

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 19, 2019
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 7:00 p.m. on February 19, 2019 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, Lisa Lewis, Brenda McKinney, Ken Schwartz, Alex Williams, Mehgan Winslow.

4. ADOPTION OF AGENDA

It was moved by Caviston supported by Winslow, to adopt the agenda as presented. The motion carried by unanimous vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF JANUARY 22, 2019

It was moved by Lewis supported by Winslow, to approve the minutes of the regular Board meeting of January 22, 2019 as presented.

The motion carried by unanimous vote.

6. CITIZEN PARTICIPATION

A. CITIZEN COMMENTS

None

7. PRESENTATIONS AND PUBLIC HEARINGS

- Supervisor Schwartz stated, the copper and lead presentation will be moved to the March meeting. Supervisor Schwartz introduced George Tsakoff from OHM Advisors. George gave a presentation on the MacArthur water main replacement and the State Revolving Fund (SRF).

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George defined the background of the MacArthur project explaining in detail the necessity to replace the older system. He explained that there is currently 3200 feet of asbestos in the water main from Harris Road to Wiard Blvd. The area will be replaced with a high-density polyethylene water main. George stated the current budget for the water main replacement is \$800,000. The construction timeline will occur during the summer between June and September. George's presentation outlined and defined the differences of directional drilling and pipe busting. He also summarized the areas of the project where existing pipes will be replaced and new piping, trenches, and manhole installation will occur. The plans presented will offer the best opportunity to avoid service interruptions to the community. George indicated the redesign plans will go out for bids within two months. He further explained the old manhole will be abandoned and grouted. Supervisor Schwartz stated the board's input will be needed and a decision to vote on this project will be required. The project is one of the two capital gains projects over the next five years. The project will be a major accomplishment. The Township's financial consultants will evaluate the cost and how much the Township should borrow or pay.

George provided the board with an SRF project plan. George further explained the SRF is a 2% low interest loan program offered through the MDEQ for capital improvements projects. The loan will allow one large project or several projects of a large dollar amount in lieu of finding the Township's own financing from a private entity. The program has been used by communities on the waste water side and drinking water side. There is a critical timing prospective to consider. The project plans are due by July 1st and a public hearing is necessary in May. The intent will be to obtain a loan amount that will cover all of the work in the 2015 Michigan Stormwater Asset Management and Wastewater (SAW) Grant, including the Clark Road Lift Station replacement, Harvest Lane sewer rehabilitation, and the manhole pipe rehabilitation. The proposal presented to the board is specifically a project plan with options and does not include detail engineering. We will be submitting a report that includes preliminary engineering options for the Clark Road Sewer and Harvest Lane sewer with intent on how to design and build the project. We will also include reports with the environmental impact requirements and evaluations of alternatives and analyses. George mentioned by completing these steps, the community will be positioned to rank on the priority listing. Sometimes there are funds for infrastructure and typically the DEQ may use the funds as stimulus which may result in principal forgiveness. It is not known with absolute if principle forgiveness will be granted. The project plan will outline the three sewer projects that we will undertake. The Clark Road Lift Station replacement is currently in the road right away. Rickey Harding was asked to describe the work needed on a monthly basis. Rickey stated, this year the Township has spent a lot of money maintaining it. The station is positioned 8 to 10 feet off the road and has been hit by cars at least a half dozen times. Rickey stressed that he has gone down about 25 feet into the station. Dangerous conditions would exist if a car should hit the station when someone is down in it. George emphasized as part of the project plan the concerns of liability of the station will be communicated to the DEQ and the options with sewer. The third component to be addressed is the SAW work in 2015

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where the Township's system was assessed including the piping throughout the system and manholes where we recommend what is needed to rehabilitate. Treasurer McKinney recommended the board take action on the project in the meeting tonight after hearing Rickey's statement concerning safety. The plan will begin ranking down in the que at DEQ in 2020 or 2021. The plan implementation will not start before next year. Trustee Lewis asked for clarification concerning the proposal plan language which indicates both rehab and replacement. George responded that the project plans recommendation is to replace however, DEQ requires both options to be submitted along with the recommendations. Trustee Williams asked if anything will be done about the roads at Harvest Lane in 2020 or 2021. The road replacement was planned to be replaced last year, however due to the construction worker lock out, the contract was lost. We also lost the contract for Panama Court. Those prices have been guaranteed and will come back in the spring. The issue was if we went with the joint seal program, we will not have to complete an open cut and we would not have to rehabilitate the flow and the sewer project will remain independent. Treasurer McKinney expressed even though the project is expensive the health and safety is of a bigger concern.

