

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
JANUARY 17, 2023
APPROVED 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 January 17, 2023, 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 Supervisor Ken Schwartz, Clerk Lynette Findley, Treasurer Lisa Lewis, Trustee Nancy Caviston, Trustee Bernice Lindke, Trustee Rhonda McGill, and Trustee Bill Secrest.

Absent: None

4. ADOPTION OF AGENDA

It was moved by Treasurer Lewis supported by Trustee Caviston, to adopt the agenda.
The motion carried by unanimous vote.

5. APPROVAL OF MINUTES

A. DECEMBER 19, 2023, REGULAR MEETING

It was moved by Trustee Caviston supported by Trustee McGill, to approve the minutes of the regular Board meeting of December 19, 2022, as presented.

The motion carried by unanimous vote.

~~B. DECEMBER 19, 2023, REGULAR MEETING, CLOSED SESSION~~

6. CITIZEN PARTICIPATION

A. CITIZEN COMMENTS

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- Annie Somerville, County Commissioner, introduced herself to the Board and Township. She informed the Township that the County meetings are held on the first and third Wednesday of every month at 5:30p.m.
- Jan Piert, Ann's Way, voiced her support of the proposal for a community garden.
- Scott Nelson, Whitmore Lake, Michigan, spoke about past work with T.C. Collins and gave his support for a community garden.
- Clerk Findley read several emails from residents in support of a community garden.

7. PRESENTATIONS AND PUBLIC HEARINGS

A. COMMUNITY GARDEN – T.C. COLLINS

- T.C. Collins gave a presentation detailing plans and costs for a community garden in the Township. He is asking for \$170,000.00 (one hundred seventy thousand) in ARPA funds for this project.

8. REPORTS

A. SUPERVISOR REPORT

Supervisor Schwartz reported on the following:

- Sidewalk repairs: A letter will be sent to residents in March, and they will have until October 1, 2023, to make repairs. The Supervisor would like to see marks, made by OHM, indicating where repairs need to be made. He stated a concrete contractor may be able to make the marks and that the Township should find a concrete vendor for the residents. He added that Geddes Ridge still needs to be evaluated.
- Supervisor Schwartz will bring, to the February Board meeting, a proposal for removal of tree stumps left at the corners of MacIntosh and Harvest Ln, and MacIntosh and Wiard by DTE.
- Salem Sewer case appeal: oral arguments have been made, and it may be months before an opinion is given.
- Signs and More will be providing bids to repair Oakbrook signs. Supervisor Schwartz hopes to have the bids by the February Board meeting.
- YMCA Focus Group: Supervisor Schwartz and Clerk Findley reported on their positive experience in the focus group that was run by Gro Marketing.
- Lieutenant Robinson will attend the February 21, 2023, Board Meeting.
- Appraisal for Dixboro Green: Supervisor Schwartz was referred to an appraiser who only does church appraisals. He has not heard back from Paul Bidwell.

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B. LIAISON REPORT ON PARKS AND RECREATION COMMISSION MEETING - TRUSTEE LINDKE

- The Commission has not met since last Board of Trustees meeting.

C. COMMUNITY CENTER ADVISORY COMMITTEE UPDATE- CLERK FINDLEY

- The Committee has not met since the last Board of Trustees meeting.

D. ARPA FUNDS COMMITTEE UPDATE – TRUSTEE MCGILL

- Presentation from T.C. Collins during Presentations and Public Hearings.
- Trustee McGill stated the Committee feels it would be best to commit the remainder of the ARPA funds to the Community Center.

E. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FIRE DEPARTMENT, PARKS COMMISSION MINUTES, SHERIFF’S REPORT

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

Trustee Lindke stated she would like to address the amount of “Out of Area” calls.

The motion carried by unanimous vote.

9. COMMUNICATIONS

A. COMMITTEE TO PROMOTE SUPERIOR TOWNSHIP – EMAIL FROM BRENDA BAKER

- Juan Bradford, Parks and Recreation, stated the Parks and Recreation Department is working to bring back Superior Day.
- Brenda Baker explained the welcome packets.
- Clerk Findley offered to share a list of businesses in Superior Township.

B. VICTOR LILLICH MOVE TO NEW FIRM AND RATE INCREASE -EMAIL

- Victor Lillich spoke about his move to a new firm and informed the Board the new firm will be sending them a letter with information on the new rate.
- Fred Lucas also introduce Burke Castleberry, new attorney at the firm with Mr. Lucas and Mr. Lillich.

10. UNFINISHED BUSINESS

A. ADA CURB CUTS -UPATE FROM OHM

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- No update currently. Supervisor Schwartz was unable to contact Kyle Selter, OHM. He plans to email him and forward email to Board members.

B. PERMIT FOR WELL AT DIXBORO VILLAGE

- No update currently. Supervisor Schwartz is waiting for a call back from John Pelukas.

C. PLAN FOR FIREFIGHTERS' NEW SLEEPING AREA IN OLD TOWNSHIP LIBRARY

- Chief Chevrette gave presentation and rough numbers for completing the project. The Board asked for final numbers.
- Trustee McGill asked if the cost would come from the Fire Department budget. She also confirmed that the Parks and Recreation Department has space in the building, and she stated it is her understanding Parks and Recreation does not have access to a restroom.
- Trustee Lindke stated the lack of a restroom was unacceptable and questioned if this was against OSHA rules. Several other Board members expressed their agreement.
- Trustee McGill asked about the rules concerning the number of firefighters required.
- Chief Chevrette explained the OSHA rule of two in, and two out.
- Trustee Lindke asked if the entire space is needed and about the use of different areas in the building.
- Trustee McGill and Trustee Caviston inquired if the building has been looked at for possible additions.
- There was a discussion about different options for the space and providing a restroom access for Parks and Recreation.

D. LIGHTING ALONG PATHWAY ON HARRIS ROAD – UPDATE FROM SUPERVISOR SCHWARTZ

- DTE has submitted a bid and Supervisor Schwartz is hoping to have to a contract in time for the February Board meeting.
- Treasurer Lewis stated the bid total was \$8469.28 (eight thousand, four hundred and sixty nine dollars and twenty-eight cents).

11. NEW BUSINESS

A. RESOLUTION 2023-1, RESOLUTION TO ADOPT THE PARKS, RECREATION AND OPEN SPACE 2023-2027 PLAN

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The following resolution was moved by Trustee Lindke supported by Clerk Findley.

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WASHTENAW COUNTY, MICHIGAN
JANUARY 17, 2023
RESOLUTION 2023-1**

**A RESOLUTION TO ADOPT THE PARKS, RECREATION AND OPEN SPACE 2023-
2027 PLAN**

WHEREAS, the Superior Township Parks & Recreation Commission has undertaken a planning process to determine the recreation and natural resource conservation needs and desires of its residents during a five-year period covering the years 2023 through 2027; and

WHEREAS, the Parks & Recreation Commission began the process of developing a Parks, Recreation, and Open Space Plan in accordance with the most recent guidelines developed by the Department of Natural Resources and made available to local communities; and

WHEREAS, the Parks & Recreation Commission has developed the plan as a guideline for improving recreation and enhancing natural resource conservation for the Charter Township of Superior; and

WHEREAS, residents of the Charter Township of Superior were provided with a well-advertised opportunity during the development of the draft plan to express opinions, ask questions, and discuss all aspects of the recreation and natural resource conservation plan; and

WHEREAS, the public was given a well-advertised opportunity and reasonable accommodations to review the final draft plan for a period of at least 30 days, and

WHEREAS, a public hearing was held on December 19, 2022, at the Charter Township of Superior's Township Hall to provide an opportunity for all residents of the township to express opinions, ask questions, and discuss all aspects of the 2023-2027 Parks, Recreation, and Open Space Plan, and

WHEREAS, after the public hearing, the Parks & Recreation Commission voted to adopt said 2023-2027 Parks, Recreation, and Open Space Plan; and

WHEREAS, the plan serves as a guideline for park land, open space, and recreation planning by the Parks & Recreation Commission; and

WHEREAS, the plan also serves as a planning tool for other Township boards and commissions, such as the Planning Commission and the Township Board; and

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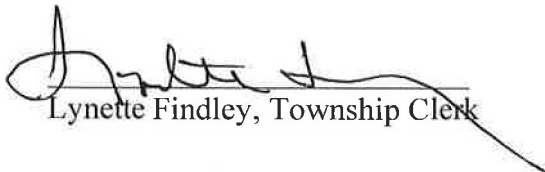
WHEREAS, the adoption of a five-year plan is mandated by the State of Michigan for eligibility for State grants; and

WHEREAS, the Park & Recreation Commission has recommended that the Superior Charter Township Board adopt the Plan;

NOW, THEREFORE, BE IT RESOLVED, that the Superior Charter Township Board concurs with the recommendation of the Parks & Recreation Commission and hereby adopts the Parks, Recreation, and Open Space Plan for the Years 2023-2027.

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 Charter Township of Superior Board held on January 17, 2023, 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

01/17/2023

Date Certified

The resolution carried by unanimous vote.

B. RESOLUTION 2023-2, RESOLUTION TO PURCHASE FIRE MARSHAL VEHICLE.

The following resolution was moved by Trustee Caviston supported by Treasurer Lewis.

Chief Chevrette explained the need for the vehicle, the cost, and stated that the funds were approved in the 2023 budget.

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WASHTENAW COUNTY, MICHIGAN
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RESOLUTION 2023-2**

A RESOLUTION TO PURCHASE FIRE MARSHAL VEHICLE

WHEREAS, The Charter Township of Superior Fire Department is in need of a vehicle for the Fire Marshall; and,

WHEREAS, The Charter Township of Superior Board approved the Fire Department 2023 Budget which includes the purchase of a new vehicle; and,

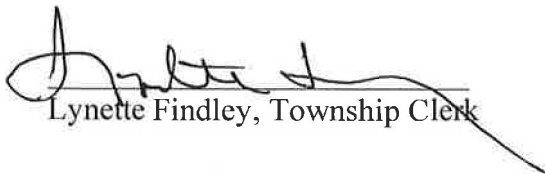
WHEREAS, The Charter Township of Superior Fire Chief has received a quote for a 2023 GMC Sierra 3500HD Crew Cab 4x4 Pickup Truck and recommended remote start from Todd Wenzel Buick GMC of Westland, under the State of Michigan MiDeal program; and,

WHEREAS, The cost totals \$40, 224.20.

NOW, THEREFORE, BE IT RESOLVED THAT: the Charter Township of Superior Board of Trustees hereby approves the purchase of the 2023 GMC Sierra 3500HD Crew Cab 4x4 Pickup Truck and recommended remote start for the cost of \$40,224.20.

CERTIFICATION STATEMENT

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Lynette Findley, Township Clerk

01/17/2023

Date Certified

Roll Call:

Ayes:
Treasurer Lewis
Trustee Lindke

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Trustee McGill
Trustee Secrest
Supervisor Schwartz
Trustee Caviston
Clerk Findley

Nyes:
None

Absent:
None

The resolution carried by unanimous vote.

Supervisor Schwartz added that he would like to add making the Fire Marshal Permanent Part-time at the next Board meeting.

Treasurer Lewis stated the new truck cost was approved in the 2023 budget.

C. RESOLUTION 2023-3, A RESOLUTION APPROVING 2023 POVERTY EXEMPTION GUIDELINES FOR THE BOARD OF REVIEW

The following resolution was moved by Trustee Lindke supported by Clerk Findley.

Supervisor Schwartz explained the resolution.

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WASHTENAW COUNTY, MICHIGAN
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RESOLUTION 2023-3**

**A RESOLUTION APPROVING 2023 POVERTY EXEMPTION GUIDELINES FOR THE
BOARD OF REVIEW**

WHEREAS the adoption of guidelines for poverty exemptions is required of the Township Board; and

WHEREAS, the principal residence of persons, who the 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

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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 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.
- 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.
- 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, Michigan Department of Treasury form 5737 (01-21) 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. The Superior Township annual allowable income is also included for all persons residing in the principal residence.

Annual Allowable Income for 2023 Assessments

| <u>Number of Persons Residing in the Principal Residence</u> | <u>Federal Poverty Guideline Annual allowable income</u> | <u>Superior Township Annual allowable income</u> |
|---|---|---|
| 1 Person | \$13,590 | \$25,142 |
| 2 Persons | \$18,310 | \$30,142 |

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| 3 Persons | \$23,030 | \$35,142 |
| 4 Persons | \$27,750 | \$40,142 |
| 5 Persons | \$32,470 | \$45,142 |
| 6 Persons | \$37,190 | \$50,142 |
| 7 Persons | \$41,910 | \$55,142 |
| 8 Persons | \$46,630 | \$60,142 |
| For each additional person | \$4,720 per each additional person | \$5,000 per each additional person |

Asset Test

The applicant is required to provide a list of assets for all persons residing in the residence. Based upon the assets and income listed on a poverty exemption application, the Board of Review may grant the applicant 100%, 50% or 25% reduction in taxable value. An applicant could meet the income guidelines but not the asset guidelines. The total assets for all persons residing in the residence excluding the homestead shall not exceed \$20,000.

Assets include but are not limited to:

- A second home, land, vehicles
- Recreational vehicles such as campers, motorhomes, boats, and ATV’s
- Buildings other than the residence
- Equipment, other personal property of value
- All Bank accounts, stocks
- Money received from the sale of property, such as, stocks, bonds, or a house or car (unless a person is in the specific business of selling such property)
- Withdrawals of bank deposits and borrowed money.
- Gifts, loans, lump-sum inheritances, and one-time insurance payments
- Food or housing received in lieu of wages.
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches.

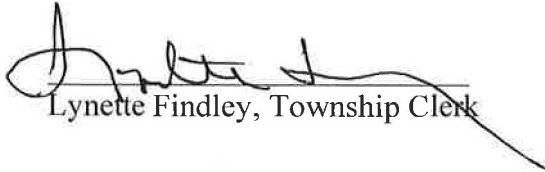
NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption. Based upon the assets and income listed on a poverty exemption application, the Board of Review may grant the applicant 100%, 50% or 25% reduction in taxable value.

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

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correct copy of a resolution adopted at a regular meeting of the Charter Township of Superior Board held on January 17, 2023, 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

01/17/2023

Date Certified

Roll Call:

Ayes:

Trustee Caviston
Clerk Findley
Treasurer Lewis
Trustee Lindke
Trustee McGill
Trustee Secrest
Supervisor Schwartz

Nyes:

None

Absent:

None

The resolution carried by unanimous vote.

D. CONVERSION OF OLD TOWNSHIP LIBRARY INTO SLEEPING AREA FOR FIREFIGHTERS

- Chief Chevrette gave presentation during unfinished business. There was a discussion about the project which included providing a restroom for the Parks and Recreation staff. He shared the quotes he has so far. Paint wall and doors: \$2,700.00 (two thousand-seven hundred), wall dividers and four (4) bed frames: \$3,600.00 (three thousand-six hundred), station alerting system: \$3,400.00 (three thousand-four hundred) and electrical upgrade: \$4,900.00 (four thousand-nine hundred).
- The Board asked that the Chief provide a detailed budget and that he works with Juan Bradford provide a plan for a restroom for the Parks and Recreation staff.

It was moved by Trustee McGill supported by Trustee Caviston to table the motion until the February 21, 2023, Board of Trustees' meeting.

The motion was tabled by unanimous vote.

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E. TREASURER LEWIS REQUEST FOR AN ADDITIONAL 3 TO 5 HOURS OF TRAINING FROM THE FORMER SUPERIOR TOWNSHIP TREASURER

It was moved by Clerk Findley supported by Trustee McGill to approve an additional three to five hours of training to Treasurer Lewis by the former Superior Township Treasurer.

The motion passed by unanimous vote.

F. FIRE FIGHTERS CONCERN WITH RESOLUTION 2022-75

- Fred Lucas suggested the Township set aside the remaining amount not given in the Wellness Bonus and pay out as needed. He reasoned that the cost to the Township would not be as great, and benefits would not be diminished.
- Trustee McGill asked if this would apply to non-union employees as well.
- Supervisor Schwartz explained that historically non-union employees did not receive the full amount in their Wellness Bonuses.
- Fred Lucas stated the amount is not stated in the contract, however, an arbitrator will look at historical practice and that it is unclear if this payment was bargained for.
- Trustee Lindke stated many non-union employees would like equity. She and another Trustee have been trying to calculate the cost to the Township to provide equal Wellness Benefits to all employees.
- Trustee McGill stated that it should be equal, pointing out that reaching the deductible could be a hardship for any employee.
- Trustee Caviston agreed.
- Clerk Findley stated non-union and union employees alike were not aware of the disparity until two days prior to the January Board meeting. She asked when this difference began.
- Treasurer Lewis stated what she was hearing from the Board is that the other members would like to see equity in the benefits.
- Trustee Lindke suggested that the Board place the difference into a fund for the non-union employees as well.
- Fire Fighter Lance Pierce made a comment that this plan would cause the office staff more work. He also brought up that the Union was not alerted to the change in Health Plan.
- Clerk Findley stated the Township would be able to accommodate the extra workflow.
- Supervisor Schwartz asked if the Board was in agreement that if the money is set aside for Union employees that it should also be done for non-union.
- The other Board members stated yes.
- Fred Lucas stated that a grievance has been filed and that the Board should go through the grievance process prior to making a decision.
- Fred Lucas informed the Board he and Juan Bradford would be meeting the following day with Youth Art Alliance (YAA). He has sent the contract to Mighty Oaks and has not received a response.

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12. BILLS for PAYMENT and RECORD of DISBURSEMENTS

It was moved by Treasurer Lewis supported by Clerk Findley, to receive bills for payment and record of disbursements.

Trustee Lindke asked about the payments of \$4940.00 (four thousand nine hundred and forty) and \$3450.00 (three thousand four hundred and fifty) to Castleberry and Lucas, and their fee increases. She asked about a payment to Clerk Findley for over \$1000.00 (one thousand), a payment to Washtenaw County for \$24,000.00 (twenty-four thousand) for library, the monthly retainer to Carlyle Wortman, and the payments to Jameel Williams. She also requested an update on the Master Plan and would like to evaluate continuing to use Taz and OHM.

Supervisor Schwartz stated there is another \$400,000.00 (four hundred thousand) bill due to Washtenaw County.

The motion carried by unanimous vote.

13. PLEAS and PETITIONS

- Trustee Lindke would like to address the overtime being paid, in particular, to the firefighters.
- There was a discussion about the staffing shortage within the Fire Department including comments from Firefighter Jeff French.

14. ADJOURNMENT

It was moved by Treasurer Lewis supported by Trustee McGill, that the meeting be adjourned. The motion carried and the meeting adjourned at 9:31p.m.

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor