

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
OCTOBER 16, 2017
ADOPTED MINUTES
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1. CALL TO ORDER

The regular meeting of the Charter Township of Superior Board was called to order by the Supervisor Ken Schwartz at 6:59 p.m. on October 16, 2017 at the Superior Township Hall, 3040 North Prospect, Superior Township, Michigan.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

The members present were Nancy Caviston, Lynette Findley, Rodrick Green, Lisa Lewis, Brenda McKinney and Ken Schwartz.

Absent: Alex Williams

4. ADOPTION OF AGENDA

It was moved by Caviston, supported by Lewis, to adopt the agenda with the addition of the 2018 Budgets and Truth-in-Taxation Hearing under item a. of Public Hearings & Presentations and moving the Authority of Township regarding Medical Marihuana Facilities Licensing Act of 2016 – Fred Lucas, Superior Township Attorney from Communications to item b. under Public Hearings & Presentations. An addition of tax roll special charges was added under item i. under New Business.

The motion carried by unanimous vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF SEPTEMBER 18, 2017

It was moved by Lewis, supported by Caviston, to approve the minutes of the regular Board meeting of September 18, 2017 as presented.

The motion carried by unanimous vote.

6. CITIZEN PARTICIPATION

- Martha Kern-Boprie announced the upcoming Parks & Recreation Pumpkin Carving event that takes place on October 21, 2017 at Norfolk Park.

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- A township resident inquired as to when the rest of the Harvest Lane repaving would occur. Supervisor Schwartz commented the sewer study was complete and that the next step will be to replace the sewer line below Harvest Lane. It will be a spring or summer 2018 project. After the sewer line replacement the township will repave the road. Another resident commented that she was still having problems in her back yard with debris and drainage. She has been complaining about the issue for years. She was under the impression the easement behind her house was owned by the township. Supervisor Schwartz stated the township does not own any property in the neighborhood but the Harvest Moon Park and the Facilities Maintenance Building. The resident also concerned about the trees between the curb and the sidewalk destroying her sidewalks. She was also concerned about the tree limbs harming someone if they fell as someone walked under the trees. Supervisor Schwartz stated the trees are the responsibility of the Washtenaw County Road Commission and they will not remove trees unless they are a hazard or public health threat. They do not maintain trees. Generally the resident hires a company to maintain the trees as an owner responsibility. The resident also inquired about the signage for the Harvest Lane/Wiard Road subdivision. She noticed that other neighborhoods had signage with their neighborhood name. Supervisor Schwartz stated the subdivision name is Washtenaw Autumn. Treasurer McKinney stated the signage in the Oakbrook and Washington Square subdivisions is paid for by a special assessment and the residents pay \$26.00 per year for signage maintenance and landscaping. Supervisor Schwartz stated he would reach out to the Washtenaw County Road Commission as they are responsible for signage, but that generally signage is the responsibility of the residents of the subdivision. Trustee Green stated an assessment for signage in his neighborhood was turned down by the residents. Supervisor Schwartz suggested the resident get a petition going around to see if there is interest in paying for signage. The resident inquired if the township had a community center. Treasurer McKinney stated it costs \$18.00 or \$20.00 to join the Ypsilanti Township Community Center for non-residents. The board stated it would not be cost effective to have a community center in the township. Supervisor Schwartz stated that it would cost at least \$1,000,000 to develop a community center in the township.

7. PRESENTATIONS AND PUBLIC HEARINGS

A. 2018 BUDGETS AND TRUTH-IN-TAXATION PUBLIC HEARING

Supervisor Schwartz opened the 2018 Budgets and Truth-in-Taxation Hearing up for comments. There were none. The hearing was closed at 7:15 p.m.

B. AUTHORITY OF TOWNSHIP REGARDING MEDICAL MARIHUANA FACILITIES LICENSING ACT OF 2016 – FRED LUCAS, SUPERIOR TOWNSHIP ATTORNEY

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- The township attorney, Fred Lucas, gave a presentation on the Authority of Township regarding Medical Marihuana Facilities Licensing Act of 2016 that will take effect on December 15, 2017. The township is not obligated to do anything if they choose to opt out. If the township will allow facilities in the community it requires an affirmative vote of the board. There are five different types of facilities that are authorized under the act: grower, processor, transporter, provisioning center and safety compliance facility. The grower operation is subdivided into three different classifications depending on the number of plants that will be grown: Class A - 500 plants, Class B - 1000 and Class C - 1,500 plants. The processor takes the product and processes it for use. The provisioning center (also known as a dispensary) is where the product is sold. The transporter is responsible for the storage and transportation of the product between facilities. The safety compliance facility is a commercial entity that receives the cannabis from another facility and tests for contaminants and other substances prior to sale. The township can grant any one license, a combination of licenses or all five classifications of licenses. The township also sets the number of licenses that it will grant.

In other communities that Attorney Lucas represents, they have taken different measures to address the law dependent on the community type. One community that does want to grant licenses has decided to use overlay districts. They want to allow these types of uses in industrial districts. The other approach some communities are taking is that they are treating these facilities as conditional use in an agriculture district or commercial district. Then they establish regulations as to the standards a licensee must meet as a conditional use. Then the licensee must come before the township planning commission and file an application for conditional use. Attorney Lucas foresaw issues with this approach for Superior Township because most of the township is zoned for agricultural use. This would prevent concentration of the development of medical cannabis facilities within a particular location. Attorney Lucas believes medical cannabis overlay districts eliminates this concern. It identifies the area in the township where the township wants the development of medical cannabis to occur. Once the township has applied the overlay to whatever area the township has determined is appropriate Attorney Lucas recommended that the use be a permitted use. The township would not have to go through the constant process of reviewing conditional use applications. A permitted use does not require additional approval from the planning commission. There still may be site plan requirement, but no conditional use process. If the township goes with conditional use provisions it puts pressure on the planning commission to review each application for conditional use. Attorney Lucas stated the medical cannabis facility operators and representatives of growers he has talked to like the idea of permitted use because it eliminates a lot of the issues that would arise between neighbors and growers/facility operators and users of medical cannabis.

Attorney Lucas attended a seminar at Michigan State University Extension. He passed out copies of the seminar packet to the board. He recommends, to the communities he represents, that the issue of zoning be bifurcated from the issue of regulation. Issues such as hours of operation, noise, odor, etc. that are not specific to the questions of location

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should fall under a regulatory ordinance. Zoning ordinances regulate the use of land. Police power ordinances regulate the activities on the land. Some municipalities that have already passed regulations have combined zoning ordinance and police power ordinance regulations into one ordinance. Problems may arise with combining zoning and police power ordinances into one ordinance. The courts have recognized that zoning grants to a landowner a vested property interest. This vested interest is grandfathered in in the event the property is rezoned. The concern is if regulatory ordinances are included in the zoning ordinance and a licensee starts operating under that ordinance and the zoning is subsequently changed the licensee could argue they are grandfathered in and the new regulations do not apply to them. Attorney Lucas recommends the regulatory ordinances should be separate from zoning ordinances to avoid this issue.

In conclusion, attorney Lucas stated the township needs to determine what types of uses they will allow, where does the township want the uses to occur, does the township want to regulate if the medical cannabis is grown in the ground or in greenhouses, how many licenses does the township want to allow, will it be permitted or conditional use and what types of zoning and regulatory ordinances will be adopted relative to the uses of property.

At this time no municipality is currently operating under the statute as it does not take effect until December 15, 2017. State licensing is required before anyone is allowed to operate.

Attorney Lucas stated if a municipality is going to regulate an industry that it is always helpful to go to the industry and ask their opinion to determine if the regulations are reasonable and are able to be followed and adhered to. This helps to avoid future litigation from operators who feel that the regulations are too burdensome to adhere to. A municipality will not accept all of the advice given, but the input is useful to the process.

- Supervisor Schwartz opened up the presentation to questions from the board. He inquired if there were townships, cities and villages that were moving forward with regulations. Attorney Lucas said that there were. He has counted 20 or 30 that have already adopted regulations. Although he thinks that he is the only one that has proposed overlay districts.
- Supervisor Schwartz asked if it was possible for the township to establish a medical cannabis facilities district. Attorney Lucas said there would be no reason why that could not be established. He does not see a distinction in establishing a medical cannabis facilities district or an overlay district.
- Supervisor Schwartz is agnostic on the medical cannabis statute and would like to have community feedback. If the township decides to go forward, after receiving community feedback and fact finding, he does not believe that anything would be in place in the township before December 15, 2017. He said the discussion has been prompted by the amount of phone calls he has received inquiring about wanting to operate in the township.
- Trustee Green inquired about the Medical Marijuana Facilities Licensing Act of 2016 providing for an annual fee of up to \$5000.00. Attorney Lucas said the township can

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charge up to \$5000.00 to each licensee for an annual renewal fee. That is a capped fee regardless of how much cannabis is grown. Some municipalities are intentionally limiting the class size of the license in order to get more fees out of the licensee.

- Treasurer McKinney asked if the medical cannabis would be grown out in the open like crops of corn. Attorney Lucas has recommended security fencing with barbed wire and security cameras. The fencing is behind screening (e.g., berming, decorative fencing) at the setback.
- Trustee Green inquired if the township could mandate that growing be done in an indoor facility. Attorney Lucas said that was possible.
- Trustee Caviston asked how unlicensed growing operations would be policed. Attorney Lucas said that is why some communities only want operations in industrial and commercial districts and not in agricultural districts because it is harder to regulate and police those districts. Supervisor Schwartz assumed that LARA should have a list of addresses for all of the facilities in the state. Attorney Lucas questioned how a licensed operation can be identified without having a list in hand while driving by the facility. He also did not know how much of a policing issue it will be in the future. Supervisor Schwartz mentioned some theft issues, with outdoor facilities, in the county in the last month. Attorney Lucas stated that potential theft is a reason that Madison Township isolated the operations into a district in order to control the police patrols in the area. Rural communities may have to approach regulations and policing differently than urban communities.
- Trustee Caviston asked if the licensing act permits a homeowner to lease their land to a growing operation. Attorney Lucas said this statute is different from the existing medical cannabis statute. A grower can still grow for themselves and care givers can still grow for five individuals. Those rules and regulations are still in effect. If you are a caregiver you have to get a caregiver's license. A caregiver can grow up to 12 plants for each patient and those plants have to be kept separately from other patient's plants. The Medical Marihuana Facilities Licensing Act of 2016 applies to the commercial sector. Attorney Lucas looks at the act as a precursor to the legalization of cannabis.
- Supervisor Schwartz stated the township was not looking at the statute to add revenue to the community. The interest of township is to find out if this is something the citizens are interested in having in the community. He suggested that hearings will be held and possibly work sessions. At this point he does not think the process will be fast moving. Although, he would not want to drag out the process if there was real interest by the community or the board.
- Supervisor Schwartz stated the township has a medical services district due to St. Joseph Mercy Hospital being in the township. He suggested medical cannabis could be placed under the medical services district.
- Supervisor Schwartz opened up the presentation to questions from the audience. He requested the audience keep comments to three minutes.
- Darryl Stavros has been a property owner in the township for 18 years. He owns the first dispensary opened in Michigan in 2009. He has maintained grow facilities as a caregiver for nine years. Mr. Stavros said he has never had an incident of theft in his operation. He stated that he needs to be able to care for his patients. He is concerned

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about the slowdown in decision-making by the board on how to address the statute that Supervisor Schwartz mentioned. He has 10 employees he will have to lay off in December due to the rules of the statute. He has to get his grow facility on target to be built once he can get his operation going under the new licensing requirements. He would like to base his facility in Superior Township and would like to get started right away on building the facility, but depending on how soon the township moves on making a decision whether to do nothing in regard to the statute or to allow licensing will determine if his operations will be in the City of Ypsilanti or Superior Township. He would prefer to operate in the township since there is more agricultural land capacity to grow that is not available in the City of Ypsilanti. He also need to submit a license to opt in to another location. The licensing process takes up to 90 days.

- A township resident asked how the residents would benefit from the medical cannabis operations. She wanted to make sure the community would benefit financially from the taxes and fees associated with the operations. An audience member stated that the state would be collecting taxes from the cannabis operations and the state would send a percentage back to the municipalities that could be used to fund community programs. Attorney Lucas stated the township would get 25% of the 3% taxes that the state charges.
- A township resident commented she believes that medical cannabis would provide a medical benefit for the community. She did not care for zoning that placed operations in one place. She felt that it would create a monopoly.
- Attorney Craig Aronoff with the Cannabis Legal Group in Royal Oak, MI representing homeowner/business owner Michael Phillips commented on the overlay district. He thinks that in some areas it is a great idea, but does not think it is a good fit for the township as his client wants to use property that he already owns and that may or may not be in an overlay district. He is interested in doing a presentation with the township in a work session regarding a breakdown of the finances. Municipalities get 25% of every dollar added to the fund divided by the number of licenses issued by the state. It is a prorated unit of all of the five types of licenses. 25% goes to the municipalities, 30% goes to the county and 5% goes to the sheriff's department. The remainder goes to the state, portion to the state police and a portion goes to the enforcement bureau. Attorney Aronoff stated anyone who wants a license is required by the statute to inform the municipality where they are looking to set-up an operation. The licensing process will begin December 15, 2017 and is allowed to be completed in two steps. They can get the licensing process going at the state level subject to the land use requirements.
- Attorney Lucas questioned Attorney Aronoff regarding what fees would be going into the funds. Attorney Lucas wanted to know what fees other than the 3% sales tax on provisioning centers would be going into the fund. He stated the bulk of the money in the fund would come from that. Attorney Aronoff stated everything sold would go into the fund. Supervisor Schwartz stated if the township chooses to only have growing facilities the township would still get a percentage from the fund.

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- A 15 year township resident commented it was very important the township gets in on the ground and is proactive to ensure the township benefits from the operations financially and in regard to the health of the community.
- Dennis Hayes is an attorney from Ann Arbor who is actively involved in the pro-legalization of cannabis for over 30 years. He commented on the bifurcation of the regulatory and zoning ordinances. He has known attorney Lucas for 30 years and he disagrees with him regarding the zoning issues. He stated the township could designate agricultural A-1 permitted use. Then the township could design their regulations to comply with the specific demands in the community in response to residents and to the needs of patients. Mr. Hayes stated there are over 200,000 medical cannabis cardholders who rely on local suppliers. He spoke of the variety of medications produced with cannabis and their medical benefits. He stated that he knows people who come from New York to get the oils their children need to treat their epileptic seizures. He stated that the benefits are growing in spite of the federal government prohibition and the general resistance to medical cannabis. He stated that the township has a number of people who have been growing and cultivating medical cannabis legally for some time and the benefits that their patients receive from safe access to medical cannabis is incalculable. He further stated that 80% of patients get their medical cannabis from provisional centers (dispensaries) that are supplied by growers. If the township permitted growers licenses, that would generate jobs. He believes that allowing permitted use in the A-1 district that it would eliminate the need for planning commission and board of trustees meetings to approve the operations. He stated there is a 25% drop in opioid usages in areas where medical cannabis is permitted.
- Sandi Lopez suggested the township should have public meetings with the community to get feedback from residents. Supervisor Schwartz stated that this meeting was an ice breaker (icebreaker) to address the issue, but there would be subsequent public meetings.
- Mike Rivenburgh commented he thought the overlay district was a good approach for industrial districts. He addressed Trustee Caviston's question regarding how grow operations would be addressed. He said there are strict requirements put in place by the state for seed to sale traceability. He stated if there are operators who want to breach those requirements that they would be shut down. There are provisional requirement in place. Mr. Rivenburgh was president of one of the largest automotive suppliers in Michigan and he believes that many of the same practices for safety and compliance apply to medical cannabis operations. Trustee Caviston asked how a regulator would know if a licensee is in compliance. Several people answered that the state's regulatory bureau would regulate compliance.
- Martin Morris, an attorney with the Cannabis Legal Group in Royal Oak, MI, responded to Trustee Caviston's comment that the Michigan Department of Licensing and Regulatory Affairs has created a regulatory bureau that is creating a body of regulations for the medical cannabis industry. He stated that the state will be very meticulous about enforcement and will be performing criminal and financial background checks of applicants. Business plans will also be heavily scrutinized.

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- Supervisor Schwartz closed the public comment portion of the presentation. He asked if anyone present was opposed to having medical cannabis in the township. There was no one opposed. He stated the township would compile a list of interested residents. He told attendees that interested parties could e-mail him through the website. He further stated the board would look at having a town hall meeting that would be advertised in the township.

8. REPORTS

A. SUPERVISOR REPORT

Supervisor Schwartz reported on the following:

- Supervisor Schwartz stated the Geddes Road Demolition project started today. They blocked off the non-motorized trails and began digging to expose the mains in order to cap them. George Tsakoff thinks the project will last 3-4 weeks.
- Supervisor Schwartz met with Washtenaw County Parks & Recreation and the Greenbelt to discuss the Rock land application for the sale of development rights to the County and the Greenbelt. They did supply an application for 300 acres of land north of Geddes.
- The planning commission will be receiving a couple of new projects. The township will be meeting with the convention bureau tomorrow to give an update regarding The Dixboro Village Green Pavilion.
- Roger Monk's/Lord Fox is being converted back to a full-time restaurant with an expansion. The township will meet with new owner, Sava Lelcaj of SavCo Hospitality, on Wednesday.
- New roofing installation on Fairfax Manor/Vibrant Life has started. The water meters are also in the process of being replaced.
- Joanne Julius, Treasurer McKinney's administrative assistant, will be retiring on October 27, 2017. Jennifer Neff has been hired to replace her at a rate of \$15.00 to be increased to \$18.00 after 90 days.
- The board previously authorized the hiring of a part-time Utilities office worker. Lisa Bowie has been hired for the position.
- The planners will be making a presentation to the planning commission in November on a draft master plan for Dixboro. There will be a public hearing to follow.
- There was a homicide in Sycamore Meadows on October 8, 2017. The perpetrator was from Ann Arbor and the victim was from Ypsilanti Township. The Sheriff's department went through on Saturday to provide grief counseling to residents (primarily the children) who may have witnessed the shooting.
- The milling on Vorhies Road has been completed as well as the improvements on Tanglewood. Three intersections were replaced on Tanglewood as well as a bad stretch of the road. Work on Panama is starting this week. The road will be repaired using the federal aid money from Urban County. That turned out to be a more expensive project than expected. Due to the expense, the scope of the project was

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rolled back. Panama Court will be repaired in 2018 in order to keep the expenses under \$100,000.00.

B. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FIRE DEPARTMENT, ORDINANCE OFFICER REPORT, PARKS COMMISSION MINUTES, SHERIFF'S REPORT

It was moved by McKinney, supported by Lewis, that the Superior Township Board receive all reports.

The motion carried by unanimous vote.

C. UTILITY DEPARTMENT FINANCIAL REPORTS PERIOD ENDING AUGUST 31, 2017

It was moved by McKinney, supported by Caviston, to receive the Utility Department Financial reports Period Ending August 31, 2017.

The motion carried by unanimous vote.

9. COMMUNICATIONS

A. None

10. UNFINISHED BUSINESS

A. None

11. NEW BUSINESS

A. RESOLUTION 2017-36, 2018 BUDGETS ALL FUNDS

The township is carrying the Hyundai SAD on the books for one more year. Treasurer McKinney received a letter from the Bank of New Mellon that the Hyundai special assessment district was completely paid off. We have a surplus of about \$12,000.00 and the township will work with the auditors to transfer it to the general fund. In November the township will also transfer old bonds and cash deposits by developers who made the deposits and then left the area. The township has been carrying the deposits for 10 years. The township will create a resolution to transfer them to the general fund and zero them out.

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The Parks & Recreation department has budgeted to hire a new staff member or train a current staff member to become certified to be an arborist for the department. They have also budgeted \$25,000.00 to purchase a used vehicle. The township is transferring a 3% increase out of general funds to Parks & Recreation for a total of \$259,253.00. Parks & Recreation is taking \$77,239.00 out of fund reserves for capital improvements.

The Utility Budget had a 3% increase. \$200,000.00 was added for meters and supplies. The Utility department is in the process of replacing the radio read meters with meters that will communicate with cell towers.

It was moved by McKinney, supported by Green, for the board to adopt the 2018 budget all funds:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO ADOPT A GENERAL APPROPRIATIONS ACT:
2018 BUDGETS FOR ALL FUNDS**

Resolution Number 2017-36

OCTOBER 16, 2017

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

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

WHEREAS, the Board of Trustees of the Charter Township of Superior has carefully considered the projected revenues and expenditures for the coming year, and

NOW THEREFORE, BE IT RESOLVED, that the Charter Township of Superior Board of Trustees adopt the proposed budgets for the 2018 calendar year: the General Fund Budget by activity dated October 16, 2017, the Fire fund Budget dated October 16, 2017, the Building Fund budget dated October 16, 2017, the Law Fund budget dated October 16, 2017, the Park Fund Budget dated October 16, 2017, the Utility Fund Budget dated October 16, 2017, The Streetlight Budget dated October 16, 2017, the Side Street Maintenance fund budget dated October 16, 2017, and the Hyundai Special Assessment Fund dated October 16, 2017.

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Fund	Revenues	Expenditures	Transfers
General	\$1,924,128	\$1,602,501	\$321,627
Fire	1,867,860	1,743,325	124,535
Law	1,756,366	1,756,566	-0-
Building	260,071	260,071	-0-
Parks	338,089	338,089	-0-
Streetlights	87,115	87,115	-0-
Sidestreet Maint.	22,646	17,359	5,287
Hyundai SAD	-0-	-0-	-0-
Utilities	3,736,119	3,646,025	90,094

Roll call:

Ayes: Caviston, Green, Lewis, Findley, McKinney, Schwartz

Nays: None

Absent: Williams

The motion carried by unanimous vote.

CERTIFICATION STATEMENT

I, Lynette Findley, 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 October 16, 2017 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Lynette Findley, Township Clerk

Date Certified

B. RESOLUTION 2017-37, 2018 MILLAGE RATES

It was moved by McKinney, supported by Caviston, for the board to adopt the 2018 Millage Rates:

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**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO ADOPT GENERAL APPROPRIATION ACT MILLAGE
RATES**

Resolution Number 2017-37

OCTOBER 16, 2017

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

WHEREAS, the Board of Trustees recognizes its responsibility to the citizens of the Charter Township of Superior to carefully monitor the Township funds and provide necessary revenue to offset proposed expenditures, and

WHEREAS, the auditors suggested that millage rates for revenue should be by resolution, and

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Superior Board of Trustees adopts the millages on the attachment by Resolution.

	TAXABLE VALUE	MILLAGE	TOTAL TAX REVENUE
GENERAL			
REG	\$607,108,208	0.8098	\$491,636.00
IFT	\$43,691,514	0.4049	\$17,690.00
FIRE	Voter Approved		
REG	\$607,108,208	2.9661	\$1,800,743.00
IFT	\$43,691,514	1.4830	\$64,794.00
LAW	Voter Approved		
REG	\$607,108,208	2.2246	\$1,350,572.00
IFT	\$43,691,514	1.1123	\$48,598.00

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Roll call:

Ayes: McKinney, Schwartz, Findley, Lewis, Green, Caviston

Nays: None

Absent: Williams

The motion carried by unanimous vote.

CERTIFICATION STATEMENT

I, Lynette Findley, 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 October 16, 2017 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Lynette Findley, Township Clerk

Date Certified

C. RESOLUTION 2017-38, PROPOSED TEXT AMENDMENT TO SUPERIOR TOWNSHIP ZONING ORDINANCE

Supervisor Schwartz was approached by the Fleming Creek Advisory Council. The township is the only jurisdiction in the Fleming Creek Watershed that does not require industrial and commercial developments and planned subdivisions to have a walk through with the advisory committee. It is an advisory opinion only. They do not have any authority. Homeowners are exempt. The advisory council will figure out ways to help commercial developers preserve a buffer between the development and Fleming Creek to keep the water quality high.

The following resolution was moved by Lewis, supported by Green:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO PROPOSE A TEXT AMENDMENT TO SUPERIOR
TOWNSHIP ZONING ORDINANCE**

Resolution Number 2017-38

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WHEREAS, the Charter Township of Superior has been approached by the Fleming Creek Advisory Council to amend the Superior Township zoning ordinance to include a provision requiring new commercial developments or a new subdivisions to appear before the Fleming Creek Advisory Council for a plan review to determine if sufficient safeguards are in place to protect the water resources of the Fleming Creek watershed, and;

WHEREAS, the advisory review will be limited to commercial projects and subdivisions physically located within the established boundaries of the Fleming Creek watershed, as set forth on the official Fleming Creek watershed/parcel map.

NOW THEREFORE, BE IT RESOLVED, that the Superior Township Board of Trustees refers this matter to the Superior Township Planning Commission to investigate an amendment to the zoning ordinance consistent with this request.

The motion carried by unanimous vote.

CERTIFICATION STATEMENT

I, Lynette Findley, 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 October 16, 2017 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

Lynette Findley, Township Clerk

Date Certified

D. RESOLUTION 2017-39, HIRING FIRE FIGHTER TYLER J. COKER

Tyler J. Coker replaces Chris Wiggins. Tyler is a part-time firefighter in Northfield Township and is an instructor for fire services at Schoolcraft College. Chief Victor Chevrette recommended the hire of Tyler J. Coker pending the results of his background check.

The following resolution was moved by Lewis, supported by McKinney:

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**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

A RESOLUTION TO HIRE FIRE FIGHTER TYLER J. COKER

Resolution Number 2017-39

OCTOBER 16, 2017

WHEREAS, The Charter Township of Superior, through its fire chief, fire captains and fighters, and the township Clerk, has carefully reviewed the applications to hire a new fire fighter to replace fire fighter Christopher Wiggins, and

WHEREAS, The Superior Township Fire Chief, Victor Chevrette, has submitted a memorandum recommending the Board to hire Tyler J. Coker, Superior Township Fire Fighter, subject to a driving and background review, and subject to all the provisions of the labor agreement with Fire fighters Union Local 3292, International Association of Fire fighters.

NOW, THEREFORE, BE IT RESOLVED, that the Superior Township Board of Trustees hereby hires Tyler J. Coker, Superior Township Fire Fighter, effective at the discretion of the fire chief.

Roll call:

Ayes: Findley, McKinney, Schwartz, Lewis, Green, Caviston

Nays: None

Absent: Williams

The motion carried by unanimous vote.

CERTIFICATION STATEMENT

I, Lynette Findley, 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 October 16, 2017 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
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Lynette Findley, Township Clerk

Date Certified

E. RESOLUTION 2017-40, APPOINTING MARY BURTON UTILITY ADMINISTRATOR

Mary Burton has taken on additional duties and responsibilities at the utilities department and she will be taking the S-4 examination in November and if she passes she will be taking the S-3 exam in May 2018. The appointment is effective September 1, 2017.

The following resolution was moved by Lewis, supported by Green:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

**RESOLUTION TO ESTABLISH THE POSITION OF UTILITY DEPARTMENT
ADMINISTRATOR**

Resolution Number 2017-40

OCTOBER 16, 2017

WHEREAS, the Superior Township Utility Department (STUD) continues the administrative reorganization of the utility administrative office personnel with new job descriptions and duties; and,

WHEREAS, the Supervisor has recognized the need to provide greater administrative oversight in one job classification which shall direct the day to day management of all office personnel, and to provide additional administrative support to the maintenance department.

WHEREAS, the attached job description shall set forth the specific responsibilities of the position, said list not being a total enumeration of specific job duties.

NOW THEREFORE, BE IT RESOLVED, the Superior Township Board hereby approves creating the position of Utility Department Administrator, and appoints the office manager, Mary Burton, to the position at a salary of \$65,000.00.

The motion carried by unanimous vote.

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CERTIFICATION STATEMENT

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Lynette Findley, Township Clerk

Date Certified

F. CONTRACT WITH OHM - GEDDES ROAD BOOSTER STATION

It was moved by Caviston, supported by Green to approve the contract with OHM for the Geddes Road Booster Station in the amount of \$24,200.00:

Roll call:

Ayes: Lewis, Green, Caviston, Findley, McKinney, Schwartz,

Nays: None

Absent: Williams

The motion carried by unanimous vote.

**G. CONTRACT WITH OHM-PROPOSAL FOR WATER SYSTEM ASSET
MANAGEMENT PLAN DEVELOPMENT AND LUCITY SOFTWARE
INTEGRATION**

MDEQ is requiring every community to develop a water system asset management plan by December 31, 2017.

It was moved by Caviston, supported by Green to approve the contract with OHM in the amount of \$30,800.00:

Roll call:

Ayes: Lewis, Green, Caviston, Findley, McKinney, Schwartz,

Nays: None

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Absent: Williams

The motion carried by unanimous vote.

H. DISCUSSION REGARDING TOWNSHIP VEHICLE- FORD EXPLORER REPAIRS

The suspension needs to be repaired on the 2002 Ford Explorer.

It was moved by Green, supported by Findley to authorize the repairs for the Ford Explorer in the amount of \$3,926.14:

The motion carried by unanimous vote.

I. TAX ROLL SPECIAL CHARGES

Treasurer McKinney is requesting that the board authorizes her to levy 2017 special assessments on the winter tax roll in the amount of \$135,294.37.

It was moved by Caviston, supported by Lewis to authorize the levy of the Special Assessments on the winter tax roll:

The motion carried by unanimous vote.

12. BILLS for PAYMENT and RECORD of DISBURSEMENTS

It was moved by McKinney, supported by Lewis, to receive bills for payment and record of disbursements in the amount of \$1,423,424.44

The motion carried by unanimous vote.

13. PLEAS and PETITIONS

Clerk Findley commented on the newsletters which included an insert advertising the Clean-up day arriving late to the township residents.

14. ADJOURNMENT

It was moved by Green, supported by Lewis, that the meeting be adjourned. The meeting adjourned at 10:01 p.m.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
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Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor