

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MAY 18, 2009
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 May 18, 2009, 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, Brenda McKinney, David Phillips, Nancy Caviston and Alex Williams. Lisa Lewis arrived at 7:40 pm. Roderick Green was absent.

4. ADOPTION OF AGENDA

It was moved by McKinney, seconded by Lewis, to adopt the agenda with the deletion of item 10(b), under New Business, Utilities Concrete Replacement or Repair.

The motion carried by a voice vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF APRIL 20, 2009

It was moved by Caviston, seconded by McKinney, to approve the minutes of the regular Board meeting of April 20, 2009, as presented.

The motion carried by a voice vote.

6. CITIZEN PARTICIPATION

A. NON-AGENDA ITEMS

There was no citizen participation on non-agenda items.

7. REPORTS

A. SUPERVISOR

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The Supervisor reported on the following: The Township has been paying for special overtime for the Sheriffs to conduct special patrols in the MacArthur Boulevard area. The Township budgeted \$10,000 for this activity. However, the budgeted amount will be rapidly depleted if the special overtime is continued at the current rate. It was suggested that the apartment complex owners pay for some, or all, of this special overtime. At 2:00 pm to 4:00 pm on June 11, 2009 the Washtenaw Area Transportation Study (WATS) will be holding a public meeting at the Superior Township Hall to present the Washtenaw County Long Range Transportation Plan for the year 2035. On May 30, 2009, Superior Township will be hosting the Superior One-Green Fair at the District Library on MacArthur Blvd. There will be free snacks, employment info, and various educational exhibits.

B. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FALSE ALARM-ST. JOE HOSPITAL, FALSE ALARM-TOWNSHIP WIDE, FIRE DEPARTMENT, ORDINACE REPORT, SHERIFF'S REPORT, UTILITY MONTHLY REPORT AND ZONING REPORT

It was moved by Caviston, seconded by Lewis, that all reports be received.

The motion carried by a voice vote.

C. ALL FUNDS MARCH 2009 FINANCIALS

It was moved by Caviston, seconded by McKinney, that the March 2009 Financial Reports for all funds be received.

The motion carried by a voice vote.

D. UTILITY DEPARTMENT FIRST QUARTER 2009 FINANCIALS

It was moved by Caviston, seconded by McKinney, that the Utility Department First Quarter 2009 Financials Reports be received.

The motion carried by a voice vote.

8. COMMUNICATIONS

A. BROMLEY PARK COMMUNITY ASSOCIATION, ANNUAL UTILITY MAINTENANCE FEE

During the approval process, a special fee was created for Bromley Park homeowners and condominium owners to pay for maintenance of a non-motorized pathway that provides access to underground utilities and the additional cleaning of one section of a sanitary sewer pipe. This fee was a requirement of the

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Development Agreement. Prior to the incorporation of the Community Association, the developer was responsible for paying the special fee which is currently about \$2,800 per year and is subject to a CPI adjustment every year. However, the payments are currently two years in arrears in the amount of \$6,319.00. In May 2009, the developer turned over the Community Association to the residents, the Community Association is now responsible for paying the special assessment and the arrearage. Mr. Paul Blasch, Treasurer of the Bromley Park Community Association, forwarded a letter to the Township, requesting that the annual maintenance fee, including the arrearage, be abated. Supervisor McFarlane indicated that the sanitary sewer pipe in question has been functioning well and has not required additional cleaning as anticipated. He and the Utilities Department both recommend that the arrearage be cancelled and the future charges are eliminated.

It was moved by Phillips, seconded by McKinney, that the Township Board support and approve cancellation of the \$6,319.00 arrearage and future billing of the Bromley Park utility maintenance fee. Further, that the Township Supervisor take appropriate action so that the cancellation of these fees is properly completed, including the amending of the Development Agreement.

Roll call vote:

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

Nays: None

Green was absent.

The motion carried.

B. JOHN OCHMAN, BURNING BUILDINGS

John Ochman, on behalf of Superior One, L.L.C., submitted a letter requesting a permit to burn existing buildings located at the southwest corner of Ford Road and Prospect Road. The buildings consist of one duplex, one three family unit and three garages. The fire department has inspected the buildings and advised him they would like to burn the buildings for training purposes.

It was moved by Phillips, seconded by Lewis, to approve the Township to issue a permit to burn all existing structures located on parcel #J-10-16-100-023, at the Southwest corner of Ford and Prospect Roads, This permit shall be subject to approval and implementing all recommendations of the Superior Township Fire

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Department and Building Department. Prior to the burning, the owner of the parcel shall, at their expense, notify all the owners of all property located within 1/4 mile of the parcel, of the date and the nature of the burning. The owner of the property shall assume all liability associated with the event, and shall indemnify the Township against any and all claims resulting from the event. The owner shall be responsible for removal of all debris and the proper cleaning, grading and restoration of the site.

The motion carried by a voice vote.

C. SEVENTH DAY ADVENTIST CHURCH DOOR-TO-DOOR MISSIONARY WORK

The Seventh Day Adventist Church notified the Township that during the months of June, July and August, church members will be doing door-to-door missionary work. They maintain that their activities are covered by the First Amendment and cannot be banned, excessively burdened or made subject to government discretion. The church is willing to register with the Township and provide the names and addresses of those participating and also provide the Township with the times they will be visiting homes.

It was moved by McKinney, seconded by Caviston, to accept the communication from the Seventh Day Adventist Church.

The motion carried by a voice vote.

D. 2008 ANNUAL TOWNSHIP AUDIT REPORT, RESCHEDULED TO JUNE 15, 2009 MEETING

The Township's Auditors have completed their annual audit of the Township for fiscal year 2008. They were scheduled to provide their annual report at the May 18, 2009 meeting. However, they provided a letter requesting that they be removed from the May 18, 2009 agenda, and placed on the June 15, 2009 agenda. They indicated the audit revealed no major issues; the Township was in good financial shape.

It was moved by McKinney, seconded by Lewis, to receive the communication and to reschedule the Township's auditors, Pfeffer, Hanniford and Palka to make their

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presentation of the Township's 2008 Annual Report at the Board meeting of June 15, 2009.

The motion carried by a voice vote.

9. UNFINISHED BUSINESS

A. There was no unfinished business.

10. NEW BUSINESS

A. AUCTIONING OF UTILITY DEPARTMENT EQUIPMENT

The Utility Department requested Board approval to place a 1990 Chevrolet pick-up truck and a gasoline engine powered wood chipper in a public auction on June 3, 2009. The auction is the City of Ann Arbor's Equipment Sale/Auction and there will be a fee of 8% of the sale price. The truck was taken out of service due to reliability concerns and the wood chipper is not able to be used by the Utility Department because it does not meet MIOHSA standards. The proceeds of the truck will go to the Utilities Department and the proceeds of the shredder will go to the Parks Department.

It was moved by McKinney, seconded by Williams, to approve the Utility Department's request to place the 1990 Chevrolet pick-up truck and the wood chipper in the City of Ann Arbor's Equipment Sale/Auction to be held on June 3, 2009 at the Washtenaw County Farm Council grounds. The items will be subject to all terms and conditions of the auction.

Roll call vote: McKinney, Phillips, Caviston, Lewis, Williams, McFarlane

Aye: None

Green was absent.

Nays:

The motion carried.

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B. 2009 AGREEMENT WITH THE WCRC FOR ROAD IMPROVEMENTS

Township staff has worked together with members for the Township Roads Committee to determine which roads will be repaired in 2009. Consideration was given to the roads which were in the poorest condition, amount of traffic and availability of funds. These recommendations have been incorporated into a proposed contract with the Road Commission. Projects include reconstruction of several subdivision streets; two applications of dust control on all Township gravel/limestone roads; limestone, ditching and berm removal on Cherry Hill Road, west of Stommel; applications of up to 1000 tons of limestone on gravel/limestone roads and a resurfacing of Cherry Hill Road from Plymouth Road to the Humane Society. The total cost to the Township for these projects is \$360,172.60. Matching funds provided by the Washtenaw County Road Commission total \$129,667.00. The total cost being spent in 2009 is \$489,839.60.

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2009 SUPERIOR TOWNSHIP AGREEMENT

THIS AGREEMENT, made and entered into this _____ day of _____, 2009, by and between the Township Board of Superior Township, Washtenaw County, parties of the first part and the Board of Washtenaw County Road Commissioners, parties of the second part.

WHEREAS, the parties of the first part desire that certain improvements be made upon the local roads in the Township of Superior, and

WHEREAS, proper authority is provided to the parties of the agreement under the provisions in Act 51 of Public Acts of 1951 as amended,

IT IS NOW THEREFORE AGREED, the parties of the second part will accomplish the improvements as specified herein, all in accordance with the standards of the parties of the second part.

1. **Dust Control (497-10-108):**
Work to include two applications of 38% calcium chloride to all certified local gravel/limestone roads within the township. Estimated 126,960 gallons @ \$0.51 per gallon for an estimated total cost of: \$ 64,749.60

2. **Andover, Geddes to Ashley:**
Work to include milling the existing surface and the placement of a 3" bituminous overlay. Final cost to be determined by competitive bid.
Estimated total project cost: \$ 49,600.00

3. **Hamlet, Stamford to Buckingham:**
Work to include milling the existing surface and the placement of a 3" bituminous overlay. Final cost to be determined by competitive bid.
Estimated total project cost: \$ 62,800.00

4. **Cedar Court:**
Work to include milling the existing surface and the placement of a 3" bituminous overlay. Final cost to be determined by competitive bid.
Estimated total project cost: \$ 41,600.00

5. **Cherry Hill, Stommel west ½ distance to pavement:**
Work to include grader ditching, shaping the existing surface, the application of 4" (C.I.P) of 23a limestone (approximately 2250 tons) with associated dust control and project restoration.
Estimated total project cost: \$ 41,750.00

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- 6. **Berm Removal:**
Work to include spot berm removal with associated dust control on the following roads: Gale Road (Vreeland to Cherry Hill); Vreeland Road (Prospect to Stommel; Warren Road (Gotfredson to Napier; and Warren Road (Berry to Gotfredson).
Estimated total project cost: \$ 17,500.00

- 7. **Township Wide Limestone:**
Work to include the application of 23a limestone (approximately 1000 tons) with associated dust Control on various local roads within the Township. Locations to be determined by the Township Supervisor and District Foreman.
Estimated project cost "not to exceed": \$ 13,840.00

- 8. **Cherry Hill, Plymouth to the Humane Society Driveway:**
Work to include pulverization, reshaping and compacting the existing surface, the placement of a 3" hot mix asphalt surface (HMA) and project restoration. Final cost to be determined by competitive bid.
Estimated total project cost: \$198,000.00

AGREEMENT SUMMARY

2009 LOCAL ROAD PROGRAM

Local Road Dust Control	\$ 64,749.60
Andover	49,600.00
Hamlet	62,800.00
Cedar Court	41,600.00
Cherry Hill Limestone	41,750.00
Berm Removal	17,500.00
Township Wide Limestone	13,840.00
Cherry Hill HMA	198,000.00
	\$489,839.60
Less WCRC Matching Funds	30,667.00
Less WCRC Overlay Matching	99,000.00

ESTIMATED AMOUNT TO BE PAID BY SUPERIOR TOWNSHIP UNDER THIS AGREEMENT DURING 2009: **\$360,172.60**

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FOR SUPERIOR TOWNSHIP:

William McFarlane, Supervisor

Witness

David Phillips, Clerk

Witness

FOR WASHTENAW COUNTY ROAD COMMISSION:

David E. Rutledge, Chair

Witness

Steven M. Puuri, Managing Director

Witness

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It was move by Phillips, seconded by Caviston, to authorize the Township Supervisor and Clerk to sign the 2009 Superior Township Agreement with the Washtenaw County Road Commission which outlines road improvements in the amount of \$489,839.60 with the WCRC providing \$129,667 in matching funds, for a total cost to the Township of \$360,172.60

Roll call vote:

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

Nays: None

Green was absent.

The motion carried.

D. RESOLUTION TO AUTHORIZE THE SIGNING OF CHECKS

Starting either the week of 5/18/09 or 5/25/09, the Deputy Treasurer will begin an extended leave. The Deputy Treasurer is authorized to sign all Township checks as the second signer in the absence of the Treasurer. During her absence, another staff member will be needed to take her place and sign checks. The Treasurer has requested that the Administrative Assistant to the Treasurer be authorized to sign all Township checks as a second signer in the absence of the Treasurer.

It was moved by McKinney, seconded by CAVISTON, that the Superior Township Board adopt the following resolution:

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WASHTENAW COUNTY, MICHIGAN
May 18, 2009**

A RESOLUTION TO AUTHORIZE THE SIGNING OF CHECKS

WHEREAS, Superior Township requires the processing of numerous checks in order to conduct Township business,

WHEREAS, in the near future, the Deputy Treasurer will be on approved leave for an extended time,

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WHEREAS, there is a need to have an Authorized Signer to take her place so that the orderly flow of the Township's business can continue,

BE IT FUTHER RESOLVED that effective 8:00 a.m., May 19, 2009, Karen Tyler, Administrative Assistant to the Treasure, shall be added as an Authorized Signer on all Township checks.

BE IT FURTHER RESOLVED, as approved by previously adopted Resolutions, William McFarlane, Brenda McKinney, David Phillips and Aalea Skrycki, shall remain as Authorized Signers on all Township checks.

BE IT FURTHER RESOLVED, any person(s) who were previously approved as an Authorized Signer, but is not listed above, are no longer approved to be an Authorized Signer on any Township check.

BE IT FURTHER RESOLVED that David M. Phillips or William McFarlane and Brenda McKinney or Aalea Skrycki or Karen Tyler shall be designated as an Authorized Signer as one of the authorized officers for all authorized bank accounts of the Township.

THE RESOLUTION WAS DECLARED ADOPTED.

CERTIFICATION

I, David Phillips, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Superior Charter Township Board held on May 18, 2009.

David Phillips, Superior Charter Township Clerk

Roll call vote:

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

Nays: None

Green was absent

The motion carried.

E. WORK WEEK SCHEDULE ADJUSTMENT FOR FIRE CHIEF AND FIRE MARSHALL

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The Fire Chief and Fire Marshall requested their summer work week be adjusted to four days per week, Monday through Thursday, 7:00 am to 12:00 pm. Their total hours worked will remain the same. Supervisor McFarlane recommended the request be approved.

It was moved by McKinney, seconded by Lewis, to approve an adjusted work week for the Fire Chief and Fire Marshall. Their adjusted schedule will be four, five hour days, Monday through Thursday, 7:00 am to 12:00 pm. The adjusted schedule will begin on Monday, May 25, 2009 and end on Sunday, September 13, 2009.

The motion carried by a voice vote.

11. PAYMENT OF BILLS

It was moved by Caviston, seconded by Lewis, that the bills be paid, as submitted in the following amounts: General Fund - \$6,372.00, Law- \$3,945.75, Utilities- \$104,607.36 for a total of \$114,607.11; further that the Record of Disbursements be received as submitted.

The motion carried by a voice vote.

12. PLEAS AND PETITIONS

There were none.

13. ADJOURNMENT

It was moved by McKinney, supported by Caviston, that the meeting adjourn. The motion carried by a voice vote and the meeting adjourned at 8:30 p.m.

Respectfully submitted,

David Phillips, Clerk

William McFarlane, Supervisor