

**CHARTER TOWNSHIP OF SUPERIOR BOARD
SPECIAL MEETING
SEPTEMBER 13, 2023
APPROVED MINUTES
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1. CALL TO ORDER

The special meeting of the Charter Township of Superior Board was called to order by the Supervisor Ken Schwartz at 4:30 p.m. on September 13, 2023, at the Superior Charter Township Hall, 3040 North Prospect, Superior Charter Township, Michigan.

2. 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

3. ADOPTION OF AGENDA

It was moved by Treasurer Lewis supported by Trustee Lindke, to adopt the agenda.

The motion carried by unanimous vote.

4. CITIZEN PARTICIPATION

A. CITIZEN COMMENTS

- Scott Halpert, President of Garrett's Space, said he agreed with the original land use agreement and not the proposed amendments and he never received the new language in writing. He also mentioned that he believes he and his lawyer should be informed about meetings especially when they concern him.

5. NEW BUSINESS

A. APPROVE THE HIRING OF BRIAN KONCIUS (BOGUS & KONCIUS) FOR CONDUCTING THE SEXUAL HARASSMENT INVESTIGATION.

Supervisor Schwartz commented that Trustee Lindke brought this motion to the table and gave her the floor to speak.

- Trustee Lindke said the following:
 - We already approved the sexual harassment investigation.
 - The attorney that was initially hired, Nakisha Chaney, does not feel she can represent the Township because;
 1. She is acquainted with an Official in a social setting.
 2. Her firm represented another member of the Board 13 years ago, but it had nothing to do with the Township.
 3. She referred a board member to another attorney.

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- Since Trustee Lindke is the one who found Attorney Chaney, she called each person for whom Chaney made a disclosure.
- For these reasons Attorney Nakisha Chaney has “dropped out.”
- The Township should continue to pursue the investigation by hiring a new investigator (Brian Koncius, Bogus & Koncius).
- Supervisor Schwartz said the following:
 - He was on vacation the day of the Special Meeting (August 14, 2023).
 - He repeatedly stated the email in question was a joke.
 - This only became an issue the day after the vote for Garrett’s Space (rezoning of 3900 Dixboro).
 - The day after the Garrett’s Space vote the Clerk came into the Supervisor’s office saying that he has a good reputation with the public. She also stated if he did not retire, a “sex email” would make it to the newspaper.
 - He has spoken with the community, and they do not agree that the email was sexually inappropriate.
- Clerk Findley said she is struggling right now, based on what Supervisor Schwartz is saying, as a survivor of assault.
- Supervisor Schwartz said he has been told by the community to stay strong and the investigation is just an effort to tear apart his reputation.
- Trustee Lindke said the following:
 - This has to do with the staff and the pain that they felt and nothing to do with the residents.
 - Supervisor Schwartz has approached a member of the staff.
 - The staff member sent an email saying he was “pissed off” and felt demeaned.
- Clerk Findley said the following:
 - In regard to her going into Supervisor Schwartz’s office, she has it on tape, and is willing to share the recording, and asked several times if everyone wanted to hear the recording.
 - If you listen you will hear the truth, same as the two detectives Supervisor Schwartz sent to her office investigating her. When they left, she was sure they discovered the truth also.
 - She went to Supervisor Schwartz’s office because he had been saying that he was going to retire.
 - The Clerk’s office has been under attack because she confronted Supervisor Schwartz on his hiring of a former Ypsilanti Community Utilities Authority employee (Jeff Castro).
 - Supervisor Schwartz along with one other person has attempted to sabotage three major Township elections. They talked to her staff trying to get rid of them while she was on vacation.
 - She has the conversation with Supervisor Schwartz on tape and the detective’s comments on another tape and she is willing to share it with anyone.
 - Her going into the Supervisor’s office had nothing to do with Garrett’s Space because, she believes, Supervisor Schwartz should have been present and voted, regardless of what side he came out on.

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- Supervisor Schwartz told Clerk Findley, on the day in question, he would retire if the Township would pay his benefits.
- Treasurer Lewis said the following:
 - She has been harassed since she has been at this Township and a lot of it has come from Clerk Findley.
 - This is another indication of the state of disarray that the Township is in.
 - This is ridiculous and taxpayer money is being wasted.
 - She wants to call the question.

Roll Call:

Ayes:

Clerk Findley
Trustee Caviston
Trustee Lindke
Trustee McGill
Trustee Secrest

Nays:

Treasurer Lewis
Supervisor Schwartz

Absent:

None.

The motion carried by majority vote.

- Trustee McGill said that this is less about the incident and more pertaining to compliance moving forward.
- Trustee McGill said in her recent training she learned that there is “no such things as jokes.”
- Trustee McGill said that people need to understand what their rights are in the workplace.
- Supervisor Schwartz said he appreciates what Trustee McGill is saying but Clerk Findley had the email when the Board was going through the personnel manual, and it should have been addressed then.
- Supervisor Schwartz said the email was being held against him claiming that if he did not comply with the demands that there would be a problem.
- Supervisor Schwartz said he went to the detectives to protect himself and there is a request for a warrant at the prosecutor’s office as we speak.
- Trustee Secrest said that he has been an ally with Supervisor Schwartz for years and also agrees with Trustee McGill that comments should be managed with more accountability.
- Clerk Findley interjected saying for the record that the email came after the Personnel Manual.
- Supervisor Schwartz said he has emails from the Clerk that he will share with the Board.
- Clerk Findley said she has emails to send as well.

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B. REVIEW AND ADOPT AMENDMENTS TO RESOLUTION 2023-54 (RESOLUTION TO APPROVE THE ZONING AND LAND USE AGREEMENT WITH CONSERVATION EASEMENT).

- Supervisor Schwartz said that he wanted to add the amendments to protect the Township due to special district rezoning having past privileges.
- Supervisor Schwartz said adding that “Garrett’s Space has to comply with Township ordinances” is necessary because ordinances, in the past, have been modified for special districts and adding language that says the Land Use agreement does not exclude Garrett’s Space from any of the steps moving forward.
- Supervisor Schwartz said that Attorney Fred Lucas drafted the amendments and sent it during the August 21, 2023, meeting.
- Supervisor Schwartz said he wanted to bring this to the Board so the language can be set.
- Trustee Lindke said she does not believe the Garrett’s Space attorney reviewed the amendments before approving it.
- Trustee Lindke said she spoke with Attorney Fred Lucas, and he said the amendments are not substantive and questioned adding amendments that are not substantive.

Trustee Lindke rescinded her motion.

Motion was tabled unanimously.

6. PLEAS and PETITIONS

- Steve Shulman, Fox Hollow Ct., spoke in opposition to the building of the property at 3900 Dixboro Rd. and potential septic issues.
- Roberta Davidson, 5209 Warren Rd., spoke in opposition to the conducting of the sexual harassment investigation.
- Mary Glencer, Vorhies Rd., spoke in opposition to the conducting of the sexual harassment investigation.
- Rose Matuszak, Vorhies Rd., said there is one elected Supervisor of the Township, and the Board should show respect for one another, she claimed the Board said, at the Special Meeting, the email was said to be private and the next day it was on MLive.
- Clerk Findley added a point of correction that the email was requested via FOIA (Freedom of Information Act).

7. ADJOURNMENT

It was moved by Trustee Lindke supported by Trustee McGill, that the meeting be adjourned. The motion carried and the meeting adjourned at 5:13 p.m.

Respectfully submitted,

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Lynette Findley, Clerk

Kenneth Schwartz, Supervisor