

**CHARTER TOWNSHIP OF SUPERIOR BOARD  
REGULAR MEETING  
APRIL 15, 2024  
PROPOSED 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 April 15, 2024, at the Superior Charter Township Hall, 3040 North Prospect, Superior Charter 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 and Trustee Rhonda McGill.

Absent: Trustee Bill Secrest.

**4. ADOPTION OF AGENDA**

It was moved by Trustee Caviston supported by Trustee McGill, to adopt the agenda.

The motion carried by unanimous vote.

**5. CITIZEN PARTICIPATION**

**A. CITIZEN COMMENTS**

- Irma Golden, 1585 Sheffield Dr., spoke about her work at the Township.
- Leona Foster, Tanglewood Dr., gave an update about submitting necessary signatures for speed humps on Overbrook Dr.
- Jerry Clifton, Pine Ct., gave an update about obtaining signatures for speed humps on Stephens Dr.
- T.C. Collins, Director of Willow Run Acres, raised concerns about website accessibility and land clearing at the Clay Hill Community Farm and Garden location.
- John Park, AmeriCorp member, spoke in favor of T.C. Collins.
- Brenda Baker, Ashton Ct., spoke about C2PST.
- Eric Geiser, City of Ypsilanti, spoke in favor of T.C. Collins.
- Ramona Parker Hayden, Stamford Rd., spoke about her concerns with the actions of Treasurer Lewis

**6. PRESENTATIONS AND PUBLIC HEARINGS**

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None.

**7. APPROVAL OF MINUTES**

**A. MARCH 18, 2024, REGULAR MEETING**

It was moved by Treasurer Lewis supported by Trustee Caviston, to approve the minutes of the regular Board meeting of March 18, 2024, with corrections given at the table.

The motion carried by unanimous vote.

**8. CONSENT AGENDA**

It was moved by Trustee Lindke supported by Trustee McGill, to approve the consent agenda, removing the following:

- Building Department's Report
- Sheriff's Report
- Controller's Report
- Ordinance Report
- Community Center Advisory Committee Report

The motion carried by unanimous vote.

**A. APPROVAL OF MINUTES**

- ~~a. MARCH 18, 2024, REGULAR MEETING APPROVED ITEM 7~~
- ~~b. FEBRUARY 20, 2024, CLOSED SESSION MEETING~~

**B. REPORTS**

- ~~a. SUPERVISOR REPORT~~
- ~~b. LIAISON REPORT ON PARKS & RECREATION COMMISSION MEETING~~
- ~~c. COMMUNITY CENTER ADVISORY COMMITTEE~~
- ~~d. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FIRE DEPARTMENT, ORDINANCE OFFICER REPORT, PARKS COMMISSION MINUTES, SHERIFF'S REPORT, PLANNING AND ZONING REPORT, UTILITY DEPARTMENT'S REPORT, ASSESSING REPORT~~
- ~~e. CONTROLLERS REPORT~~
- ~~f. FINANCIAL REPORT, MARCH~~

**C. COMMUNICATIONS**

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- a. ELLEN KURATH LETTER
- b. SUPERIOR DAY 2024 - LISA LEWIS, TREASURER
- c. UPDATE OF STEPHENS DR. – JERRY CLIFTON
- d. COMMITTEE TO PROMOTE SUPERIOR TOWNSHIP (C2PST)

*(All letters and documents given at the table are attached to the end of these minutes)*

**9. ITEMS REMOVED FROM THE CONSENT AGENDA**

**A. BUILDING DEPARTMENT**

- Trustee Lindke said the Building Department report included two Infinity acquisition work orders and work descriptions: one for Maple Leaf Lane to construct a new two-story single-family dwelling and another for Weeping Willow Court to construct a two-story single-family dwelling.
- She said Fred Lucas, Township Attorney, confirmed that the agreement regarding the placement of escrow account monies was valid between the Supervisor and Rino Soave after DG requested reimbursement.
- Trustee Lindke brought up concerns about why the Board doesn't want to consider some of the remedies available as a result of the contract.
- She emphasized the remedies stipulated that within 30 days of DG requesting their funds, Infinity was to replace an escrow account. If they failed to do that, then the Township could withhold certificates of occupancy.
- Trustee Lindke voiced concerns that withholding certificates of occupancy could harm residents, new owners in particular, but also noted that the Township seems to lack leverage.
- She questioned whether the Township had received \$100,000.00 back from Infinity, showing uncertainty about the status of these funds.
- Trustee Lindke questioned and Clerk Findley seconded the question of why the Board continues to allow Infinity to receive certificates of occupancy when they have not returned the funds.
- She suggested that enforcing the contract might help address the issue.
- Supervisor Schwartz said there is ongoing litigation concerning the very issue of certificates of occupancy. He mentioned that before any action, he would want the attorney to provide a full explanation because the building code might negate the agreement about replacing the bond.
- He added that Infinity brought this issue up, and Fred agreed to withdraw the Stop Work Orders (SWO) on new construction, leading to the dismissal of their motion on that claim.
- Supervisor Schwartz emphasized that it might be best to leave the resolution to the courts, considering the ongoing legal processes and the potential harm to future residents. He mentioned that the Township has a counterclaim against Infinity for \$300,000.00, which serves as a possible remedy.
- He voiced concerns over potential unwarranted interference in the litigation, stressing the importance of hearing a clear answer from our attorney, Fred Lucas, due to inconsistencies.

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- Trustee Lindke responded by acknowledging the inconsistency of the attorney's advice. She questioned whom to rely upon given the contradictory information provided.
- She also brought up that Infinity's attorneys raised an issue previously dismissed by the Township concerning the limits on property development and certificates. She indicated that this contradiction could lead to further legal challenges if not addressed.
- Trustee Lindke emphasized the potential harm in issuing certificates to new owners given the unresolved issues and suggested that issuing certificates might not be fair to them.
- She concluded by proposing that the Board request a final opinion from Fred, emphasizing the need for a clear, consistent stance from the legal counsel to guide the Board's decisions.

**B. SHERIFF'S DEPARTMENT**

- Trustee Lindke questioned the frequent out-of-area deployments as detailed in the Sheriff's Department reports, noting that out-of-area time often exceeds in-area time. She asked for an explanation of this trend and possible remedies in their contract.
- Lieutenant Cratsenburg explained that "in area time" involves deputies from other townships assisting in Superior Ann Arbor for major incidents, and "out-of-area time" occurs when Superior Ann Arbor deputies assist elsewhere. This mutual aid is often dictated by the scale of the incidents.
- Trustee Lindke expressed understanding after the explanation, realizing the varying needs for deputy assistance between areas depending on the situation.
- Lieutenant Cratsenburg added that there is typically an increase in deputy involvement outside their primary area during summer months, especially for events requiring significant police presence.
- Trustee Lindke inquired about the capabilities of the department regarding language skills, particularly Spanish, and whether these skills are required by other departments.
- Lieutenant Cratsenburg noted that while other departments do occasionally require Spanish-speaking officers, they primarily manage this need through a fluent officer from Pittsfield Township. He mentioned that in-person translation is sometimes necessary despite the preference for phone communication to better assess the respondent's reactions and emotions.
- Trustee Lindke commended the Sheriff's Department for its linguistic capabilities, recognizing the importance and benefit of having multilingual deputies to the community.

**C. ORDINANCE REPORT**

- Trustee McGill raised concerns about the current arrangement for the Township's Ordinance Officer who uses a personal vehicle for official duties. She highlighted that the vehicle recently required nearly \$3,000 in repairs and suggested exploring options for providing a township vehicle, especially if an additional Ordinance Officer is hired.
- Supervisor Schwartz responded by asking if Trustee McGill was suggesting subsidizing the cost of a vehicle or allocating a township-owned vehicle instead of trading in older vehicles when purchasing new ones.

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- Trustee McGill clarified her proposal, expressing interest in reallocating a vehicle within the Township's fleet rather than purchasing new ones, especially given the high costs of vehicle repairs.
- Supervisor Schwartz indicated that the Township should consider assigning a new vehicle for the Ordinance Officer's use, noting that the Township currently has older models (2001 and 2002 Explorers) with significant mileage, which might be adequate for limited daily use.
- Trustee McGill agreed that these vehicles could be suitable for the Ordinance Officer's needs if used just for a couple of hours each day.
- Supervisor Schwartz suggested a flexible arrangement where the Ordinance Officer could borrow the Township truck as needed, provided a regular schedule is maintained.
- Trustee McGill concluded by mentioning she would communicate this possibility but reiterated her concern about the impracticality of costly repairs for a small, personal car used for Township duties.

**D. COMMUNITY CENTER ADVISORY COMMITTEE**

- Clerk Findley shared positive news from the recent meeting of the Community Center Advisory Committee (CCAC), revealing that County Administrator Gregory Dill announced a final agreement with Ypsilanti Community School, involving a \$600,000.00 payment for a site. This agreement is near completion, and a celebration is hopefully expected within 30 days to commence the raising of a building to improve visibility. The project will be led and owned by the County, which will also handle hiring and staffing, ensuring continued involvement from the Township's CCAC members.
- Trustee McGill expressed gratitude to Clerk Findley for her leadership in forming and guiding the committee that facilitated reaching this milestone. She acknowledged the hard work and persistence of everyone involved that contributed to the realization of this project.
- Clerk Findley mentioned that funding assistance for the building is from the County and potentially from Congresswoman Dingell which highlighted the efforts made in securing grants and other financial support for the project.
- Trustee McGill commended Clerk Findley for her dedication and effort in pushing for grants and support to realize the project, appreciating her initiative and leadership in this significant undertaking.
- Clerk Findley responded to a question about the timeline for finalizing the sale, confirming that the sale was expected to close within 30 days as per the latest discussions and that the sales agreement was indeed approved.
- Supervisor Schwartz acknowledged the fair price obtained for the sale, expressing satisfaction with the deal.
- Trustee McGill took a moment to highlight the significant contributions of Clerk Findley in driving the project to completion, thanking her for her leadership and the positive impact of her efforts.

**E. CONTROLLER'S REPORT**

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- Trustee Lindke explained that the Controller's report, prepared by Keith Lockie, highlighted three main issues needing attention. The first involved an unresolved utility payment of \$12,877.00 from the Infinity escrow account. Trustee Lindke proposed verifying if this transaction was associated with Woodside Phase One, which would allow them to potentially reallocate the payment from the DG account.
- Supervisor Schwartz specified the timeframe of the issue from August to November 2022, suggesting that the responsibility for resolution might lie with Infinity, especially since Infinity had not yet posted any funds.
- Trustee Lindke, on a second issue, discussed a substantial balance left from a Hyundai escrow account, where \$37,000.00 remained unreturned for unclear reasons. The discussion turned to the possibility of Hyundai allowing the Township to keep this balance as a donation, but requiring a formal procedure where the Township would issue a check to Hyundai, who would then return it, essentially donating it back under specific conditions.
- Supervisor Schwartz elaborated on possible uses for the Hyundai balance, suggesting it could be directed towards community projects like libraries or parks as donations. He mentioned having proposed several options to Hyundai and awaiting their decision on how to allocate these funds.
- Trustee Lindke raised a need for strategic planning, suggesting that the Board develop a list of priorities for allocating the funds from Hyundai, ensuring transparency and adherence to township priorities in their use.
- Supervisor Schwartz, regarding the third issue, a significant receivable from the library, reported a complex situation where the initial amount of \$336,674.00 had increased due to delays and additional costs, now totaling approximately \$475,000.00. He mentioned ongoing discussions to verify the accuracy of this new total and ensure that payments made from an escrow account were properly accounted for and not mistakenly charged to the library.
- Clerk Findley and other Board members voiced concerns about the library's failure to commence repayments on an agreed schedule, with the pandemic cited as a reason for delay. The discussion underscored the importance of ensuring that all financial dealings were accurately documented and that any discrepancies in amounts were resolved to avoid a \$50,000.00 error.
- The discussion concluded with a commitment to revisit these financial issues in the upcoming meeting, ensuring all necessary documentation and agreements were aligned with township fiscal policies and legal requirements.

**10. UNFINISHED BUSINESS**

**A. LAND AGREEMENT FOR FARMING ON THE “ROCK PROPERTY”, STEVE PEACH**

It was moved by Trustee McGill supported by Treasurer Lewis to approve the land agreement.

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- Trustee Lindke discussed the leasing of property and shared her concerns regarding the legal and financial aspects of leasing township property to Mr. Peach. She referenced a consultation with Fred Lucas, the Township attorney, who provided three options regarding the lease. The third option allowed leasing to Mr. Peach but required careful consideration of the charges.
- She further explained her due diligence by consulting with Patrick McGow, bond counsel, to clarify the legality of the lease under the third option. McGow advised that the lease charges to Mr. Peach should not exceed 5.00% of the annual bond proceeds to comply with federal tax law. Trustee Lindke also confirmed her understanding with additional research on municipal bonds, which supported McGow's advice.
- Trustee Lindke proposed a cautious approach to charging Mr. Peach, suggesting a slightly lower rate of 4.90% to ensure compliance. She emphasized the importance of this matter being managed as a controller-type duty to avoid exceeding the stipulated percentage.
- Addressing the management of the "Rock" property, she proposed transferring its oversight to Juan Bradford, Parks and Recreation Director, reflecting its designated use as park land. This transfer was suggested to provide an additional check on compliance with the financial constraints set by bond regulations.
- Trustee Lindke also brought up another issue related to the Clay Hill plot of land, which she personally inspected and found to be in poor condition due to debris. She expressed concern about the feasibility of starting the Clay Hill project and suggested that Mr. Peach could alternatively farm a smaller portion of the "Rock" property to achieve some productivity in the meantime.
- In conclusion, Trustee Lindke emphasized the need for careful financial management and compliance with legal standards in township property leasing and project initiation, proposing solutions to navigate the complexities involved while advancing township interests.
- Supervisor Schwartz addressed the potential financial and legal risks of leasing township property under a proposed third option. He shared concerns from bond counsel Patrick McGow about the complexity and dangers of this approach, especially regarding IRS reporting and tax liabilities. Supervisor Schwartz stressed that improper handling could jeopardize the tax-exempt status of the bond, affecting the Township for up to 15 years and beyond current board terms.
- Supervisor Schwartz emphasized the need for caution and thorough planning, suggesting that such a significant financial decision should not be made hastily during a single meeting. He advocated for setting up the lease terms well in advance, with detailed guidance and documentation from bond counsel to ensure all legal and financial risks are well understood.
- Trustee Lindke argued for the feasibility of a short-term leasing arrangement, contradicting the need for a long-term commitment. She proposed a two-year lease option for Mr. Peach, arguing that with diligent management and appropriate contract adjustments, the Township could avoid any negative impact on the bond's tax-exempt status.
- Trustee Lindke urged for proactive and sophisticated financial management, asserting that the Township is capable of monitoring and managing lease fees within legal limits. She

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suggested that the Township could draft and adjust the leasing contract as needed to ensure compliance and financial benefit.

- In response, Supervisor Schwartz reiterated the importance of careful implementation, highlighting the severe consequences of any missteps. He suggested the necessity of obtaining a detailed memo from Patrick McGow, outlining the specific conditions and stipulations required to proceed safely with the leasing option.
- Supervisor Schwartz concluded by advocating for a more informed and deliberate approach, emphasizing the need for adequate preparation and full board understanding before making decisions that could have long-term financial implications for the Township.

Roll Call

Ayes: Supervisor Schwartz

Nays: Clerk Findley  
Treasurer Lewis  
Trustee Caviston  
Trustee Lindke  
Trustee McGill

Absent: Trustee Secret

Motion failed by majority vote.

It was moved by Trustee Lindke supported by Treasurer Lewis to enter into an agreement with Steve Peach to farm 206 tillable acres for agricultural purposes. The term of this agreement is for the crop year 2024. (Disagreeing, that the landowner will not be held liable for any personal injury to Steve Peach, or any other workers involved in farming activity on the property.) All trending '24 crops will belong to Steve Peach. Steve Peach will pay no more than 5.00% on the annual debt service for the municipal bonds that Superior Township. Also, Township Attorney Fred Lucas will review the contract to make sure our contract language is fine.

Roll Call

Ayes: Treasurer Lewis  
Trustee Caviston  
Clerk Findley  
Trustee Lindke  
Trustee McGill  
Supervisor Schwartz

Nays: None.



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Absent: Trustee Secrest

Motion carried by unanimous vote.

**B. GFL BIN LABELS**

- Supervisor Schwartz passed out the new labels and reported that GFL (Green for Life, Township Trash Collector) will be putting together a five-person crew and believe they can complete it in a week, and they will begin soon but did not have a specific start date.
- Clerk Findley stressed that it be clarified with GFL that both sides of all bins are given new labels.

**C. SET DATE FOR 2ND READING OF ORDINANCE #192-02**

- Clerk Findley explained in the March 18, 2024, meeting that there was not a date set for the second reading of both Ordinances.
- Supervisor Schwartz questioned if there were publication requirements for this.
- Clerk Findley answered yes, and the Supervisor must clearly set a date and not assume one so the legal requirements for posting can be met.
- Supervisor Schwartz set the date for the second reading for both Ordinance 192-02 and 17-27.

*The second reading of Ordinance #192-02 will be held on May 20, 2024*

**D. SET DATE FOR 2ND READING OF ORDINANCE #174-27**

(The same discussion applies from item C)

*The second reading of Ordinance #174-27 will be held on May 20, 2024*

**E. MOTION TO APPROVE UPDATED COPY OF THE MASTER PLAN**

Ben Carlisle, Carlisle Wortman and Associates, explained that the “existing land use map” in the Master Plan that was approved needed to be updated.

It was moved by Trustee McGill and supported by Trustee Lindke to reaffirm Resolution 2024-14, with the updated “existing land use map” as submitted by the Township Planner, Carlisle Wortman and Associates.

The motion carried by unanimous vote.

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**11. NEW BUSINESS**

**A. RESOLUTION 2024-22, APPROVE PROPOSAL TO REWRITE ZONING ORDINANCE FROM CARLISLE/WORTMAN ASSOCIATES**

Ben Carlisle, Township Planner explained the proposal submitted by Carlisle/Wortman Associates. He also introduced Diane Mulville-Friel, who will be assisting on this project.

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

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

**RESOLUTION TO APPROVE CARLISLE/WORTMAN ASSOCIATES (CWA)  
PROPOSAL TO ASSIST WITH THE COMPREHENSIVE REWRITE OF THE  
CHARTER TOWNSHIP OF SUPERIOR ZONING ORDINANCE**

**RESOLUTION NUMBER: 2024-22**

**DATE: APRIL 15, 2024**

**WHEREAS**, Carlisle/Wortman Associates (CWA) is pleased to submit a proposal of services to assist with the comprehensive rewrite of the Charter Township of Superior Zoning Ordinance; and,

**WHEREAS**, CWA is uniquely qualified to facilitate the development of zoning regulations to implement the Township's vision as a strong community, rooted in strong neighborhoods and agricultural heritage, supported by a caring community that helps every resident, business, and visitor flourish; and,

**WHEREAS**, CWA has a long-standing working relationship with the Charter Township of Superior. Their team facilitated the process that led to the Township's most recent Master Plan update. Over the number of years, CWA staff has provided technical assistance to the Township; and,

**WHEREAS**, CWA is a leader in innovative zoning to preserve and enhance places having drafted hundreds of Zoning Ordinances. They continually draw on over forty years of experience with dozens of client communities to tailor zoning to the needs of each individual community; and,

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**WHEREAS**, the scope includes the following five (5) phases:

- Zoning Audit
- Engagement of Stakeholders
- Preparation/Presentation of Draft Zoning Ordinance and Zoning Map
- Preparation/Presentation of Final Document and Map
- Production of Deliverables,

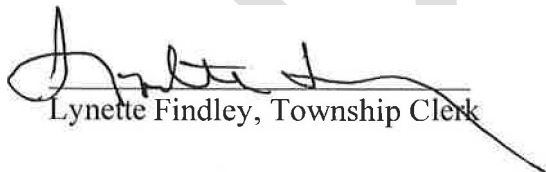
**WHEREAS**, the estimated budget is as follows:

<b>Phase 1: Zoning Audit</b>	80 hrs.	\$9,100.00
<b>Phase 2: Engagement of Stakeholders</b>	50 hrs	\$6,500.00
<b>Phase 3: Preparation/Presentation Draft</b>	285 hrs	\$31,200.00
<b>Phase 4: Preparation/Presentation Final</b>	68 hrs	\$8,840.00
<b>Phase 5: Deliverable Products</b>	8 hrs	\$1,040.00
<b>Total</b>		<b>\$56,680.00</b>

**NOW, THEREFORE, BE IT RESOLVED** the Board of Trustees of the Charter Township of Superior hereby approves the proposal from Carlisle Wortman Associates, Inc, to assist with the comprehensive rewrite of the Charter Township of Superior Zoning Ordinance for an estimated fee of **\$56,680.00**.

**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 April 15, 2024, 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

04/15/2024  
Date Certified

Roll Call

- Ayes: Trustee McGill  
Trustee Caviston  
Treasurer Lewis  
Clerk Findley  
Trustee Lindke

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Supervisor Schwartz

Nays: None.

Absent: Trustee Secrest

Motion carried by unanimous vote.

**B. RESOLUTION 2024-23, APPOINT BUILDING OFFICIAL, BILL BALMES, TO THE POSITION OF ZONING ADMINISTRATOR AND INSPECTOR**

Supervisor Schwartz explained the resolution and why he believes Mr. Balmes would be the correct fit.

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

- Trustee McGill asked where the new salary amount came from.
- Bill Balmes, Township Building Official, clarified financial adjustments related to zoning responsibilities previously handled by another employee, Laura. He explained that 30.00% of the previous planning and zoning administrator's wages were paid from the building department to cover the cost of zoning, and now they aim to reallocate these funds back to the building department as zoning duties have shifted.
- Trustee Lindke inquired about the similarity of the current payment amount to the wage a previous Building Official, Rick Mayernik, had earned, and whether the type of inspections Rick performed are still outsourced.
- Mr. Balmes elaborated on the types of inspections Rick handled, specifying that building inspections were primarily contracted out while Rick focused on plumbing and mechanical, with some building tasks.
- Supervisor Schwartz added that Rick had a part-time assistant, John Diefenbacher, who handled most of the building inspections. He expressed concern about the increased workload and management challenges without John's assistance.
- A discussion followed about Bill Balmes' qualifications, led by Clerk Findley, highlighting that Bill's hiring was based on his comprehensive skill set, which was deemed sufficient to manage without John Diefenbacher. The Board discussed the difficulty of finding skilled building code officials and the broader challenges in the field.
- Trustee McGill raised concerns about ensuring fair compensation, noting the absence of a wage study to support the salary figures presented. The discussion turned to the agenda item regarding hiring a personnel director, deemed crucial for conducting necessary wage studies and assisting with administrative tasks.
- The Board debated the immediate need to appoint a personnel director and address temporary compensation for Bill Balmes.

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- Clerk Findley suggested handling these responsibilities on an interim basis until a more permanent solution could be structured following a detailed assessment by the new personnel director.

Supervisor Schwartz mentioned there was a memo, created by Mr. Balmes, available to review that explains to raise.

*The Board discontinued discussion until reviewing the memo.*

*The Board continued discussion.*

- Trustee Lindke raised concerns about a proposed 27.5% salary increase, noting its significant size. The discussion revolved around finding a more justifiable increment, reflecting typical raises given in the past which tended to cap around 5.00%.
- Trustee McGill asked about what the appropriate salary adjustment should be. Trustee McGill noted that such a substantial increase seemed high, especially compared to what HR directors are paid, and without a current wage study to justify it.
- Supervisor Schwartz pointed out that there had been a lack of substantial wage studies to support salary increments, which were claimed to be around 5.00% annually.
- Trustee McGill emphasized the need for focused discussion on appropriate and justifiable salary adjustments.
- Trustee McGill suggested a 5.00% increase.
- Clerk Findley suggested the increase should be 10.00%. (Calculated to add \$9,215.42 to the salary, bringing it to \$101,369.00 until a wage study could be conducted by the forthcoming HR director.)
- Supervisor Schwartz added he believes Mr. Balmes deserves more.

It was moved by Trustee McGill supported by Trustee Lindke to amend the resolution to a 10.00% pay increase temporarily (\$9,215.42) to be reviewed by the new HR Director.

**SUPERIOR CHARTER TOWNSHIP**

**WASHTENAW COUNTY, MICHIGAN**

**A RESOLUTION TO APPOINT BUILDING OFFICIAL BILL BALMES TO THE  
POSITION ZONING ADMINISTRATOR AND INSPECTOR**

**RESOLUTION NUMBER: 2024-23**

**DATE: APRIL 15, 2024**

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**WHEREAS** Laura Bennett was hired by Superior Township on October 10, 2016, as Building and Planning Department Clerk; and,

**WHEREAS**, Laura Bennett performed all her duties with distinction, and found employment with another employer; and,

**WHEREAS**, Building Official Bill Balmes is qualified to assume the duties of the office immediately; and,

**WHEREAS**, **Article I Section E.** of the Superior Township Zoning Ordinance Ord. #174 requires the Board to appoint a Zoning Inspector who shall assume the following duties:

**E. Zoning Inspector Duties and Responsibilities.**

The provisions of this Ordinance shall be administered and enforced by the Zoning Inspector, and any other ordinance enforcement officials as designated and authorized by the Township Board. The Township Board shall appoint the Zoning Inspector, who shall have the following duties and responsibilities:

1. The Zoning Inspector shall administer and enforce this Ordinance precisely as written, and shall not modify, vary or ignore the terms of this Ordinance nor grant exceptions to the actual meaning of any clause, order or regulation.
  - a. It shall be unlawful for the Zoning Inspector to approve any plans or issue any permits, certificates of zoning compliance or other approvals under this Ordinance unless such plans have been determined to conform to all applicable provisions of this Ordinance.
  - b. The Zoning Inspector shall not refuse to approve a zoning permit or certificate of zoning compliance upon determination that the applicant has complied with all conditions imposed by this Ordinance, despite any violations of private contracts, covenants or agreements that may result from work performed or improvements made under the approved permit or certificate.
2. The Zoning Inspector shall interpret all provisions of this Ordinance in such a way as to preserve and promote the character of the zoning district in question and carry out the intent and purposes of this Ordinance and the Township's Growth Management Plan.
3. The Zoning Inspector shall enforce all provisions of this Ordinance and shall issue all necessary notices or orders to ensure compliance with these provisions.
4. The Zoning Inspector shall provide citizens and public officials with information relative to these regulations and related matters and shall assist applicants in completing appropriate forms and following zoning approval procedures.
5. The Zoning Inspector shall receive applications for and issue Certificates of Zoning Compliance in accordance with this Ordinance and shall sign Certificates of Occupancy as required herein.
6. The Zoning Inspector shall make all inspections required by this Ordinance, and all inspections necessary to enforce this Ordinance, and may engage the assistance of the

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Township Fire Chief, Building Inspector, Township Planner, and Township Engineer as deemed necessary in making such inspections. The Zoning Inspector may engage other expert opinion subject to the approval of the Township Board.

7. The Zoning Inspector shall identify and process violations of this Ordinance. The Zoning Inspector shall be responsible for making periodic inspection of Superior Township for the purpose of identifying violations of this Ordinance.
8. The Zoning Inspector shall keep official records of applications received, Certificates issued, fees collected, reports of inspections, and notices and orders issued.
9. The Zoning Inspector shall submit to the Township Board an annual report, or at other such times as designated by the Township Board, in which a summary of the activities of the office is presented.

**NEW DUTIES AND RESPONSIBILITIES**

1. Acts as the Township Zoning Administrator. Assists the public, residents, builders, and architects with questions relating to the Zoning Ordinance.
2. Reviews plans, applications, and issues Zoning Compliance applications. Also, investigates alleged violations of the Ordinance, prepares civil infraction citations, and assists with litigation.
3. Works for the Supervisor on specialty projects.
4. Reports to the Supervisor and more generally to the Board of Trustees.

These duties are added to the existing duties and responsibilities below:

**CURRENT DUTIES AND RESPONSIBILITIES**

Building Official, Building Inspector, Electrical Inspector

- Reviews plans and specifications for new buildings and remodeling of existing buildings for code compliance.
- Approves and issues permits for projects or denies permits and requires changes in design to achieve code compliance.
- Supervises the issuing of permits including application, fee assessment and collection, record keeping, etc.
- Conducts on-site inspections of structures under construction and existing buildings to ensure conformity to all applicable codes.
- Directs, coordinates, and monitors the activities of inspection staff.
- Issues Certificates of Occupancy when projects are complete and approved.
- Issues Notices of Violation and Citations as required.
- Coordinates with the Township Planner and Engineers as needed.
- Explains, interprets, and provides guidance regarding all applicable codes with architects, engineers, contractors, developers, and property owners.
- Coordinates with Fire and Utility departments as needed.

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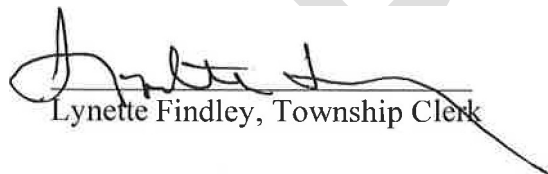
- Directs and supervises Building Department staff.
- Conducts multi-family dwelling inspections.
- Provides technical support to the Township Board
- Keeps abreast of modern building practices, new construction techniques and changes in codes through continued education and professional growth.
- Attends conferences, workshops, and seminars as required to maintain Act 54/407 certification.
- Maintains cooperative relationships with peer agencies and other governmental units.
- Maintains accurate and complete records relating to the operation of the Building Department.
- Prepares annual budget for the Building Department and monitors throughout the year.
- Performs other duties and special projects as requested.

**NOW THEREFORE, BE IT RESOLVED**, that the ~~Superior Township Board of Trustees hereby approves the new job description for Bill Balmes and raises his pay to \$ 117,465.21 per year effective immediately based on the aforementioned duties and responsibilities. And to increase his vacation time from 2 weeks annually to 3 weeks.~~

**NOW THEREFORE, BE IT RESOLVED**, that the Charter Township of Superior Board of Trustees hereby approves the temporary appointment of Bill Balmes to Zoning Administrator and raise his pay 10% to \$9,215.42 per year. The appointment is temporary, effective immediately based on the aforementioned duties and responsibilities until a Human Resources Director is hired to conduct a wage study on the position. Bill Balmes will be sworn in as Zoning Administrator and takes all responsibilities with said position.

**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 April 15, 2024, 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

04/15/2024  
Date Certified

Roll Call

Ayes: Trustee McGill  
Trustee Caviston



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Treasurer Lewis  
Clerk Findley  
Trustee Lindke  
Supervisor Schwartz

Nays: None.

Absent: Trustee Secrest

Motion carried by unanimous vote.

**C. RESOLUTION 2024-24, APPROVE BID FROM PROSITE SERVICES, INC, FOR THE SPECIFIED SITE CLEARING WORK**

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

- Trustee McGill asked if the Township has received multiple bids and if we have used them before.
- Supervisor Schwartz answered this was the only bid and the Township has used Prosite Services for the last 15 years.
- Trustee Lindke stressed the need to get more bids adding that she has contacted and met with multiple parties who she believes is capable of completing the work.
- Clerk Findley said she believes the Township should get at least three bids. She added that Prosite Services has been paid for the work and have not completed it.
- Supervisor Schwartz rebutted that the work has been completed.
- Trustee Lindke said it is time for the Township to elevate its level of business and critiqued Prosite's website and social media presence.
- Supervisor Schwartz said the current state of the project is why he voted "no" on the rezoning of this land. He stressed that if the land clearing is not approved tonight that he does not believe there will be a crop this year.
- Trustee Lindke reiterated the need for three bids for this project.
- Trustee McGill asked to see the past invoices because she believes the work should already be completed.
- Clerk Findley agreed and explained that she initially stopped a past payment on this project because the work is not getting completed.

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

**RESOLUTION TO ACCEPT BID FROM PROSITE SERVICES, INC.,**

**CHARTER TOWNSHIP OF SUPERIOR BOARD  
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**FOR THE SPECIFIED SITE CLEARING WORK**

**RESOLUTION NUMBER: 2024-24**

**DATE: APRIL 15, 2024**

**WHEREAS**, the Charter Township of Superior has identified the need for comprehensive site clearing services, including the grinding of stumps and brush, feeding material into the grinder, dozing of the site, and the cleanup of trees and debris resulting from the initial clearing; and,

**WHEREAS**, Prosite Services Inc submitted a bid for the provision of these services, including the rental of a Tub Grinder, Excavator, and Dozer, as well as the execution of all necessary cleanup tasks; and,

**WHEREAS**, the bid submitted by Prosite Services Inc, totaling \$21,000.00, has been reviewed and found to meet the requirements set forth by the Charter Township of Superior for these services; and,

**WHEREAS**, the Board of Trustees deems it in the best interest of the Township to accept the bid from Prosite Services Inc for the efficient and effective execution of the site clearing project;

**NOW, THEREFORE, BE IT RESOLVED** that the Charter Township of Superior Board of Trustees hereby accepts the bid from Prosite Services Inc for the Tub Grinder Rental to grind up stumps and brush, use of an Excavator to feed the grinder, utilization of a Dozer for site preparation, and the cleanup of additional trees and debris left from the original clearing, for a total amount of \$21,000.00.

Roll Call

Ayes: Supervisor Schwartz

Nays: Clerk Findley  
Trustee Caviston  
Treasurer Lewis  
Trustee Lindke  
Trustee McGill

Absent: Trustee Secrest

Motion failed by majority vote.

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**D. RESOLUTION 2024-25, APPROVE THE LAWN CARE PROPOSAL FROM  
CONKLIN LANDSCAPING, INC. FOR MAINTENANCE SERVICES AT TWO  
ROUNDBABOUTS**

Supervisor Schwartz explained the resolution.

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

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

**RESOLUTION TO ACCEPT THE LAWN CARE PROPOSAL FROM CONKLIN  
LANDSCAPING, INC. FOR MAINTENANCE SERVICES AT TWO ROUNDBABOUTS**

**RESOLUTION NUMBER: 2024-25**

**DATE: APRIL 15, 2024**

**WHEREAS**, the Charter Township of Superior is committed to the maintenance and beautification of its public spaces, ensuring they are welcoming and well-kept for residents and visitors alike; and,

**WHEREAS**, the roundabouts located at Geddes at Ridge and at Superior are essential components of our community's infrastructure, requiring regular lawn care and maintenance to preserve their appearance and functionality; and,

**WHEREAS**, Conklin Landscaping, Inc., with 25 years of dependable service experience, has submitted a lawn care proposal dated March 11, 2024, for the period of April 1, 2024, through November 30, 2024, to provide such services at the specified locations; and,

**WHEREAS**, the proposal includes lawn mowing and trimming services scheduled every other week for the Geddes & Ridge Roundabout at a rate of \$45.00 per service and for the Geddes & Superior Roundabout at a rate of \$82.00 per service; and,

**WHEREAS**, the Township recognizes the need for regular lawn maintenance services for these roundabouts and deems the proposal submitted by Conklin Landscaping, Inc. to be in the best interest of the Township, both in terms of service quality and cost efficiency;

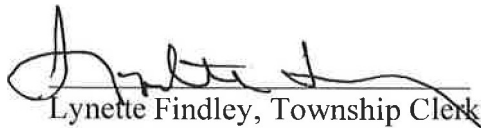
**NOW, THEREFORE, BE IT RESOLVED** that the Charter Township of Superior Board of Trustees hereby accepts the lawn care service proposal from Conklin Landscaping, Inc.

**CHARTER TOWNSHIP OF SUPERIOR BOARD  
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for the specified maintenance of the Geddes & Ridge and Geddes & Superior roundabouts, in accordance with the terms and rates outlined in Proposal # SUPTWPS-24M-0010 for an approximate expected total of \$2,159.00.

**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 April 15, 2024, 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

04/15/2024  
Date Certified

Roll Call

Ayes: Treasurer Lewis  
Clerk Findley  
Trustee Caviston  
Trustee Lindke  
Trustee McGill  
Supervisor Schwartz

Nays: None.

Absent: Trustee Secrest

Motion carried by unanimous vote.

**E. ~~RESOLUTION 2024-26, APPROVE WASHTENAW COUNTY ROAD COMMISSION (WCRC) AGREEMENT FOR JOY RD. CULVERT REPLACEMENT~~**

- Supervisor Schwartz explained (in regard to resolution 2024-26 and 2024-27) that he did not request the Road Commission to make the evaluation to replace this culvert. He believes the Road Commission is attempting to “pressure” the Township to agree.
- Clerk Findley stressed getting the entire list of all projects so that the Board can make their own determinations.

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It was moved by Clerk Findley supported by Trustee McGill to remove new business items “E” and “F” from the agenda.

The motion carried by unanimous vote.

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

**~~RESOLUTION TO APPROVE  
SALEM/ CHARTER TOWNSHIP OF SUPERIOR AGREEMENT TO REPLACE  
JOY ROAD CULVERT~~**

**~~RESOLUTION NUMBER: 2024-26~~**

~~**WHEREAS**, this agreement made and entered into this 15<sup>TH</sup> day of April 2024, by and between the Township Board of Salem Township and the Charter Township of Superior (“Salem Township and the Charter Township of Superior”), Washtenaw County, and the Board of County Road Commissioners of the County of Washtenaw (“WCRC”).~~

~~**WHEREAS**, Salem Township and the Charter Township of Superior desires WCRC to replace the local road culvert (C0134001) on Joy Road, West of Gotfredson Road in Salem Township and the Charter Township of Superior (the Project); and~~

~~**WHEREAS**, Salem Township has been awarded a Washtenaw County stormwater program grant administered by the Washtenaw County Water Resources Commissioner’s Office in the amount of \$75,000 for the Project; and~~

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

~~**WHEREAS**, WCRC will complete the Project as specified herein in accordance with its standards and any applicable permit requirements; and~~

~~**WHEREAS**, that the actual Project costs less the stormwater grant amount will be split equally between Salem Township and the Charter Township of Superior and the WCRC; and~~

~~**WHEREAS**, that Salem Township shall seek reimbursement for the stormwater grant amount from the Washtenaw County Water Resource Commissioner’s office; and~~

~~**WHEREAS**, following the completion and final accounting of the Project, WCRC will submit an invoice to Salem Township and the Charter Township of Superior for the actual Project costs. Salem Township and the Charter Township of Superior agree to remit payment~~

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within 30 days from receipt of the invoice. The invoice shall provide supporting details and information, which reasonably identifies the Project Costs; and,

~~WHEREAS, the expenditures are the following:~~

~~**AGREEMENT SUMMARY C0134001- Joy Road Culvert**~~

~~Project Cost Estimate \* = \$628,000.00~~

~~Estimated Project Cost Summary~~

~~Stormwater Grant - Township Share (Fixed amount) = \$75,000.00  
 Salem Township Share (33.3% of remaining estimated cost) = \$184,333.33  
 Charter Township of Superior Share (33.3% of remaining estimated cost) = \$184,333.33  
 Less WCRC Share (33.3% of remaining estimated cost) = (\$184,333.34)~~

~~**Estimated Amount to be Paid by Salem Township to WCRC under this Agreement:**  
 = \$259,333.33~~

~~**Estimated Amount to be Paid by the Charter Township of Superior to WCRC under this Agreement:**  
 = \$184,333.33~~

~~\*The actual cost will be based on the final accounting by WCRC~~

~~**NOW, THEREFORE, BE IT RESOLVED** the Board of Trustees of the Charter Township of Superior hereby approve the Salem/ Charter Township of Superior Agreement to replace Joy Rad Culvert for the expected cost of \$184,333.33.~~

~~**F. RESOLUTION 2024-27, APPROVE WASHTENAW COUNTY ROAD COMMISSION (WCRC) AGREEMENT FOR 2024 LOCAL ROAD PROGRAM**~~

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

~~**RESOLUTION TO APPROVE WASHTENAW COUNTY ROAD COMMISSION 2024  
 LOCAL ROAD AGREEMENT**~~

~~**RESOLUTION NUMBER: 2024-27**~~

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**DATE: APRIL 15, 2024**

~~WHEREAS, the Charter Township of Superior desires that certain improvements be made upon the local roads in the Township; and,~~

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

~~WHEREAS, the WCRC will accomplish the improvements as specified herein, all in accordance with the standards of the Board of Washtenaw County Road Commissioners; and,~~

~~WHEREAS, the Charter Township of Superior shall pay WCRC for the actual project costs incurred for the project; and~~

~~WHEREAS, the WCRC will submit an invoice to the Township on July 1, 2024, for 50% of the estimated project costs. Following project completion and final accounting of the project costs, WCRC will submit the final invoice for the actual remaining unpaid costs. The final invoice shall provide supporting detail and information, which reasonably identifies the actual project costs incurred by WCRC. The Township described herein agrees to remit payment within 30 days from receipt of WCRC invoices; and,~~

~~WHEREAS, a summary of the 2024 Local Road Program is as follows:~~

<b>2024 LOCAL ROAD PROGRAM</b>	
Joy Road, Vorhies Road to Dixboro Road	\$84,000.00
Joy Road, Tower Road to Vorhies Road	\$125,000.00
Joy Road, Curtis Road to Tower Road	\$90,500.00
Gale Road, Geddes Road to Vreeland Road	\$114,000.00
Gale Road, Vreeland Road to Cherry Hill Road	\$81,000.00
Subtotal	
Less WCRC 2024 Local Matching Funds	\$126,552.18
<b>ESTIMATED AMOUNT TO BE PAID BY SUPERIOR TOWNSHIP UNDER THIS AGREEMENT DURING 2024</b>	<b>-\$367,947.82</b>

~~NOW, THEREFORE, BE IT RESOLVED~~ the Board of Trustees of the Charter Township of Superior hereby approves the 2024 Local Road agreement with the estimated amount to be paid by the Charter Township of Superior being \$367,947.82.

**G. RESOLUTION 2024-28, ADOPT INVESTMENT POLICY DATED MARCH OF 2024**

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Treasurer Lewis explained the resolution and said that the Township Auditor agreed with the given policy.

The following resolution was moved by Trustee Lindke supported by Trustee McGill.

- Trustee Lindke asked if the policy has not been changed since 1998.
- Treasurer Lewis answered that the policy, dated 1998, was the most current policy that she could find.
- Trustee Lindke asked what changed.
- Treasurer Lewis said, other than the review of fund numbers, there was not much that was changed.
- Trustee Lindke said in her research she found other communities use a “statement of ethics” that she believes should be added.
- Treasurer Lewis said it can absolutely be added and she is sure our Township Auditor would agree.

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

**~~RESOLUTION TO UPDATE CHARTER TOWNSHIP OF SUPERIOR INVESTMENT  
POLICY~~**

**~~RESOLUTION NUMBER: 2024-29~~**

**~~DATE: APRIL 15, 2024~~**

~~**WHEREAS**, the Charter Township of Superior is committed to the responsible management and stewardship of public funds; and~~

~~**WHEREAS**, it is essential to periodically review and update the investment policy to reflect the current economic conditions, state statutes, and local ordinances; and~~

~~**WHEREAS**, the Township recognizes the importance of safeguarding capital while striving to achieve a reasonable investment return;~~

~~**NOW, THEREFORE, BE IT RESOLVED** the Board of Trustees of the Charter Township of Superior hereby adopts following investment policy:~~

The Board agreed to table to May 20, 2024, meeting.



**CHARTER TOWNSHIP OF SUPERIOR BOARD  
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**H. RESOLUTION 2024-29, FIRE STATION #2 CONTRACT BID AWARD**

George Tsakoff, OHM, explained the bid process and stated that all contractors that submitted a bid were prequalified.

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

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

**RESOLUTION TO AWARD FIRE STATION BID CONTRACT TO THE SUMMIT  
COMPANY**

**RESOLUTION NUMBER: 2024-30**

**DATE: April 15, 2024**

**WHEREAS**, Sealed Bids submitted for the Fire Station No. 2 Bathroom project were opened on Thursday, April 4, 2024, at approximately 9:30am. The Charter Township of Superior received bids from three (3) contractors that were pre-qualified to bid on the project and were provided the contract documents by invitation based on the Township's and OHM's experience and contractor availability; and,

**WHEREAS**, the summary of bidders and their total bid amounts as read are listed below. The budgeted amount for construction cost based on a past contractor preliminary estimate was approximately \$60,000. We have summarized the bid amounts of all work items from the bidders in the below bid tabulation:

<b>Contractor Name</b>	<b>Bid Amount</b>
The Summit Company	\$29,268
Reliance Building Company	\$45,000
O'Neal Construction Company	\$49,600

**WHEREAS**, the project scope consists of installing a new bathroom facility in an existing storage room in Fire Station No. 2 to the north of the truck bay area. To accommodate this location for a new bathroom facility, a grinder pump/pressurized system would be installed to route the sewer discharge piping over the truck bay to connect to the existing sanitary piping that is in the facility to the south of the truck bay area. The project consists of a new toilet, sink, and pumped discharge system with minimal bathroom accessories as requested by the Parks and Recreation Department and in coordination with the Fire Department; and,

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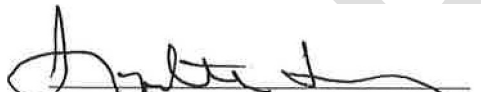
**WHEREAS**, all 3 contractors were deemed highly qualified and able to perform the work efficiently and effectively based on plans and contract documents. The low bidder, The Summit Company is in Livonia, MI, and has successfully performed recent building projects of varying sizes for the City of Southfield and City of Farmington under the oversight of OHM Advisors and are qualified to execute this work.

**NOW, THEREFORE, BE IT RESOLVED**, based on the bids received and our summary above, we recommend that the Charter Township of Superior award the Fire Station No. 2 Bathroom project to The Summit Company; and,

**BE IT FURTHER RESOLVED**, that due to the nature of the work and the possibility of minor construction adjustments, we also recommend a 10% contingency be added to the estimated bid award amount to account for minor modifications that may be necessary, for a total contract award amount Not-to-Exceed \$32,000 (Thirty-Two Thousand Dollars).

**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 April 15, 2024, 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

04/15/2024

Date Certified

Roll Call

Ayes: Trustee Caviston  
Clerk Findley  
Treasurer Lewis  
Trustee Lindke  
Trustee McGill  
Supervisor Schwartz

Nays: None.

Absent: Trustee Secrest

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Motion carried by unanimous vote.

**I. RESOLUTION 2024-30, APPROVAL TO ENTER INTO STREET SIDE  
MAINTENANCE AGREEMENT WITH ROBERT BUTLER**

Supervisor Schwartz explained the resolution.

The following resolution was moved by Trustee McGill supported by Trustee Lindke in the amount of \$25,436.00.

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

**A RESOLUTION FOR APPROVAL TO ENTER INTO A STREET SIDE  
MAINTENANCE AGREEMENT WITH MR. BUTLER FOR THE OAKBROOK AND  
WASHINGTON SQUARE SUBDIVISION COMMON AREAS**

**RESOLUTION NUMBER: 2024-30**

**DATE: APRIL 15, 2024**

**WHEREAS**, the Charter Township of Superior is a Michigan municipal corporation that provides public services to residents of the Township; and

**WHEREAS**, a Special Assessment District was created to provide funding for street-side maintenance in the Oakbrook and Washington Square subdivisions located in the Township, which includes cutting the grass and other maintenance of the common areas; and

**WHEREAS**, the Township Board has the responsibility to approve, execute and administer agreements to provide for such street-side maintenance; and

**WHEREAS**, Mr. Robert Lee Butler has worked as an independent contractor for the Township for many years; and

**WHEREAS**, the Township has been extremely satisfied with the performance of Mr. Butler.

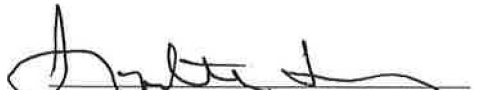
**NOW, THEREFORE BE IT RESOLVED**, that the Charter Township of Superior Board of Trustees approves the agreement for 2024 with Mr. Robert Lee Butler for side street

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maintenance in the amount of ~~\$24,700.00 which is 4% more than 2023 (\$24,457.68)~~ \$25,436.00, which is 4% more than 2023. The Board of Trustees authorizes the Township Supervisor to sign the Agreement, and that the cost of this agreement is to be taken from the Side Street Maintenance Fund, G.L. Account No. 220.

**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 April 15, 2024, 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

04/15/2024  
Date Certified

**Roll Call**

Ayes: Treasurer Lewis  
Clerk Findley  
Trustee Caviston  
Trustee Lindke  
Trustee McGill  
Supervisor Schwartz

Nays: None.

Absent: Trustee Secrest

Motion carried by unanimous vote.

**J. MOTION TO APPROVE TRUSTEE LINDKE'S TRAVEL TO MTA CONFERENCE**

Trustee Lindke explained the motion and the Supervisor added that he may want to go and suggested the motion encompass all Board member who would like to go.

It was moved by Treasurer Lewis supported by Trustee Lindke to approve, from the budget, the travel and stay for members of the Board who will attend the Michigan Township Association (MTA) conference.

Motion carried by unanimous vote.

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**K. MOTION TO APPROVE TRANSIENT AND AMUSEMENT ENTERPRISES  
ACTIVITY PERMIT APPLICATION DIXBORO FARMERS' MARKET**

Tom Freeman explained the motion and said the first marker of the season will be May 24, 2024.

It was moved by Treasurer Lewis supported by Trustee Caviston.

Motion carried by unanimous vote.

**L. SIDEWALK REPAIR PROGRAM**

Supervisor Schwartz explained that the repair program will begin again this week.

- Trustee Lindke raised concerns about potential conflicts of interest regarding sidewalk markings, referencing an email from Deputy Supervisor Irma Golden. She questioned whether Morris, a contractor, was marking sidewalks that he would later repair, highlighting the need for checks and balances.
- Supervisor Schwartz clarified the process, explaining that Morris would re-examine areas where previous markings by OHM had worn off, re-mark them, and then either he or Irma would verify the accuracy before proceeding with repairs.
- Clerk Findley recalled that OHM did markings, that we subsequently learned to not be correct, were corrected by Irma Golden.
- Trustee Lindke emphasized the importance of ensuring that the contractor responsible for repairs is not also responsible for marking, to avoid any perception of bias or conflict of interest.
- Discussion ensued among board members about the roles and responsibilities of staff versus contractors in marking sidewalks. Concerns were expressed about the efficiency and integrity of having contractors mark areas they might later repair.
- Supervisor Schwartz proposed that it might be permissible for Morris to undertake marking due to cost considerations compared to using OHM.
- Trustee Lindke and others argued for township staff, potentially including Irma Golden, to handle marking tasks to ensure transparency and prevent any undue influence or double charging by contractors.
- Concerns were voiced about past practices and the need for clear procedures. Trustee Lindke pointed out that the Township should not be purchasing for contractors like Morris, noting a particular instance where \$1,400.00 in supplies was bought, which she felt was inappropriate.
- Supervisor Schwartz mentioned that costs incurred for marking by contractors would be charged back to homeowners, a statement that sparked further debate from other Board members about the appropriateness and transparency of such charges.

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- The discussion concluded with an agreement to reevaluate who should perform the sidewalk markings. It was suggested that township staff should resume this responsibility to maintain checks and balances, and to prevent contractors from influencing which sidewalks need repair, thereby protecting homeowner interests.

It was moved by Trustee McGill supported by Trustee Lindke that an employee of the Township will be held responsible for making the markings on properties that need sidewalk repairs and not the contractors.

Motion carried by unanimous vote.

- Clerk Findley asked if there was a reason why the Deputy Supervisor is not continuing this job.
- Supervisor Schwartz said that nobody has started for the Spring season.
- Trustee McGill raised a concern regarding \$1,400.00 in supplies that had not yet been issued. This prompted a broader conversation about financial procedures and authorizations for purchasing supplies for contractors.
- Supervisor Schwartz explained the circumstances around the purchase, noting it was part of a deal to secure lower prices on flags for residents, which involved negotiations with a vendor. He emphasized that the deal provided good value for the community and was a necessary component of the contract to expedite the work.
- Trustee Lindke expressed concerns about the appropriateness of the Township purchasing supplies for a private vendor. She stressed the need for board authorization for such expenditures, highlighting that donating money or resources to a private vendor without proper discussion and approval was not acceptable practice.
- Supervisor Schwartz countered, mentioning that similar purchases had been made in the past, such as buying tanks for another project. He suggested that minor expenses like these could be approved by him to keep projects moving forward, implying a need for more flexible procurement procedures.
- The conversation shifted to a specific issue raised by a resident about a problematic sidewalk ramp on Wiltshire and Barrington. Trustee Lindke questioned whether this issue should be addressed immediately, considering the community's concerns.
- Supervisor Schwartz detailed his response to the sidewalk issue, noting that he had asked Mr. Morris for a bid to temporarily repair the sidewalk, which was compromised due to a subsiding gas main. He described the repair as urgent due to safety concerns and indicated plans for a more comprehensive fix once funding was available.
- Treasurer Lewis inquired whether the affected resident had been informed of the temporary fix plan.
- Supervisor Schwartz responded that he had handled it earlier that day and planned to communicate directly with the resident via email.
- Trustee McGill emphasized the importance of transparency and quick action, urging Supervisor Schwartz to ensure the resident was promptly informed and reassured about the temporary fix.

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**M. ESTABLISH POST-AUDIT PROCEDURES**

- Trustee Lindke recalled training from the Michigan Township Association, emphasizing the importance of a post-audit policy, where certain expenses are approved by the Board before payment is made, while regular expenses like payroll and utilities are approved afterward to avoid late fees. She highlighted past issues, including a significant financial error and a fraud incident, which she believes could have been prevented with a more robust policy.
- Trustee Lindke proposed adopting a strong post-audit policy, similar to one used by Pittsfield Township, suggesting that the Township could benefit from such a structured approach to managing expenses. She circulated a draft policy she had created a couple of years ago, which was intended as an overview and needed further development.
- Supervisor Schwartz acknowledged the current policy's deficiencies, describing it as too broad and open-ended, which necessitated a more defined and restrictive approach.
- The Board discussed the formation of a committee to review and refine the post-audit policy. Trustee Lindke volunteered to be part of this committee, along with another member, Nancy Mason, Township Book, to ensure the policy is comprehensive and effective.
- Discussion about the committee's scope and responsibilities ensued, with Treasurer Lewis initially suggesting that post-audit functions might fall under the responsibilities of a future HR department. Trustee Lindke corrected this, stating that such duties should be managed by the Controller, not HR, focusing on financial oversight rather than personnel matters.
- Trustee Lindke stressed the importance of learning from other townships' experiences in crafting effective policies, advocating for a benchmarking approach to avoid "reinventing the wheel."

It was moved by Trustee McGill supported by Treasurer Lewis to establish a committee comprised of Trustee Lindke, Nancy Mason, Township Bookkeeper, and Keith Lockie, Township Controller to develop post-audit procedure.

Motion carried by unanimous vote.

**N. ESTABLISH ROAD COMMITTEE**

Trustee Lindke explained that the purpose of the committee would be for a group of citizens to recommend to the Board the roads that are in disrepair.

- Supervisor Schwartz said this year the Board may have to make recommendations themselves, but the committee could do investigations for next year.
- Trustee McGill asked for the responsibilities of this committee and future committees to be put in writing.

The Board agreed to table this to May 20, 2024, board meeting.

**CHARTER TOWNSHIP OF SUPERIOR BOARD  
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**O. ESTABLISH COMMITTEE AND SET INTERVIEW DATES FOR HR DIRECTOR POSITION**

- Clerk Findley suggested the committee be herself, Nancy Mason, and another board member.

It was moved by Treasurer Lewis supported by Trustee McGill to establish a committee.

Motion carried by unanimous vote.

**P. ESTABLISH COMMITTEE FOR “ROCK PROPERTY” PROGRAMMING**

- Supervisor Schwartz initially suggested assigning the “Rock” property to Township Parks and Recreation.
- Trustee Lindke strongly supported the idea, advocating for immediate action. She emphasized the necessity of more active involvement from Township Parks and Recreation, suggesting that formalizing this shift could help avoid past issues like financial errors.
- Supervisor Schwartz expressed caution, recommending that any changes include detailed written authority, such as whether Parks and Recreation could veto conservation easements, which could have broader implications.
- Trustee Lindke argued that Parks and Recreation should indeed have the authority to manage the property as initially intended when discussed with the Bond Council, implying that the property was meant to be a park.
- Debate ensued about the need for a comprehensive plan before transferring authority, with Supervisor Schwartz suggesting that the matter needed more development and should be revisited in the upcoming May meeting.
- Trustee Lindke proposed forming a small committee to further discuss and possibly implement the policy change, offering to be part of it along with Nancy Mason, Township Bookkeeper and another board member.
- Trustee Lindke reiterated her belief that park programming was essential and should be aggressively pursued, expressing frustration over previous inaction.

The discussion concluded with plans to revisit the issue at the next meeting, allowing time for further discussion with Township Parks and Recreation and to formulate a more detailed proposal.

**~~Q. LIBRARY REPAYMENT AGREEMENT~~**

**R. GEDDES RIDGE SIGNAGE**

- Supervisor Schwartz reported on his recent visit to Geddes Ridge to assess the site for new signage. He expressed concerns about proceeding with the signage installation without first determining the exact path of a planned pathway, noting potential conflicts between the sign



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placement and the pathway development. He advocated for delaying the signage until after the pathway is completed to ensure proper placement and avoid any issues.

- Trustee McGill emphasized the importance of committing to the Geddes Ridge community that signage would be installed after the pathway's completion. She clarified that the timing of the signage, whether before or after the pathway, was less important than the commitment to ensure it is done.
- The conversation then shifted to the specifics of the signage, with Supervisor Schwartz inquiring whether one or two signs would be appropriate. This led to a discussion on the standards and specifications for signage, such as the use of breakaway posts, which are typically set by the road commission.
- Trustee McGill expressed her preference to defer to professional recommendations for the signage but reiterated the importance of fulfilling the promise to install signage, highlighting that Geddes Ridge was one of the few areas without proper signage.
- Supervisor Schwartz expanded the discussion to include other areas lacking signage, such as Harvest Lane and Panama, suggesting that these areas should also receive signage. He recalled a previous engagement with Destination Ann Arbor, which could potentially fund signage through a CTAP grant. He committed to revisiting this funding opportunity and affirmed his commitment to ensuring that Geddes Ridge and other mentioned areas would receive proper signage.
- The discussion concluded with a plan to further investigate the appropriate signage options and configurations post-pathway development, and to pursue potential funding opportunities for broader signage improvements in the Township.

**12. BILLS FOR PAYMENT AND RECORD OF DISBURSEMENTS**

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

Trustee Lindke and Clerk Findley stressed the need to review TAZ's contract.

The motion carried by unanimous vote.

**13. PLEAS AND PETITIONS**

- Clerk Findley explained that meetings are posted in multiple locations, and they are scheduled a year in advance.
- Treasurer Lewis stated that her current computer was not "flagged".
- Trustee Lindke asked about the Plymouth Rd. realtor presentation.
- Presentations from a realtor will be made at an upcoming meeting, potentially a special meeting.
- T.C. Collins spoke about the timeline with Clay Hill Community Farm and Garden.
- John Park, AmeriCorp member, added that there will be an accident on site if not mediated.

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- Jenny Bandyk, Ashley Dr., spoke about her concerns with the current sidewalk repair program.
- Irma Golden spoke about her concerns with the current sidewalk repair program.
- Supervisor Schwartz said he believed Deputy Supervisor Golden went and checked all the sidewalks and did a good job.
- Trustee McGill stressed the need for better oversight with the Township's contractors.
- Lieutenant John Cratsenburg, regarding pending fraud cases, said there are search warrants that are pending with the bank's legal system.

**14. ADJOURNMENT**

It was moved by Trustee Lindke supported by Trustee McGill, that the meeting be adjourned. The motion carried and the meeting adjourned at 10:12 p.m.

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor

## Kristina Rankin

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**From:** Bill Secrest  
**Sent:** Friday, April 12, 2024 12:29 PM  
**To:** Lynette Findley  
**Cc:** Board; Keith Lockie; Mary Burton; Landis Smith; Kristina Rankin  
**Subject:** Re: Board Packet for April15th, 2024 Meeting

Dear Board, As I will be missing the upcoming meeting this Monday, I would like to volunteer to serve on the Rock Property planning committee.

Thanks ...

~ Willy ~

Sent from my iPad

On Apr 12, 2024, at 5:46 PM, Lynette Findley <lynettefindley@superior-twp.org> wrote:

Board packets are ready for pick up now.

Please see attached agenda.

Enjoy your weekend.

Lynette Findley  
Clerk, Charter Township of Superior  
3040 N. Prospect Rd.  
Superior Township, MI 48198  
Ph: 734-482-6099

[www.superiortownship.org](http://www.superiortownship.org)

Check the status of your voter information at [www.michigan.gov/vote](http://www.michigan.gov/vote)  
<April 15, 2024 Agenda.docx>

Parks and Recreation Commission  
Committee to Promote Superior Charter Township

**VOLUNTEERS NEEDED**

**Spring** Roadside Clean-Up

**Saturday, April 20th, 2024**  
(Rain Date - April 27th)

**10:00 am - 1:00 pm**

**Sign Up Now!**

**c2pst@superior-twp.org**

**Irma@irmagolden.com**

**Supplies, Safety Vest, Grabber, Water,  
Snacks, and Lunch**

## **Clearing Clay Hill Farm Acreage Summary of Land Clearing Approvals/Expenses**

So far, the township has spent \$44,600 and now according to an estimate from Prosite Services, it will require another \$21,000 to complete the work, bringing the total to **\$65,600 to clear 1 ½ acres of land.**

### **August 21 2023 BOT Minutes:**

BOT approved a resolution to Three Brothers contracting with company to clear the land for \$26,600.

### **November 20 2023 BOT Minutes:**

TC spoke during BOT public comments that Three Brothers stopped working on the site.

Ken Schwartz said that Three Brothers has only been paid half of the invoice (\$13,300).

Schwartz said that Three Brothers cannot complete the work and wants to hire Dan Spiker to finish the job. He has requested a quote.

### **December 18 2023 BOT Minutes:**

The BOT passed a motion to approve paying \$19,500 to finish the job. The motion does not name the company. Presumably it is referring to Dan Spiker but could be Prosite Services.

### **February 20 2024 BOT Minutes:**

The BOT approved paying the remaining \$13,300 to Three Brothers even though they did not complete the work as stated in their contract.

### **March 18 2024 BOT Minutes:**

Supervisor's report: Contractor de-stumped the property. Still required is to bulldoze land with a root rake and a tub grinder to grind all roots, stumps and branches into chips for an estimated cost of around \$35,000.

Supervisor Schwartz specifically writes..."At this point the soil is not ready to be farmed".

There is an invoice dated 3/19/24 from Prosite Services for \$18,000

**March 19 2024** Prosite Estimate: 1210 is for \$21,000 to "tub grinder rental to grind up stumps and brush, excavator to feed grinder, dozer whole site, clean up extra trees that is wanted to be cut, clean up of piles left from original clearing".

**Recommendation: Get three bids for clearing the land up to the point where it is ready for TC to begin working.**

<b>Vendor</b>		
Three Brothers	\$26,600	PAID
Prosite	\$18,000	PAID
Prosite	\$21,000	Estimate
Total	<u>\$65,600</u>	

Begin forwarded message:

**From:** Bernice L <lindkeber@gmail.com>  
**Date:** April 10, 2024 at 8:29:00 AM EDT  
**To:** Board <board@superior-twp.org>  
**Cc:** frederick Lucas <fred@castleberrylucas.com>  
**Subject:** Charging Rent for Rock Property

Good morning,

After speaking with Patrick McGow, the bond attorney at Miller Canfield, about the ability to charge rent for farming township owned property financed through municipal bonds, I propose we charge Mr. Peach (or any other farmer) no more than 5% of the annual debt service on the bonds as provided in the federal income tax code. I have included below a summary of the allowance in the tax code, as well as the township's Schedule of Principal and Interest Requirements which reflect the Annual Debt Service.

As you can see for the 2024 year, our annual debt service is \$189,800 (last column on schedule). Five percent of this amount is \$9,490. Thus, for the 2024 year, it is allowable to charge Mr. Peach \$9,490.

It is very important that we do not exceed the 5% allowable rental payments in any year, and we will need to ensure that doesn't happen. This should be clear in the farmer's contract with us and the payments should be monitored by the township's controller.

I can explain more at our next board meeting re the above proposal.

**The following explanation is provided from the "Bond Financing Handbook for Indiana Officials", January 2020 by Thomas [Pitman@btlaw.com](mailto:pitman@btlaw.com):**

**Limitation on the Amount of "Private Use" and "Private Payment or Security."** If a local government could issue tax-exempt debt to build a building with the intention of leasing it to a private company in return for lease payments sufficient to enable the local government to pay the debt, the local government would effectively be able to pass along its lower borrowing costs to a private entity. The policy of the federal tax laws is that the benefits of tax-exempt financing should be available only for truly governmental projects. **Consistent with that policy, there are strict limitations on the extent to which a project financed with tax-exempt bonds can be privately used by parties paying the local government for (or otherwise providing security to the local government in return for) the private use. As a general rule, a governmental project that involves more than 5% private use by a party or parties securing or paying more than 5% of the debt service on the bonds will not qualify to be financed using tax-exempt debt.**

Our bond schedule for the Rock Property follows:



SCHEDULE OF PRINCIPAL AND INTEREST REQUIREMENTS

*Rock project*

\$2,160,000  
 Charter Township of Superior  
 County of Washtenaw, State of Michigan  
 2022 Refunding Bonds  
 (Limited Tax General Obligation)  
 \*\*Final Numbers - Sold May 19, 2022\*\*

Dated Date 06/07/2022  
 Delivery Date 06/07/2022

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
11/01/2022			34,560.00	34,560.00	34,560.00
05/01/2023	110,000.00	4.000%	43,200.00	153,200.00	
11/01/2023			41,000.00	41,000.00	194,200.00
05/01/2024	110,000.00	4.000%	41,000.00	151,000.00	
11/01/2024			38,800.00	38,800.00	189,800.00
05/01/2025	115,000.00	4.000%	38,800.00	153,800.00	
11/01/2025			36,500.00	36,500.00	190,300.00
05/01/2026	120,000.00	4.000%	36,500.00	156,500.00	
11/01/2026			34,100.00	34,100.00	190,600.00
05/01/2027	125,000.00	4.000%	34,100.00	159,100.00	
11/01/2027			31,600.00	31,600.00	190,700.00
05/01/2028	130,000.00	4.000%	31,600.00	161,600.00	
11/01/2028			29,000.00	29,000.00	190,600.00
05/01/2029	135,000.00	4.000%	29,000.00	164,000.00	
11/01/2029			26,300.00	26,300.00	190,300.00
05/01/2030	140,000.00	4.000%	26,300.00	166,300.00	
11/01/2030			23,500.00	23,500.00	189,800.00
05/01/2031	150,000.00	4.000%	23,500.00	173,500.00	
11/01/2031			20,500.00	20,500.00	194,000.00
05/01/2032	155,000.00	4.000%	20,500.00	175,500.00	
11/01/2032			17,400.00	17,400.00	192,900.00
05/01/2033	160,000.00	4.000%	17,400.00	177,400.00	
11/01/2033			14,200.00	14,200.00	191,600.00
05/01/2034	165,000.00	4.000%	14,200.00	179,200.00	
11/01/2034			10,900.00	10,900.00	190,100.00
05/01/2035	175,000.00	4.000%	10,900.00	185,900.00	
11/01/2035			7,400.00	7,400.00	193,300.00
05/01/2036	180,000.00	4.000%	7,400.00	187,400.00	
11/01/2036			3,800.00	3,800.00	191,200.00
05/01/2037	190,000.00	4.000%	3,800.00	193,800.00	
11/01/2037					193,800.00
	2,160,000.00		747,760.00	2,907,760.00	2,907,760.00

Notes:

Dated/Delivery Date: June 7, 2022  
 Transfer Agent: Huntington Bank  
 Purchaser: Bernardi Securities, Inc.





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

25 March 2024

**Memorandum**

**Subject:** Re-distribution of duties.

With Laura leaving us, it creates a necessity to re-distribute her duties. Laura did much more than just Planning and Zoning, but let's just address those for now.

**Planning:** I am told that this will not require a full-time person. I believe that Ken will be reaching out to Carlisle Wortman for help in this area. Ben Carlisle already serves as our "Planning Consultant" and is familiar with all active projects. If not a permanent solution, it will keep things moving for now.

**Zoning:** A part-time person will not work in this case. Everything must go through Zoning before it makes it to Building. Zoning and Building go hand in hand. When Rick was getting ready to retire, Zoning was split off. It was thought to be unlikely to find someone to do both. I have spoken to Ken and suggested that Zoning be brought back home to Building. Making me the Building Official and Zoning Administrator. For the proper compensation of course. This will be a significant addition to my work load. Zoning is already paid from the Building budget after all.

**Everything else:** Laura does so many things that aren't in her job description. Who will do those things once she's gone? From filling in for Allison when she's at lunch or out of the office to ordering office supplies and virtually everything in between. Laura has been the go-to person for so long that it's just assumed it's her job. Who will fill this void? I suggest an "Office Assistant". I'm told there used to be one. Here is just a sample of the duties this person could fill:

Answering the phones

Helping residents at the counter

Filling in for Allison when she's out or on vacation

OFFICE OF  
**BILL BALMES**  
BUILDING OFFICIAL

TOWNSHIP HALL  
3040 NORTH PROSPECT STREET  
COR. PROSPECT & CHERRY HILL RDS.  
YPSILANTI, MICHIGAN 48198  
TELEPHONE: (734) 482-6099  
FAX: (734) 482-3842

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

My current salary is \$92,154.21

30% of Laura's wages were paid from the Building Departments Budget. This was to compensate her for the Zoning Administrator part of her job. That amounted to \$12.98 hourly which works out to \$25,311.00 annually.

Adding hers to mine makes it \$117,465.21

This is still \$2889.00 less than Rick was making when he left and \$12,709.00 less than where he would be if still here. Of course he had more seniority.

I also request the next level vacation time multiplier.

The balance of Laura's wages is \$59,046.00 and benefits.

(This could be applied toward the office assistant position)

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## CHARTER TOWNSHIP OF SUPERIOR

WASHTENAW COUNTY, MICHIGAN

Scanning (which has not been touched since Jasmin left)

Order supplies

Take mail in and out

Take minutes at Planning Commission and ZBA meetings

Assemble Planning Commission Agenda and ZBA packets

Issue ID Cards

Website management

The list goes on and on. This could be possible with the balance of Laura's wages and benefits. Making everything I suggest, Budget Neutral.

I will leave it to my supervisor, Ken, to work out the fine details.

Regards



Bill Balmes