It was moved by McKinney supported by Williams, that the Superior Township Board approve the proposal and the SRF project plan development.

Roll call

Ayes: Lewis, Caviston, McKinney, Schwartz, Winslow, Williams, Findley

Nays: 0

Absent: 0

The motion carried by unanimous vote.

8. REPORTS

A. SUPERVISOR REPORT

Supervisor Schwartz reported the following:

- The Gotfredson Road Sewer Project for Salem Township which is technically Schostak Brothers is being investigated. The Governor's office is examining the appropriation of \$10,000,000 from the end of last year for this project. The first installment of \$5,000,000 Salem spent \$800,000 for engineering. They have \$4,200,000 sitting in the bank for the project. There is another \$5,000,000 allocated but never given to them in 2017. The \$10,000,000 appropriation has been temporary stopped. The developer should be paying for that particular project and it is not clear what will happen with the project because the

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state of Michigan should not be paying. Treasurer McKinney stated, we have the support from the County Board of Commissioners. The County Board of Commissioners are doing a resolution relative to the Gotfredson Road Sewer Project. The resolution will be sent to the governor's office to request a recall of the \$10,000,000 installment. Treasurer McKinney thanked Supervisor Schwartz for his hard work on the state and county level. Supervisor Schwartz spoke about the importance of addressing the issue as the board amended the utility ordinance last year to address any utility governance or treatment of pipes, pumps, pertinences will require a permit from the Township board. The Township has statutory authority and constitutional authority of actions in our right of way with the purposes of putting in the water and sewer lines. Supervisor Schwartz sent the attorney a copy of the amended ordinance so that Salem may request a permit from the Township. The board will make a decision when the permit request is submitted. State Representative Ronnie Peterson and Senator Jeff Irwin along with many other legislators are also stepping up because of the flawed process in which the money was received.

- St Joe's Hospital will ask for a site plan to expand the farm on the property. There was nothing further to report.
- The Dixboro master planning is on the way. The first step in the plan is to determine where the borders of Dixboro are.
- He had a meeting with Demetrius Parker who is the new MDOT Director for this area. We have submitted our plans from the past for M153 and Plymouth Road safety improvement and white lane improvements.
- 1624 Harvest Lane is going to be sold to Habitat for Humanity. The price for the house was \$50,000. Habitat will complete the rebuilt correctly. Habitat will take approximately one year to complete the new home build. The good news is the Township will get back all of expenses incurred including inspections, probate, and public administration fees totaling \$3000.
- Mr. Burley on Warren Road died. The sheriff was notified because Mr. Burley missed a luncheon. He was found slumped over on a table in the home. The Township will enforce on the order to clean up the property under the trust if there is no probate. We are allowing some time for the funeral to take place before enforcement on the order.
- The server installation and the computers in the office have been updated. The computer glitches were worked out by Nimble and the changes went smoothly.
- There is going to be a new ten-inch magnetic meter installed on February 28th at the Clark Road Booster Station. Evan Pratt reached out and said there are some grants for storm water control on MacArthur. We were talking about rain guards picking the storm water up from across the road at the apartments and parking lots. We may want to consider when we put the new fire station down at MacArthur and Harris grant

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opportunities for cleanup and put detention on the drain commission's property. The action will take all the water from across the road and our new fire station and we won't have to put detention on our own property.

