increase the following line items:

206-000-664-000	Interest	\$ 15,000.00
206-000-664-050	Interest on Reserves	2,528.67
206-336-707-000	Part-time Wages	8,500.00
206-336-710-000	Training	1,000.00
206-336-715-000	FICA	6,000.00
206-336-715-075	FICA – On-call	700.00
206-366-716-025	Health Insurance – Retirees	3,200.00
206-336-716-075	Prescription Reimbursements	250.00
206-336-717-000	Taxable Benefits	3,200.00
206-366-717-033	Benefit Time Cash-outs	2,000.00
206-336-775-000	Repair & Maintenance Supplies	3,000.00
206-366-920-000	Utilities	4,000.00
206-366-954-000	Equipment Rental	4,500.00
206-336-980-000	Equipment	10,340.00
206-965-965-050	Transfer/Accrued Absences	41,000.00
206-965-965-015	Transfer/Truck Reserves	22,722.26
206-000-671-085	Tax Chargeback Refund	36,222.26

Decrease the following line items:

206-336-718-000	Pension	\$ 14,000.00
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206-336-721-000	Food Allowance	9,960.00
206-336-727-000	Office Supplies	1,500.00
206-890-890-000	Contingencies	100,000.00
206-000-699-000	Approp/Fund Balance	68,798.67

Law Fund

Increase the following line items:

266-000-664-000	Interest	\$ 3,057.00
266-310-920-000	Utilities	1,700.00
266-890-985-000	Tax Chargebacks	500.00
266-965-965-000	Transfer to Reserves	38,557.00
266-000-671-085	Tax Chargeback Refund	15,000.00

Decrease the following line item:

266-310-976-000	Building Renovation	\$ 22,700.00
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Building Fund

Increase the following line items:

249-000-664-000	Interest	\$ 4,500.00
249-000-664-050	Reserve Interest	4,000.00
249-371-258-000	Computer Equipment/Service	5,000.00
249-371-265-000	Building Repair/Maintenance	5,000.00
249-371-740-000	Operating Supplies	800.00
249-371-980-000	Equipment	12,470.20
249-965-965-000	Transfer to Reserves	9,729.80

Decrease the following line items:

249-371-703-000	Contract Services	\$ 25,000.00
249-371-740-050	Small Equipment	5,000.00
249-371-860-000	Transportation	3,000.00
249-371-957-000	Books & Periodicals	2,500.00
249-965-965-020	Transfer to Retirement Health	22,000.00

Roll call vote:

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

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Nays: None

The motion carried.

K. ADOPT 2006 BUDGET – ALL FUNDS

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

**SUPERIOR CHARTER TOWNSHIP BOARD
RESOLUTION
NOVEMBER 7, 2005**

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

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 carefully considered the projected revenues and expenditures for the coming year,

NOW THEREFORE BE IT RESOLVED that the Superior Charter Township Board adopt for the Year 2006, by Activity, the General Fund Budget dated November 3, 2005, the Fire Fund Budget dated November 3, 2005, the Building Fund Budget dated November 3, 2005, the Law Fund Budget dated November 3, 2005, the Park Fund Budget dated October 24, 2005, the Streetlight Maintenance Fund Budget dated November 3, 2005, the Sidestreet Maintenance Fund Budget dated November 3, 2005, and the Utility Fund Budget dated November 3, 2005.

Roll call vote:

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

Nays: None

The motion carried.

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**L. SPECIAL ASSESSMENTS FOR WASHTENAW COUNTY
DRAINS ON THE 2005 TAX ROLL**

It was moved by McKinney, supported by Caviston, that the Superior Charter Township Board place the 2005 Washtenaw County Drain Assessments on the 2005 Tax Roll in the amount of \$68,235.74.

Roll call vote:

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

Nays: None

The motion carried.

N. ORDINANCE VIOLATION ON THE 2005 TAX ROLL

It was moved by McKinney, supported by Caviston, that the Superior Charter Township Board place \$110.00 on the tax bill for 1824 Manchester, parcel # 10-34-426-008, for grass cutting.

The motion carried unanimously.

11. PAYMENT OF BILLS

It was moved by Caviston, supported by Lewis, that the bills be paid in the following amounts: General Fund - \$14,055.65 and Utilities Fund - \$2,971.25 for a total of \$17,026.90.

The motion carried.

12. PLEAS AND PETITIONS

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 9:50 p.m.

Respectfully submitted,

Kay Williams, Clerk