- Supervisor Schwartz inquired from Treasurer McKinney for details of money she was able to get the Township. Treasurer McKinney explained Destination Ann Arbor has a tourism marketing sponsorship grant program. We will be receiving money for the Christmas Tree Lighting at the Superior Township Hall, the Dixboro Green Movies on the Green, Oakbrook Park Movies in the Park, as well as Superior Day. The four grants of \$500 are for signage and advertising to attract tourism. The Parks and Recreation Department has submitted the application to receive this funding. Supervisor Schwartz stated we found out about Dixboro Village having the movie in the parks a couple of weeks ago. They will pay for the licensing and putting up the big screen. It is going to be very nice. Sandy Lopez made a point of clarification that the movies in Dixboro and Oakbrook are part of the Parks & Recreation Department not Dixboro Village.

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

It was moved by Caviston, supported by Williams, that the Superior Township Board receive all reports.

The motion carried by unanimous vote.

9. COMMUNICATIONS

- A. Treasurer McKinney provided the December 20th quarterly investment report. Please see attached report.

10. NEW BUSINESS

A. RESOLUTION 2019-01, AMEND APPROVING 2019 POVERTY EXEMPTION GUIDELINES FOR THE TAX BOARD OF REVIEW

Supervisor Schwartz asked Clerk Findley to expound on the amendment of Resolution 2019-01. Clerk Findley explained the resolution is an amendment to add the funding amount to #3. The question was called to approve resolution 2019-01 with the amended funds added to # 3 for poverty exemptions.

The following resolution was moved by Lewis supported by Findley.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO AMEND APPROVING 2019 POVERTY
EXEMPTION GUIDELINES FOR THE TAX BOARD OF REVIEW**

RESOLUTION NUMBER: 2019-01

DATE: FEBRUARY 19, 2019

WHEREAS, the adoption of guidelines for poverty exemptions is to be set from time to time by the Township Board; and

WHEREAS, the principal residence of persons, who the Supervisor/Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the Charter Township of Superior, Washtenaw County adopts the following guidelines for the Board of Review to implement. The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the supervisor/assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.
- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc. All assets not including the homestead shall not exceed \$20,000. Expenses and extenuating financial circumstances that are temporarily beyond the control of the applicant will be taken into account. Based upon the assets and income listed on a poverty

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exemption application, the Board of Review may grant the applicant 0% to 100% exemption. An applicant could meet the income guidelines but not the asset guidelines.

- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

The following are the federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence as revised. The Superior Township annual allowable income is also included for all persons in the principal residence.

Annual Allowable Income for 2019 Assessments

Number of Persons Residing in the Principal Residence	Federal Poverty Guidelines Annual allowable Income	Superior Township Annual allowable Income
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1 Person	\$12,140	\$22,000
2 Persons	\$16,460	\$27,000
3 Persons	\$20,780	\$32,000
4 Persons	\$25,100	\$37,000
5 Persons	\$29,420	\$42,000
6 Persons	\$33,740	\$47,000
7 Persons	\$38,060	\$52,000
8 Persons	\$42,380	\$57,000
For each additional person	\$4,320 per person	\$5,000

NOW, THEREFORE, BE IT HEREBY RESOLVED that the supervisor/assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and

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compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

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 February 19, 2019 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 2019-05, APPROVE PROMOTION FOR RICKEY HARDING,
SUPERINTENDENT FOR UTILITY MAINTENANCE**

Supervisor Schwartz stated Resolution 2019-05 is for the Superior Township Board to approve the reclassification of Rickey Harding, as the permanent utility maintenance superintendent for the Superior Township Utility Department and increase his pay to include an additional 5% beginning with the next payroll cycle. Rickey upgraded his skill level because he would like to be here a long time and eventually run the show down there. Rickey worked hard to pass the S-3 and S-2 license. The tests were not easy. Rickey was asked to introduce his family. Everyone offered congratulations.

The following resolution was moved by McKinney supported by Lewis.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO APPOINT RICKEY HARDING AS
UTILITY MAINTENANCE SUPERINTENDANT
FOR THE SUPERIOR TOWNSHIP UTILITY DEPARTMENT**

RESOLUTION NUMBER: 2019-05

FEBRUARY 19, 2019

WHEREAS, Rickey Harding, was appointed interim utility maintenance superintendent in September 2017 with an S-4 operators license; and,

WHEREAS, Rickey Harding has tested and passed the MDEQ S-3 and S-2 sanitary operator's license.

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NOW THEREFORE, BE IT RESOLVED: the Superior Township Board approves reclassifying Rickey Harding, as the permanent utility maintenance superintendent for the Superior Township Utility Department at the additional rate of 5% beginning with the next payroll cycle.

The motion carried by unanimous vote.

CERTIFICATION STATEMENT

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Date Certified

C. RESOLUTION 2019-06, APPROVE CONTRACT WITH PFEFFER, HANNIFORD, PALKA FOR SUPERIOR TOWNSHIP AUDIT, 2018-2020

Supervisor Schwartz stated resolution 2019-06 is a standard contract for the auditor.

The following resolution was moved by McKinney supported by Williams.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION APPROVING AUDITING SERVICE
CONTRACT WITH PFEFFER, HANNIFORD AND PALKA**

RESOLUTION NUMBER: 2019-06

FEBRUARY 19, 2019

WHEREAS, The Charter Township of Superior Board of Trustees has requested a proposal from Pfeffer, Hanniford and Palka to continue providing auditing and financial reporting services to Superior Township, and;

WHEREAS, Superior Township has budgeted for this expense and the Board of Trustees has been very satisfied with past services and performance.

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NOW THEREFORE BE IT RESOLVED that the Superior Township Board of Trustees hereby approves a contract for three years with Pfeffer, Hanniford and Palka for the services as set forth in the January 31, 2019 letter of understanding and professional services contract.

The motion carried by unanimous vote.

CERTIFICATION STATEMENT

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Lynette Findley, Township Clerk

Date Certified

**D. RESOLUTION 2019-07, APPOINT SUPERIOR TOWNSHIP BOARD OF REVIEW
2019-2020**

Supervisor Schwartz stated in resolution 2019-07 we are correcting the resolution approved in December for the Board of Review members from one year to a two-year term. The assessor wants to assure there is no room for error. The law was revamped his year which has created an issue with roles. The assessor does not want the State to come back and state the board was not appointed properly and get deducted points. The resolution corrects the term.

The following resolution was moved by McKinney and supported by Williams.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION APPOINTING SUPERIOR TOWNSHIP
BOARD OF REVIEW MEMBERS FOR 2019-2020**

RESOLUTION NUMBER 2019-07

DATE: FEBRUARY 19, 2019

WHEREAS, Superior Township conducts annual boards of review in March, July and December to hear property assessment appeals and to correct error and omissions on the tax roll; and,

WHEREAS, the Board appointed the Board of Review members for 2019 Board of Review year in December 2018; and,

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WHEREAS, the members of the Board of Review shall be appointed to two-year terms pursuant to MCL 211.28; and,

WHEREAS, three township residents and property owners have volunteered to serve on the Board of Review for 2019 and 2020.

NOW THEREFORE, the following residents are appointed to serve on the Superior Township Board of Review for the calendar year 2019 and 2020.

1. John MacNicol
2. James Switala
3. Kay Williams

The motion carried by unanimous vote.

CERTIFICATION STATEMENT

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Lynette Findley, Township Clerk

Date Certified

E. RESOLUTION 2019-08, FUNDING FOR THE SOUTHEAST MICHIGAN LAND CONSERVANCY FOR SUPERIOR GREENWAY EXPANSION, PHASE II

Supervisor Schwartz review of the resolution to support funding for Southeast Michigan Land Conservancy for Superior Greenway Expansion Phase II. Supervisor Schwartz asked if there was anyone from the public that had comments. Marion Morris provided a point of clarification and stated even though the resolution states the Southeast Michigan Land Conservancy they, came in with late involvement. Southeast Michigan Land Conservancy (SMLC) agreed to be the holder and distributor of the money for the project, act as the overseer of the land, and rehabilitate the land. The money stated in the resolution is a combination from various entities including Marion and her husband. Marion also wanted to note a thank you to Jacks Smiley who worked tirelessly on the project as far the historical aspect of the park. Supervisor Schwartz stated he did not mean to imply that the Southeast Michigan Land Conservancy raised all the money. This was a huge fundraising effort. Marion Morris explained further to include other contributors such as Washtenaw County, Greenbelt, and SMLC. Sandy Lopez also commented that the Superior Land Preservation Society is putting in \$20,000 for this project. Sandy stated \$10,000 will go towards the purchase and \$10,000 towards the restoration of the property. She wanted to also echo what

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was said about Jack Smiley and his efforts on the project. Supervisor Schwartz stated this project fits perfectly with the 85 acres with development rights purchased by the county that is already preserved as open farmland. The expansion gives us a high moral ground as we talk about Salem Township and their sewer parallel to our Township plans and desire for land preservation and land use management. The Township has the money and it is for appropriate purposes. Supervisor Schwartz called the question for a motion.

The following resolution was moved by McKinney, supported by Lewis, to approve funding for the Southeast Michigan Land Conservancy for Superior Greenway Expansion, Phase II.

**CHARTER TOWNSHIP OF SUPERIOR
WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO SUPPORT FUNDING SOUTHEAST MICHIGAN LAND
CONSERVANCY FOR SUPERIOR GREENWAY EXPANSION PROJECT - PHASE II**

RESOLUTION NUMBER 2019-08

DATE: FEBRUARY 19, 2019

WHEREAS, the Southeast Michigan Land Conservancy wants to purchase 80 acres on Berry Road and Ford Road in Superior Township; and,

WHEREAS, this property is adjacent to Washtenaw County's Weatherbee Woods Preserve which adjoins Superior Township's Schroeter Park. On the east side, the property borders an 82-acre parcel of protected farmland; and,

WHEREAS, acquisition of the parcel will consolidate 278 acres of protected land at this location completing a major norther component of the Superior Greenway; and,

WHEREAS, the Southeast Michigan Land Conservancy is requesting the Superior Township Board to contribute a \$20,000 donation; and,

NOW THEREFORE BE IT RESOLVED, the Superior Township Board supports the donation request from the Southeast Michigan Land Conservancy for the Superior Greenway Expansion Project, Phase II, in the amount of \$20,000; and,

BE IT FURTHER RESOLVED, this contribution will come from the legal defense millage which was created for this purpose, representing 7% of the \$286,000.00 in the legal defense fund.

A Roll Call Vote

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Ayes: 7 William, Lewis, Winslow, Findley, Caviston, McKinney Schwartz,

Nays: 0

Absent: 0

The resolution carried by unanimous vote.

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Lynette Findley, Township Clerk

Date Certified

**F. REQUEST TO PURCHASE SELF CONTAINED BREATHING APPARATUS FOR
FIRE DEPARTMENT**

Supervisor Schwartz stated we have two components to consider from Chief Chevrette. The first motion needed is to purchase self-contained breathing apparatuses. The grant has already been given to the Township in the amount of \$100,812 and we have a 10% match. We will need a motion to approve the \$10,000 match. The second component is to accept the bid from Premier for the same grant. We will act as the fiduciary for all of the other fire departments. Our board already approved our fire department to act as the fiduciary of this grant. The grant has now been secured and we will be accepting the bid on the equipment. The Chief added we have two bids, one from Premier Safety and from Westshore. There is a \$90,000 difference of the two. Everything is listed by line item. Premier Safety came in closest to the grant award which is \$1,252,400. We met with all nine fire departments to outline plans of what was needed to order. Supervisor Schwartz requested a motion.

It was moved by Caviston, supported by McKinney, to approve for Breathing Apparatus for Fire Department.

The motion carried by unanimous vote.

BILLS for PAYMENT and RECORD of DISBURSEMENTS

It was moved by McKinney, supported by Caviston, to receive bills for payment and record of disbursements in the amount of \$1,345,363.47.

The motion carried by unanimous vote.

13. PLEAS and PETITIONS

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Supervisor Schwartz called on Sandy for pleas and petitions. Sandy stated we do not have a map showing all of the preserve areas in the Township. Sandy volunteered to color in the areas considered preserves for everyone to see. Supervisor Schwartz informed Sandy the map is underway with the new planners. We just received the new zoning map a month ago. We are working on mapping all the preserve land. We will also have a database that will be updated with new information. Electronic copies of the maps will be available.

14. ADJOURNMENT

It was moved by Caviston supported by Winslow, that the meeting be adjourned. The motion carried and the meeting adjourned at 8:09 p.m.

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor