

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 1**

1. CALL TO ORDER

The regular meeting of the Charter Township of Superior Board was called to order by the Supervisor Ken Schwartz at 7:00 p.m. on February 20, 2024, at the Charter Township of Superior Hall, 3040 North Prospect, Charter Township of Superior, Michigan.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

The members present were Supervisor Ken Schwartz, Clerk Lynette Findley, Treasurer Lisa Lewis, Trustee Nancy Caviston, Trustee Bernice Lindke, Trustee Rhonda McGill, and Trustee Bill Secret.

Absent: None

4. ADOPTION OF AGENDA

It was moved by Trustee McGill supported by Trustee Secret, to adopt the agenda with the addition of adding:

1. Dixboro Green Purchase Agreement to New Business item "O"
2. Move 'M' New Business Charter Township Property Review to "A"
3. Move item "N" Financial Controls to B, with everything else following accordingly.

The motion carried by unanimous vote.

5. CITIZEN PARTICIPATION

A. CITIZEN COMMENTS

- Lance Pierce, 5182 Plymouth Rd. believes his residence will be the most affected by the construction of the Plymouth Rd. Pathway. He would like to work with the Board to create a separation between his house and the pathway. He would also like to ensure that a 100 yr. old Maple tree is preserved.
- Tom Freeman, Dixboro Village Green (DVG), thanked the Board for the partnership between the DVG and the Township, as well as the success of the events held on the Village Green. He mentioned that the Township Parks and Recreation has been a tremendous ally to them. Mr. Freeman commented on the Dixboro Green Purchase Offer

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 2**

and said that the DVG is pledging \$30,000.00 toward the cost of renovations of the building and grounds of the Dixboro Village Green.

- Leona Foster, Tanglewood, requested an update on GFL bin relabeling and service.
- Monica Ross Williams, representing the Citizens for Local Choice Ballot Initiative, spoke about the importance of understanding the initiative and how it affects Townships and villages. The changes to PA 233 and HB 5120 may take away Township and village rights to zone and plan with respect to large scale wind, battery and solar projects. Ms. Williams hoped to get the support of the Board for this initiative.
- Michelle Morgan, Lake Orion, talked about being the subject of two defamation lawsuits by Infinity Homes. She provided an overview of her experience with Infinity Homes and asked that the Board read the many documents she sent via email. She asked questions about the \$100,000.00 that Infinity was paid by Superior Township
- Michelle Justice, 1707 Weeping Willow Ct., shared her negative experience with Infinity Homes. She discussed the many code violations that were identified at her home and provided documents to the Board.
- Lucius Justice, 1707 Weeping Willow Ct., spoke about the new phase of construction by Infinity Homes. Once construction began, his sump pump was running “24/7” and they couldn’t figure out why. He questioned by Infinity and got approval to install the sump pump pipe a foot below grade.
- Mr. Ganguly, 1701 Weeping Willow Ct., said he had the same issue at his home that Mr. Justice described and was told that the problem was due to his landscape work. There is no drainage line at this point. Homeowners are afraid to talk publicly about these issues because Infinity Homes LLC. still manage their property.
- Brad Morgan, Lake Orion, discussed his negative experience with Infinity Homes, code violations against Infinity and defamation lawsuits that Infinity filed against him.
- Rickey Harding, Utility Superintendent, spoke about how it took a year and a half for Utilities staff to receive raises compared to the ten minutes it took for the Board to approve raises for the officials and trustees at the December Board meeting. He also said that Utilities staff were required to conduct time studies in support of their raises.
- Irma Golden, 1585 Sheffield Dr., questioned the whereabouts of the \$100,000.00 that is missing. She said “everyone” is responsible for finding out what happened. She wants to know how the Township gets it back.
- Lt. Cratsenburg, Washtenaw County Sheriff’s Department, reported that there is an active investigation currently underway against Infinity Homes.
- Ramona Parker Hayden, resident, raised concerns about fraud in the Treasurer’s Office, lawsuits and the \$100,000.00 payment to Infinity. She talked about transparency and trust, and the Board’s fiduciary responsibility to the residents of the Township. She questioned the wire fraud in the Treasurer’s Office, why our funds are not protected through using sweeping accounts and how the Township paid Infinity \$100,000.00 from an escrow account that belonged to another developer.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 3**

- Brenda Baker, Ashton Ct., representing the Committee to Support Superior Township, and is participating remotely. She pointed out where to find her committee report and gave a report on “Superior People” and spotlight on Trustee McGill.
- Concerned Citizen, Zoom, said that Trustee Lindke filed a criminal complaint on January 19th regarding Infinity Homes requesting and receiving \$100,000.00 that did not belong to them. Trustee Lindke initially did this as a trustee but was told she had to refile as a citizen by Attorney Fred Lucas. The Concerned Citizen questioned why Ms. Lindke couldn’t use information she was “privy to” to file the complaint. They also wanted to know about the status of the escrow account audit, questioned the controller’s understanding of procedures being or not-being followed by staff and wondered about the status of the sexual harassment report. She cited many emails between Ken Schwartz and Rino Soave from Infinity and questioned the \$100,000.00 mis-payment.
- Supervisor Schwartz explained the fraud about the “washed check” taken from the Utilities Department and addressed Michelle Morgan’s comments and questions.

6. PRESENTATIONS AND PUBLIC HEARINGS

Claire Martin, Project Manager for OHM, presented on the Geddes Rd. Pathway project which was granted TAP funds for extending the existing pathway to connect Bromley Park and Arbor Woods. Currently OHM is finishing up the design part of the project. They are also trying to have the trees cleared around the pathway along the south side of Geddes.

7. CONSENT AGENDA

A. APPROVAL OF MINUTES

- January 16, 2024

B. REPORTS

- Supervisor
- Liaison Report on Parks & Recreation Commission Meeting – Trustee Lindke
- Community Center Advisory Committee Update – Clerk Findley
- Departmental Reports: ~~Building Department~~, Fire Department, Ordinance Officer, Parks Commission Minutes, Sheriff’s Report, Planning and Zoning Report, Utility Department’s Report, Assessing Report
- Controller’s Report
- Monthly Financial Reports, December and January
- Quarterly Financial Report, Period Ending 12/31/23.
- Treasurer’s Investment Report

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 4**

C. COMMUNICATIONS

- C2PST
- Complaint Against Supervisor

8. ITEMS REMOVED FROM THE CONSENT AGENDA

- Trustee Lindke said that the Building Department had stopped issuing certificates of occupancy and doing inspections on the Infinity Homes for a short time. She would like major decisions like this to be reflected in the report.

9. UNFINISHED BUSINESS

A. VIDEO EQUIPMENT REPAIRS

- Clerk Findley updated the Board on the status of video system repairs.

B. RESOLUTION 2023-74, RESOLUTION TO APPROVE MIDDLE HURON PARTNERSHIP CONTRACT

- Supervisor Schwartz explained the role of the Huron River Watershed Council (HRWC) which is to monitor the middle part of the Huron River and analyze it for chemicals. The HRWC also assists the Township with its stormwater permit that must be submitted to EGLE every five years. If there are any issues with the Huron River, the HRWC will handle it for the Township.

It was moved by Trustee Secrest, supported by Trustee McGill to approve the contract with the Middle Huron Partnership from the Huron River Watershed Council.

Roll Call

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

Nays: None.

Motion carried by unanimous vote.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 5**

C. LASALLE LAWSUIT UPDATE

- Supervisor Schwartz asked Attorney Fred Lucas to update the Board as the Township is involved in current litigation.
- Attorney Lucas reported that there is facilitation this week with Ron Denewith. Supervisor Schwartz, Trustee Lindke and Rickey Harding will be attending. He explained what happens during a facilitation session. The Township representatives can provide guidance at the meeting on what they believe the Board will accept.

D. ESCROW AUDIT UPDATE

- Supervisor Schwartz reported that Ken Palka, the Township auditor, will be submitting a proposal to conduct the audit of the escrow accounts this week. He will conduct the review during his regular audit visit which starts this coming April.

E. ROCK PROPERTY PROGRAMMING

- Trustee Lindke stated that a few years ago the Board agreed to have children's programming available on the Rock Property. For the last few years Mr. Peach farmed the land. She would like to talk with the Parks and Recreation Commission to start planning for children's programming for the summer.
- Supervisor Schwartz said that a certain amount of acreage could be devoted to this type of programming.

It was also recommended to post the availability of the property for farming on the Township's website.

F. HUMAN RESOURCES DIRECTOR UPDATE

- Trustee McGill submitted the salary range for the Human Resources Director position as \$76,000.00-\$104,000.00 She recommended that we proceed with posting the position and hiring someone as soon as possible.

It was moved by Treasurer Lewis supported by Trustee Lindke to post the full-time Human Resources Director position immediately.

The motion passed unanimously.

**G. UPDATES OF UTILITIES FRAUD CASE FROM WASHTENAW COUNTY
SHERIFF'S DEPARTMENT (WCSD)**

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 6**

(The update on this case was presented during the Citizen's Participation time of this meeting. See above.)

H. FIREMAN'S PARK UPGRADES FUNDING

- Trustee Lindke requested that the gap in funding for Fireman's Park of \$211,858.62 be covered by the General Fund. She asked Juan Bradford, Director of Parks and Recreation, to talk about the gap in funding and what it would cover. The remaining drainage mitigation cost is \$140,665.00 and \$71,193.00 is for the playground needs.
- Mr. Bradford explained how Fireman's Park will be a destination park for our community.
- Supervisor Schwartz recommended that the General Fund and Parks and Recreation split the cost of the funding gap needed.

It was moved by Trustee Lindke, supported by Treasurer Lewis to provide \$211,859.00 (rounded) out of the General Fund to cover the entire amount needed for this project.

- Trustee McGill discussed the opportunity of investing in the park and generating income from events held at the location.

Trustee Lindke called the question.

Roll Call

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

Nays: None.

Motion carried by unanimous vote.

I. UPDATE ON STEPHENS DRIVE SPEED BUMPS

- Clerk Findley said that a majority of the Board has already supported having speed bumps installed.
- Supervisor Schwartz responded that we should let the Washtenaw County Road Commission know our intentions.
- A few of the board members said that this was already done.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 7**

- Supervisor Schwartz said he believes there should be a resolution should be made and given to the Washtenaw County Road Commission.
- Clerk Findley stated we already have a resolution (Resolution 23-76) and we do not need another speed study.
- Trustee Lindke suggested that rather than waiting another month the Board should consider a motion to get this move.

It was moved by Trustee McGill supported by Clerk Findley to proceed with taking action to get the speed bumps for Stephens Drive (with the Township's agreement to fund it).

Supervisor Schwartz reiterated that he believes another resolution is needed.

Trustee Lindke called the question.

The motion carried by majority vote.

Supervisor Schwartz voted No.

(Attorney Fred Lucas advised that the motion be put in the form of a resolution. Board members agreed with his advice.)

10. NEW BUSINESS

Clerk Findley requested that the Board add two more items to New Business: 1) consider supporting the complaint filed against Infinity by Trustee Lindke, new Item P and 2) return item A Resolution 2023-04 as it was originally presented on the agenda.

Board members agreed to the changes.

A. RESOLUTION 2024-04, HIRE CLERKS OFFICE ADMINISTRATIVE ASSISTANT, KRISTINA RANKIN

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

Clerk Findley introduced Kristina Rankin and asked her to tell the Board about herself. She has experience in elections and other administrative work and has worked 25 years in government.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 8**

WASHTENAW COUNTY, MICHIGAN

RESOLUTION TO HIRE CLERKS OFFICE ADMINISTRATIVE ASSISTANT

RESOLUTION NUMBER: 2024-04

DATE: FEBRUARY 20, 2024

WHEREAS, the Charter Township has identified the need for a dedicated and proficient Administrative Assistant for the Clerk's Office to support its operations and services; and

WHEREAS, Kristina Rankin has hired for the position of Administrative Assistant for the Clerk's Office, bringing over 25 years of administrative experience across a variety of business settings, including legal and health organizations, which are invaluable to the diverse needs of the Township; and

WHEREAS, Kristina Rankin has demonstrated a high level of efficiency, organization, and attention to detail, along with excellent interpersonal skills essential for the role; and

WHEREAS, Kristina Rankin possesses strong analytical and problem-solving skills, with a proven ability to make well-thought-out decisions, particularly in high-stress situations, thereby ensuring the smooth operation of the Clerk's Office; and

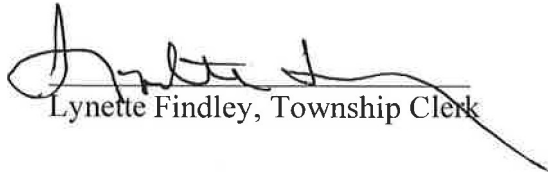
WHEREAS, Kristina Rankin has served in Ann Arbor Township for over eight (8) years for their elections with progressive responsibilities including chairing a precinct.

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township Board of Trustees hereby approves the hiring of Kristina Rankin as the Administrative Assistant for the Clerk's Office at a rate of \$31.00 per hour.

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 February 20, 2024, and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 9**


Lynette Findley, Township Clerk

02/20/2024
Date Certified

The resolution carried by unanimous vote.

B. CHARTER TOWNSHIP OF SUPERIOR PROPERTY REVIEW

Trustee Lindke reported that at the January Board meeting there was discussion about property the Township owns and the process of selling such property. In particular, she reviewed that a resident was interested in purchasing a 1.7-acre plot on Plymouth Rd. for \$65,000.00 at a time where similar vacant property was on the market for around \$340,000. She suggested that rather than taking all of the funds needed to fund projects from the Township's reserves, we sell some of the property that we hold. The property on Plymouth Road has been held since the early 2,000's and has appreciated in value. If we sell this property, the proceeds could cover some of the pathway costs that were approved earlier. Trustee Lindke asked Supervisor Schwartz to let the Board know about all of the vacant land the Township owns.

It was moved by Trustee Lindke supported by Trustee Secrest to sell the property on Plymouth-Ann Arbor Rd.

The motion carried by unanimous vote.

**C. FINANCIAL CONTROLS: ESCROW ACCOUNTS/PRE-AUDIT
POLICY/GENERAL FINANCIAL POLICIES AND PROCEDURES**

Trustee Lindke said that this would be discussed more fully during the Controller resignation discussion. She said that while trying to understand what happened around the Infinity fraud/error in payment issue, she discovered that staff were lacking written policies and procedures to follow. Staff could relay what they do but had nothing in writing to document steps. She stressed the need for financial controls and said that when there are staff transitions, the new employees should have a documented reference to help them perform their duties. Further, if there were written procedures on managing Escrow Accounts or processing tax invoices, staff would have steps to follow consistently. If there is cross over duties with other department, there would be sign-offs from staff in those departments. She cited the example of the requirement of a Pre-audit Policy. This policy allows for certain types of payments, such as payroll and utility payments, to be paid prior to Board approval. All others should have Board approval first. Superior Township has sort of a "carte-blanche" policy in that it allows for practically all payments to be made prior to Board approval. The

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 10**

Township's Pre-audit Policy allowed for the \$100,000.00 payment to Infinity to be made before the Board had a chance to approve it.

**D. RESOLUTION 2024-05, HIRE UTILITY FIELD SERVICE TECHNICIAN,
RAYMOND WILSON**

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

Mary Burton, Utilities Director, introduced Mr. Wilson to the Board and reviewed his work history. She stated that he is a wonderful addition to the Utilities maintenance team.

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

A RESOLUTION TO HIRE A FIELD SERVICE TECHNICIAN

RESOLUTION 2024-05

DATE: FEBRUARY 20, 2024

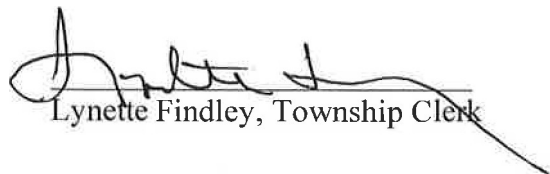
WHEREAS, the Superior Township Utility Department (STUD) has a Field Service Technician vacancy; and

WHEREAS, Raymond Wilson was selected to fulfill the Field Service Technician duties as set forth by the Utility Director and has performed the duties satisfactorily.

NOW THEREFORE, the Superior Township Board hereby approves hiring Raymond Wilson as Field Service Technician at a wage of \$26.75 per hour.

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 February 20, 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

02/20/2024
Date Certified

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 11**

The motion carried by unanimous vote.

**E. RESOLUTION 2024-07, SUBRECIPIENT AGREEMENT FOR MACARTHUR
PATHWAY**

It was moved by Trustee Secrest, supported by Trustee McGill to approve the subrecipient agreement for MacArthur Pathway Project with Washtenaw County.

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

**RESOLUTION TO APPROVE SUBRECIPIENT AGREEMENT FOR MACARTHUR
PATHWAY PROJECT WITH WASHTENAW COUNTY**

RESOLUTION NUMBER: 2024-07

DATE: FEBRUARY 20, 2024

WHEREAS, the county of Washtenaw is a recipient of federal financial assistance grant dollars from the U.S. Department of Housing and Urban Development (HUD) among other sources, for the purpose of aiding in community development and improvement projects within its geographical boundaries; and

WHEREAS, the Charter Township of Superior has applied for and been deemed eligible to receive a subaward of federal financial assistance to support the construction of a pedestrian infill pathway along the north side of MacArthur Boulevard from Stamford Road to Harris Road, under the HUD Community Block Grant Entitlement Grant, with the total amount of Federal Funds Obligated by this Agreement being \$133,766.00; and

WHEREAS, the subaward agreement made on this 20th day of February 2024, between the County of Washtenaw and the Charter Township of Superior (the Subrecipient), outlines the flow of Federal Financial Assistance for the said project, with detailed requirements including, but not limited to, required data elements, scope of services, payment and cash management, reporting, and compliance with federal, state, and local regulations; and

WHEREAS, the agreement specifies the responsibilities of the Subrecipient to use the Community Development Block Grant (CDBG) entitlement funds for the eligible costs of the MacArthur Pedestrian Pathway Project, with a detailed budget allocation as follows: CDBG (2018)-\$11,972.00, CDBG (2020)-\$35,004.00, CDBG (2021)-\$18,630.00, CDBG (2022)-\$33,090.00, CDBG (2023)-\$35,070.00, totaling the aforementioned amount of \$133,766.00; and

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 12**

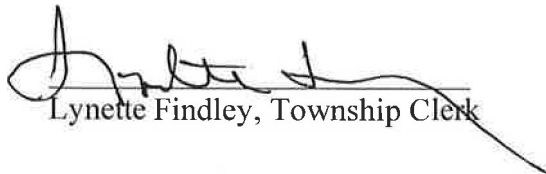
WHEREAS, the agreement further outlines the adherence to the terms and conditions set forth in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Chapter I, and Chapter II, Parts 200, 215, 220, 225, 230) issued December 26, 2013, by the Executive Office of the President, Office of Management and Budget;

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Superior Board of Trustees hereby approves the Agreement for Subaward of Federal Financial Assistance between the County of Washtenaw and Charter Township of Superior and authorizes the Township Supervisor and Township Clerk to execute and deliver the agreement and any documents.

BE IT FURTHER RESOLVED that the Charter Township of Superior commits to fulfilling its obligations under the agreement, including the completion of the MacArthur Boulevard Pedestrian Pathway project in accordance with the project timeline, budget, and federal, state, and local regulations to ensure the effective use of the CDBG funds, totaling \$133,766.00, for the benefit of the community.

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 February 20, 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

02/20/2024
Date Certified

Roll Call

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

Nays: None.

Motion carried by unanimous vote.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 13**

F. RESOLUTION 2024-08, AWARD BID FOR MACARTHUR PATHWAY

Claire Martin from OHM provided background information on this project.

- Trustee Lindke asked if All Star Power Excavation was the lowest qualified bidder and Ms. Martin confirmed that they were. She also asked that the Superior Township contribution be noted in all resolutions. The funding from the Township for this resolution is \$113,144.00 and Board members agreed that the amount will be added to this resolution.

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

**~~RESOLUTION TO AWARD BID FOR MACARTHUR BLVD PEDESTRIAN
PATHWAY PROJECT TO ALL STAR POWER EXCAVATION, LLC~~**

~~RESOLUTION NUMBER: 2024-08~~

~~DATE: FEBRUARY 20, 2024~~

~~**WHEREAS**, Sealed bids for the MacArthur Blvd Pedestrian Pathway project were received and publicly read aloud on Thursday, February 1, 2024, at 10:00 AM at the Township Hall of the Charter Township of Superior; and~~

~~**WHEREAS**, the project scope consists of installing an 8' wide HMA pathway along the north side of MacArthur Blvd from Stamford Rd to Harris Rd and a 6' wide concrete sidewalk connection to Fireman's Park; and,~~

~~**WHEREAS**, the work to be completed under this contract includes the furnishing of materials, equipment, and labor necessary to complete the proposed work, in accordance with the contract documents; and,~~

~~**WHEREAS**, All Star Power Excavation, LLC. (herein referred to as the "Contractor"), located in Grosse Pointe Woods, Michigan is the apparent low bidder. OHM Advisors has had prior experience working with this Contractor in various local communities on projects similar in scope to this work, and OHM have no major concerns with the Contractors ability to perform this work to the satisfaction of the contract requirements; and,~~

~~**WHEREAS**, OHM also spoke with project references listed in the Contractors bid proposal and received positive feedback regarding this Contractors ability to perform similar work; and,~~

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 14**

~~WHEREAS, The Township's available funding of \$133,591.00 from the Community Development Block Grant (CDBG) program through Washtenaw County OCED is allocated towards construction of the project.~~

~~WHEREAS, the funding from the Township for this is \$113,144.00.~~

~~**NOW, THEREFORE, BE IT RESOLVED** that the Charter Township of Superior Board of Trustees hereby awards the MacArthur Blvd Pedestrian Pathway project to All Star Power Excavation, LLC. for their bid in an estimated contract award amount of **\$246,735.00.00**~~

Roll Call

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

~~_____ Nays: None.~~

~~Motion carried by unanimous vote.~~

~~(lacks formal motion and support will be added to March 18, 2024, Board Meeting)~~

G. RESOLUTION 2024-09, AWARD BID FOR PLYMOUTH PATHWAY

Trustee Lindke noted that the Superior Township portion of this resolution is \$319,870.00. The last Whereas clause in the resolution will be adjusted.

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

~~**RESOLUTION TO AWARD BID FOR PLYMOUTH RD PATHWAY PROJECT
TO ALL STAR POWER EXCAVATION, LLC**~~

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 15**

~~RESOLUTION NUMBER: 2024-09~~

~~DATE: FEBRUARY 20, 2024~~

~~WHEREAS, sealed bids for the Plymouth Rd. Pathway project were received and publicly read aloud on Thursday, February 1, 2024, at 10:00 AM at the Township Hall of the Charter Township of Superior; and,~~

~~WHEREAS, the project scope consists of installing an 8' wide HMA pathway with concrete ADA ramps, driveway replacement (as necessary for path installation), tree removal, existing concrete ramp removal, a boardwalk and complete project cleanup and restoration. The project is located along Plymouth Road from Dixboro Road to 1300 ft east of Cherry Hill Road; and,~~

~~WHEREAS, the work to be completed under this contract includes the furnishing of materials, equipment, and labor necessary to complete the proposed work, in accordance with the contract documents; and,~~

~~WHEREAS, All Star Power Excavation, LLC. (herein referred to as the "Contractor"), located in Grosse Pointe Woods, Michigan is the apparent low bidder. OHM Advisors has had prior experience working with this Contractor in various local communities on projects similar in scope to this work, and OHM have no major concerns with the Contractor's ability to perform this work to the satisfaction of the contract requirements; and,~~

~~WHEREAS, OHM also spoke with project references listed in the Contractor's bid proposal and received positive feedback regarding this Contractor's ability to perform similar work; and,~~

~~WHEREAS, the project has been awarded \$250,000.00 for construction by the Washtenaw County Parks and Recreation Commission's (WCPARC's) Connecting Communities Program, as well as \$300,000.00 for construction and engineering by the Michigan Natural Resources Trust Fund (MNRTF) Program through the Michigan Department of Natural Resources (MDNR). MDNR requires that the project be awarded to the lowest qualified bidder.~~

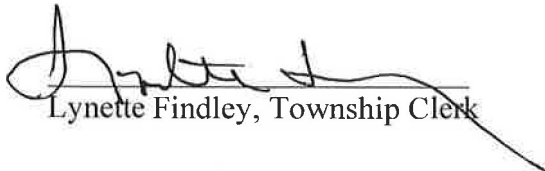
~~WHEREAS, the funding from the Township for this is \$319,870.00.~~

~~**NOW, THEREFORE, BE IT RESOLVED** that the Charter Township of Superior Board of Trustees hereby awards the Plymouth Rd. Pathway project to All Star Power Excavation, LLC. pending MDNR approval of the contract award, for their bid in an estimated contract award amount of **\$869,870.00.**~~

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 16**

~~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 February 20, 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

02/20/2024
Date Certified

Roll Call

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

~~_____~~ Nays: None.

(lacks formal motion and support will be added to March 18, 2024, Board Meeting)

H. RESOLUTION 2024-10, APPROVE PLYMOUTH RD PATHWAY CA/CE PROPOSAL FROM OHM

Claire Martin addressed the Board and provided a summary of this proposal.

It was moved by Trustee Caviston to approve the proposal for engineering services for the Plymouth Road Pathway Project.

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

**~~RESOLUTION TO ACCEPT THE PROPOSAL FOR ENGINEERING SERVICES
FOR THE PLYMOUTH ROAD PATHWAY PROJECT~~**

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 17**

~~RESOLUTION NUMBER: 2024-10~~

~~DATE: FEBRUARY 20, 2024~~

~~**WHEREAS**, OHM Advisors has submitted a proposal to the Charter Township of Superior for construction engineering services for the Plymouth Road Pathway project, anticipated to begin construction in Spring 2024; and~~

~~**WHEREAS**, the proposed project consists of an 8-ft wide asphalt pathway along the south side of Plymouth Road from Dixboro Road to 1,300 ft east of Cherry Hill Road, including concrete ADA ramps, storm sewer, infiltration trenches, signal work, a boardwalk, and driveway replacement as necessary for path installation; and~~

~~**WHEREAS**, the project construction is to be partially funded through a \$300,000.00 grant from the Michigan Natural Resources Trust Fund (MNRTF) program and a \$250,000.00 grant from the Washtenaw County Parks & Recreation (WCPARC) Connecting Communities program; and~~

~~**WHEREAS**, bids for project construction were received on February 1, 2024, with a low bid of \$869,870.00 received from All Start Power Excavation, LLC; and~~

~~**WHEREAS**, OHM has outlined a comprehensive scope of services for construction administration, engineering/observation, and construction surveying with a total Not to Exceed Fee of \$118,000.00 for the completion of the project during the 2024 construction season and~~

~~**WHEREAS**, OHM has submitted the following anticipated schedule of construction:~~

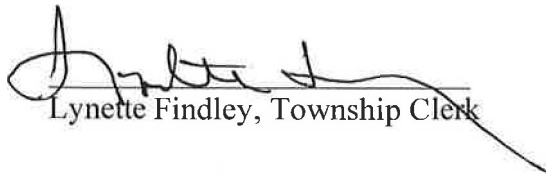
- ~~● **Contract Award** — February 20,
2024~~
- ~~● **Notice to Proceed** — March 29, 2024~~
- ~~● **Substantial Completion** — October 15,
2024~~
- ~~● **Final Completion** — November 15,
2024~~

~~**NOW, THEREFORE, BE IT RESOLVED** that the Charter Township of Superior Board of Trustees accept the submitted proposal from OHM Advisors for the Plymouth Road Pathway project for a total **Not to Exceed Fee of \$118,000.00.**~~

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 18**

~~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 February 20, 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

02/20/2024
Date Certified

Roll Call

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

~~_____~~ Nays: None.

(lacks formal motion and support will be added to March 18, 2024, Board Meeting)

I. RESOLUTION 2024-11, APPROVE PLC UPGRADE FOR PUMP STATION

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

- Mary Burton reported that Utilities is seeking approval to upgrade their pump station. Rickey Harding, Utilities Superintendent, provided a more detailed explanation about what needs to be fixed. He stressed the need to have this upgrade.

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

**RESOLUTION TO ACCEPT THE PROPOSAL FOR SYSTEM UPDATE BY
ENGINEERED SOLUTIONS MIDWEST (ESM)**

RESOLUTION NUMBER: 2024-11

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 19**

DATE: FEBRUARY 20, 2024

WHEREAS, Engineered Solutions Midwest (ESM) has presented a proposal to the Charter Township of Superior for a significant system update aimed at enhancing the operational efficiency and reliability of the water and wastewater systems within the Township; and

WHEREAS, ESM specializes in servicing the water and wastewater industry with a comprehensive portfolio that includes the manufacturing of pumping stations, designing and implementing Supervisory Control and Data Acquisition (SCADA) systems, and electromechanical troubleshooting and repair, thereby providing a single source solution for plant and pumping system needs; and

WHEREAS, the proposed upgrade involves replacing the obsolete AB 5/05 PLC at the BPS location with a new MicroLogix 1400 PLC and a 15-inch Weintek touchscreen, including all necessary installation, programming, and material provisions to meet the new standards, with coordination for integration with Ken Wesley from UIS as advised by OHM Advisors; and

WHEREAS, ESM commits to empowering Charter Township of Superior staff with the knowledge and skills to operate the upgraded system through comprehensive training, continued phone support, and on-site refresher courses, ensuring the Township's autonomy and confidence in emergency situations; and

WHEREAS, the total cost for the system upgrade, including the PLC, input and output cards, Ethernet switch, and touchscreen HMI, is quoted at \$35,053.00, with the assurance of a firm price if the order is placed within 30 days from the date of the proposal and a payment term of net 30 days post-installation; and

WHEREAS, the proposal includes a necessary temporary shutdown of the station during the upgrade, with a commitment to minimize downtime and allow the Township to retain any leftover materials for spare or scrap purposes; and

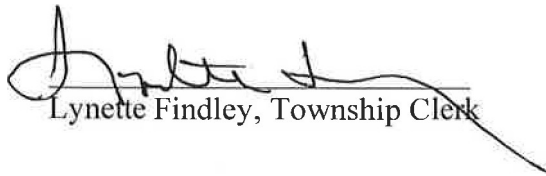
WHEREAS, this proposal comes highly recommended by Mary Burton, Charter Township of Superior Utility Director, recognizing the critical need for system enhancements and the value presented by ESM's comprehensive service offering;

NOW, THEREFORE, BE IT RESOLVED that the Charter Township of Superior Board of Trustees hereby accepts the proposal from Engineered Solutions Midwest (ESM) for the system update at the quoted total cost of \$35,053.00, acknowledging the benefits of this investment in the Township's water and wastewater infrastructure and the expertise provided by ESM in ensuring the project's success.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 20**

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 February 20, 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

02/20/2024
Date Certified

Roll Call

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

Nays: None.

Motion carried by unanimous vote.

J. MOTION TO REAPPOINT MEMBERS TO BOARDS AND COMMISSIONS

Supervisor Schwartz presented the reappointments, which are:

- Patrick McGill for a three-year term ending February 28, 2027
- Tom Brennan for a three-year term ending February 28, 2027
- Emily Dabish Yahkind for a three-year term ending March 01, 2027

It was moved by Treasurer Lewis, supported by Trustee McGill to reappoint Patrick McGill, Tom Brennan and Emily Dabish Yahkind, each for a three-year term.

The motion carried by unanimous vote.

K. APPROVE REMAINING PAYMENT OF \$13,000.00 TO “THREE BROTHERS”

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 21**

It was moved by Trustee Lindke, supported by Trustee McGill to pay the remaining amount due of \$13,300.00 to Three Brothers.

Roll Call

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

Nays: None.

L. TOWNSHIP CONTROLLER RESIGNATION AND COMPLAINT AGAINST TRUSTEE

- Trustee Lindke reported that the complaint made by the Controller was against her. She gave a summary of the complaint against her and the Controller's subsequent resignation which he later rescinded. Ms. Lindke said that during the December 2023 Board Meeting the Board was discussing the issue of the \$100,000.00 Infinity payment during which time she questioned the rationale for employing a controller who resides in Florida. She said that it would benefit the Township to hire someone who could be on-site and provide several issues that should be addressed. She reviewed the salary budget for the controller, accountant and bookkeeper, which totaled \$252,223.00 She summarized the reasons an on-site controller is needed and cited a handout that she provided to the Board (see handout appended to minutes). Trustee Lindke proposed several recommendations which are also in the handout.
- When Lindke brought up concerns in December, the Controller said she was harassing him because she was asking him too many questions. She asked more questions in 2023 because of the fraud issues. The Controller has resigned twice: once in October 2023 and again in January 2024. After each of those times, he rescinded his resignation. She recommended moving forward and transitioning to a new controller.

Trustee Lindke moved that we transition to a new controller who lives locally.

Motion failed due to lack of support.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 22**

- Treasurer Lewis reported that the Controller has been very helpful to her and has assisted her with much of her work. She recommended that the transition occur in September 2024.
- Trustee McGill said that we need a transition plan for moving forward. She gave an example of bidding out contractual services and added that the Controller could help with that. She noted her appreciation and respect for the controller and all that he has done but he has expressed twice that he desires to leave the Township. She believes that the Board needs to be fair in addressing the Controller's needs and allow him to work with the Board on the job description. She would like to have a full-time controller.
- Supervisor Schwartz complimented Keith on the service he provided to the Township and be allowed to stay until the end of the year. He would like to table this item until the March regular meeting. The Supervisor questioned whether Mary Burton knows what Keith is doing at Utilities.
- Trustee McGill said that the Board needs to work with the Controller to transition and make sure that we have him working on the issues that we need.
- Trustee Lindke said that the Controller position is one of the most important positions that has fiduciary responsibilities.
- Supervisor Schwartz reported that Keith is an outstanding employee.
- Clerk Findley reiterated that the Controller should be able to work until the end of the year.
- Supervisor Schwartz summarized the transition needed to get an on-site controller.

The Supervisor will have a leadership discussion with Keith to inform him of the Board's desire.

M. TOWNSHIP ATTORNEY, FRED LUCAS, SCOPE OF WORK AND FEES

Trustee Lindke asked the Board to consider whether we should continue having our attorney attend Board Meetings. Since we have lengthy meetings, sometimes amounting to four hours, his costs include payments for Board Meeting attendance and 2 hours of travel time.

All agreed that Mr. Lewis is relieved from attending meetings unless his expertise is needed.

N. ~~CHARTER TOWNSHIP OF SUPERIOR CLEAN UP DAY~~ (see last New Business item)

O. RESOLUTION 2024-06, DIXBORO GREEN PURCHASE AGREEMENT

It was moved by Trustee Lindke and supported by Clerk Findley that the Township purchase the Village Green for \$46,000.00 based upon the Purchase Agreement and Conditions that Attorney Lucas supplied to the Board and also moved that any renovations to the

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 23**

schoolhouse, parking lot, sidewalks and maintaining and repairing the historic merry go round will be paid out of the General Fund and not by the Parks and Recreation Commission.

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

**RESOLUTION TO APPROVE PURCHASE OF PROPERTY FROM DIXBORO
UNITED METHODIST CHURCH**

RESOLUTION NUMBER: 2024-06

DATE: FEBRUARY 20, 2024

WHEREAS, the Charter Township of Superior, (hereinafter referred to as "Buyer"), has expressed an intent to purchase from Dixboro United Methodist Church, a Michigan non-profit corporation, with an address at 5221 Church St, Ann Arbor, MI 48105 (hereinafter referred to as "Seller"), the land situated in the Charter Township of Superior, Washtenaw County, Michigan, described as follows:

A parcel of land being part of the Northwest 1/4 of Section 18, Town 2 South, Range 7 East, Superior Township, Washtenaw County, Michigan, described as follows: Commencing at the Northeast corner of Section 18, Town 2 South, Range 7 East, Superior Township, Washtenaw County, Michigan; thence South 01 degrees 30 minutes 11 seconds West 410.47 feet along the East line of said Section 18; thence North 88 degrees 29 minutes 57 seconds West 2777.91 feet; thence South 03 degrees 23 minutes 13 seconds West 1109.27 feet to the point of beginning; thence continuing South 03 degrees 23 minutes 13 seconds West 163.38 feet; thence South 89 degrees 19 minutes 42 seconds West 225.24 feet; thence North 03 degrees 23 minutes 13 seconds East 163.38 feet; thence North 89 degrees 19 minutes 42 seconds East 225.24 feet to the point of beginning. Together with and subject to a non-exclusive easement for ingress and egress over a strip of land 16.5 feet in width on each side of the Easterly boundary of the above-described parcel of land and running South 03 degrees 23 minutes 13 seconds West to the centerline of Church Street, commonly known as 5201 Church St, Ann Arbor, MI 48105; Tax ID No. J-10-18-260-001; and,

WHEREAS, the parties have agreed upon a sales price of FORTY-SIX THOUSAND DOLLARS AND NO CENTS (\$46,000.00) for the said property, subject to existing building and use restrictions, easements, and zoning ordinances; and,

WHEREAS, the sale is to be consummated by delivery of a warranty deed conveying a marketable title together with Covenants, Conditions, and Restrictions regarding the post-closing use and maintenance of the Property as set forth in Exhibit A attached to the Purchase Agreement; and,

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 24**

WHEREAS, the Buyer and Seller have agreed to the terms and conditions set forth in the Purchase Agreement, detailing the inclusion of all fixtures, improvements, landscaping, and appurtenances attached to the property, the acquisition of title insurance by the Buyer at its own cost, and other provisions ensuring the transfer of the property to the Buyer; and,

WHEREAS, the Buyer and Seller have recognized the importance of the property to the community and have agreed to Covenants, Conditions, and Restrictions that will enhance the use of the property for the benefit of the residents of Dixboro Village and the Charter Township of Superior; and,

WHEREAS, the Charter Township of Superior Board of Trustees have reviewed the terms of the Purchase Agreement and deems it in the best interest of the Township to proceed with the purchase of the said property under the terms and conditions agreed upon;

WHEREAS, on November 20, 2023, the Charter Township of Superior Board met in closed session to discuss an offer for this property. The Board subsequently moved and directed Township attorney, Fred Lucas, to prepare and present a purchase agreement.

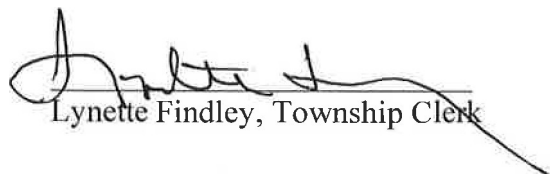
NOW, THEREFORE, BE IT RESOLVED, that the Superior Township Board authorizes the Supervisor and Clerk to execute the Purchase Agreement with Dixboro United Methodist Church for the purchase of the land described above and to proceed with all actions necessary to consummate the purchase, including the payment of the purchase price and the execution of documents as required by the Purchase Agreement. The agreed upon sales price is **Forty-Six Thousand Dollars (\$46,000.00)** for the property.

BE IT FURTHER RESOLVED that the funds for the purchase shall be allocated, as agreed on November 20, 2023, from the Parks and Recreation Building Fund.

FINALLY, all renovations will be paid for out of the General Fund.

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 February 20, 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

02/20/2024
Date Certified

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 25**

Roll Call

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

Nays: None.

Motion carried by unanimous vote.

P. COMPLAINT AGAINST INFINITY

Supervisor Schwartz clarified with Clerk Findley that the Charter Township of Superior should file a complaint against Infinity regarding the \$100,000.00 payment; thereby, replacing Bernice Lindke's complaint as a Charter Township of Superior resident. Lieutenant Cratsenburg said he would forward the information to the detective who is investigating the complaint.

It was moved by Clerk Findley supported by Supervisor Schwartz, to replace Citizen Bernice Lindke's complaint against Infinity regarding the \$100,000.00 payment with Charter Township of Superior as being the complainant.

The motion carried by unanimous vote.

Q. SPACE LICENSING AGREEMENT BETWEEN TRINITY HEALTH AND THE TOWNSHIP

Clerk Findley explained that the Township has been using the Towsley Center for a couple of years. Trinity Health is requesting that we sign an agreement that states they are not liable should any of our workers injure themselves while on their premises.

It was moved by Trustee Secrest, supported by Trustee McGill that the Clerk sign the agreement between Towsley and the Township to hold Towsley harmless should an elections worker injure themselves.

Roll Call

Ayes: Clerk Findley

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 26**

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

Nays: None.

Motion carried by unanimous vote.

R. CHARTER TOWNSHIP OF SUPERIOR CLEAN UP DAY

Juan Bradford, Director, Parks and Recreation explained the purpose of the Superior Clean Up Day. He stated that Nahid Yahyai has been very passionate about hosting a Clean Up Day. Mr. Bradford said that he would develop a plan for the Board. Irma Golden is also willing to help with this initiative.

- Supervisor Schwartz asked Juan to present a plan with a budget.
- Juan will bring the plan to our next Board meeting.

S. BILLS FOR PAYMENT AND RECORD OF DISBURSEMENTS

Trustee Lindke saw that a check was made payable to the National Recreation & Park Association for Juan Bradford's CPRP (Certified Park and Recreation Professional) recertification and the Board congratulated him.

A question was asked re a bill to Jim Kovalak Excavating which was for Dixboro Village Green.

T. PLEAS AND PETITIONS

- Trustee McGill requested that GFL relabel the trash bins. Supervisor Schwartz will follow up with GFL.
- Trustee McGill would also like to take action to replace TAZ.
- Supervisor Schwartz will follow up with Washtenaw County to see if they can assist with the RFP.
- Jeff from the Fire Department wondered where people will park at Fireman's Park after all of the renovations are made. He also pleaded for a new fire station.
- Ramona Parker Hayden asked if the Supervisor has read the management letters.
- Supervisor Schwartz said that he had.
- Ramona said the management letters stated there was a material weakness because the Township does not have internal controls so she does not understand how the Supervisor thought the audits were good.

U. ADJOURNMENT

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
FEBRUARY 20, 2024
APPROVED MINUTES
PAGE 27**

It was moved by Trustee Lindke supported by Trustee McGill that the meeting be adjourned.
The motion carried and the meeting adjourned at 10:47 p.m.

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor



F.A.Q. (Frequently Asked Questions) about the Citizens for Local Choice Ballot Initiative

What is the purpose of the initiative and why is it necessary?

In November 2023, the legislature passed House Bill 5120, a bill that adds barriers to local control of zoning for utility-scale wind and solar projects.

There are numerous false narratives out there that say the amendments were added to the legislation to restore local control. Yet, if what they were saying was true, the legislation would not have been necessary.

This bill was signed by Governor Gretchen Whitmer on November 28, 2023, becoming Public Act 233 of 2023.

If it is not stopped by our initiative, the Act will go into effect in November of 2024, allowing corporations to supersede local control across our state for utility-scale wind, battery facilities and solar projects.

Can PA 233 like eminent domain of public and private property?

No, but Act No. 233 of the Public Acts of 2023 supersedes the wishes of local communities by the following ways.

Under this new law, effective November 2024, forces local communities to go through the state when it comes to the zoning authority of utility-scale wind and solar projects. Local municipalities create Master Plans and Zoning Regulations.

Local zoning ordinances protect the value and enjoyment of properties by separating incompatible land uses. Zoning seeks to minimize the negative impacts allowing a property its most appropriate land use given its location and surrounding uses.

Furthermore, zoning allows for the orderly development of a municipality. Making provisions for land use in the best interests of its citizens and allows adequate public infrastructure: roads, water and sewers.

A Master Plan is a type of urban planning that pertains to the physical development of a city or town over the long term, usually covering a time frame of about 10 to 15 years into the future.



Master Plans are intended to guide a community's growth from a high-level perspective and play a crucial role in building, preserving character, ensure diversity, support investment, promote desired changes and enhances a community livability.

How can the State supersede the wishes of a local municipality Master Plans and Zoning in PA 233?

PA 233 allows for the State of Michigan Public Service Commission of three individuals appointed solely by the Governor, to "fast-track" the development of renewable energy projects, solar, wind and battery projects and/or facilities.

The ability to decide where corporations place utilities like wind turbines, solar farms, and battery storage facilities in which a conflict exists between a municipalities zoning ordinance and/or Master Plan, can be superseded by three Lansing Governor appointed officials, disconnected to the local community.

Equally, those officials can be subject to the wills of lobbyists working directly on behalf of corporations, as not elected or accountable to anyone but the Governor of Michigan.

The character of a community, zoning ordinances and master plans for future developments should be solely decided by our own communities and its citizens, who know best.

We have heard this effort is based on an opposition to renewable energy projects and is right wing in nature. Is this true?

Generally, local municipalities comprise of residents who live, raise a family and/or invest back into the character of the community based a variety of factors. The least of whom is decided by political whims or leanings or corporations or lobbyists.

Next, the Citizens for Local Choice effort seeks to have all voters participating in the November 6, 2024, General Election for a fair opportunity to decide what is best for their communities as it relates to critical matters such as zoning and master planning. PA 233 was fast-tracked in what is currently a Democratic leaning Michigan House and Senate, and was signed by Governor Gretchen Whitmer on November 28, 2023, with little public input.

Long standing non-Partisan organizations such as the Michigan Townships Association (MTA), formed in 1953 as a unified voice representing Michigan's township governments where is opposition what is now PA 233. MTA core focus includes the advocacy for advances of local democracy by fostering township leadership and public policy essential for a strong and vibrant Michigan.



The base of supporters for local control is strongly bipartisan. It is often led by farmers, environmentalists, and local citizens. An estimated 85% of Democrats, 91% of Republicans and 84% of Independents support local control and zoning of permitting for utility-scale renewable energy projects in their communities.

It is true large scale solar and wind farms can comprise large acreages in land spaces? As the average size of a Township is 36 square miles, villages 2 to 7 square miles, cities averaging between 143 to 2.4 square miles in Michigan.

Yes, it is true as the average proposed solar and/or wind farm in Michigan is around 3.5 square miles, approximately as big as 1,703 U of M Stadiums or Big Houses (the Big House is 57,600 square feet = 1/1695 of 3.5 square miles). The number of acres required for an average proposed large scale solar and/or wind farm is bigger than cities like Grand Ledge Eaton Rapids, Brighton, Ludington, or Farmington.

Furthermore, battery plants can be located near sensitive water resources in the signed version of PA 233 by Governor Whitmer, as there is little to no zoning considerations or regulations within the standing law. The local municipality elected officials in a community, held accountable by citizens to sound decisions as it relates to critical environment factors zoning decisions, can superseded by PA 233 for both the political whims of disconnected and appointed bureaucrats in Lansing, and financial considerations of large corporations.

How tall can wind turbines be in a local municipality and what other considerations should Michigan Voters be aware of with the current version of the Public Act?

Wind turbines can be as tall as 816 feet tall or taller. This is 90 feet taller than the Renaissance Center in Detroit.

Equally, Wind turbines have flashing red FAA lighting that is disruptive. These flashing lights are of much annoyance for neighbors and are highly disruptive to natural vistas. Many ordinances require the developers to install radar-activated FAA lighting that only turns the lights on when aircraft are detected.

In a small [National Institute of Health 2012 study](#), researchers evaluated the effect of red-light therapy on 20 female athletes. Participants were randomly assigned to receive 30 minutes of red light therapy every night for 14 days. When compared to a placebo group that didn't have light therapy, participants had improved sleep quality, melatonin levels, and endurance performance.

Research published in 2019 detailed a 3-week study of 19 people in an office environment. The researchers found that using a combination of red and ambient white light in the afternoon improved



circadian rhythm and increased alertness in the period after lunch, when many people have a dip in their energy level.

Another [National Institute of Health study in 2017](#), found that color is closely related to the ability to fall asleep. The researchers also noted that personal preference may affect which color is likely to help you fall asleep. (Pietrangelo, 2021)

Under this act, these local ordinances related to these important matters have been voided. Communities can be subject to red blinking lights to continue all night long if this goes into effect.

Michigan has 42,912 brownfield sites covering tens of thousands of acres. Solar can go there with no farmland or local residential impact.

Citations:

Zhao, J., Tian, Y., Nie, J., Xu, J., & Liu, D. (2012). *Red Light and the sleep quality and endurance performance of Chinese female basketball players. Journal of athletic training.*
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3499892/>.

Lee, S., & Kim, D. (2017). *Effect of color light stimulation using LED on sleep induction time. Journal of healthcare engineering.* <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5443998/>.

Pietrangelo, A. (2021, February 12). *Red light at night: How does it affect your sleep and vision? Healthline.* <https://www.healthline.com/health/why-not-to-have-red-lights-on-at-night#facts-about-red-light>.

What are the alternative ways to promote alternative energy projects in our local communities without impacting municipality zoning ordinances and master planning?

Michigan also has 1,200 miles of interstate ROW that can host thousands of acres of solar developments with no impact on farm ground or our neighborhoods and communities.

Michigan alone has 2 million roofs and 77% of them can host solar with a potential of 42.3 million MWh per year. Proponents of solar argue it is clean energy and greener. PA 233 neglects to include the mining, manufacturing, transportation, installation, and maintenance and overlooks the production and manufacturing of the panels that causes waste and emissions.



What impacts on local communities exist if PA 233 is allowed to remain as law and the Citizens for Local Choice Initiative is not included as a ballot proposal during the November 6, 2024, General Election?

Solar Panels are delicate, bulky pieces of equipment usually installed on rooftops in the residential context. Specialized labor is required to detach and remove them, frequently the panels shatter into smithereens before they make it onto the truck.

In addition, some governments may classify solar panels as hazardous waste, due to the small amounts of heavy metals (cadmium, lead, etc.) contained. This classification carries with it a string of expensive restrictions as normally hazardous waste can only be transported at designated times and via select routes. (Atalay Atasu, Serasu Duran, and Luk N. Van Wassenhove, 2022).

Researchers with the Electric Power Research Institute (EPRI) undertook a study for U.S. solar-owning utilities to plan for end-of-life and concluded that solar panel "disposal in "regular landfills [is] not recommended in case modules break and toxic materials leach into the soil" and so "disposal is potentially a major issue."

California is in the process of determining how to divert solar panels from landfills, which is where they currently go, at the end of their life.

California's Department of Toxic Substances Control (DTSC), which is implementing the new regulations, held a meeting last August with solar and waste industry representatives to discuss how to deal with the issue of solar waste. At the meeting, the representatives from industry and DTSC all acknowledged how difficult it would be to test to determine whether a solar panel being removed would be classified as hazardous waste or not.

The DTSC described building a database where solar panels and their toxicity could be tracked by their model numbers, but it's not clear DTSC will do this. "The theory behind the regulations is to make [disposal] less burdensome," explained Rick Brausch of DTSC. "Putting it as universal waste eliminates the testing requirement."

The fact that cadmium can be washed out of solar modules by rainwater is increasingly a concern for local environmentalists like the Concerned Citizens of Fawn Lake in Virginia, where a 6,350-acre solar farm to partly power Microsoft data centers is being proposed.

"We estimate there are 100,000 pounds of cadmium contained in the 1.8 million panels," Sean Fogarty of the group told me. "Leaching from broken panels damaged during natural events like hailstorms, tornadoes, hurricanes, earthquakes, etc. — and at decommissioning is a big concern."



There is real-world precedent for this concern. A tornado in 2015 broke 200,000 solar modules at southern California solar farm Desert Sunlight.

"Any modules that were broken into small bits of glass had to be swept from the ground," Mulvaney explained, "so lots of rocks and dirt got mixed in that would not work in recycling plants that are designed to take modules. These were the cadmium-based modules that failed [hazardous] waste tests, so were treated at a [hazardous] waste facility. But about 70 percent of the modules were actually sent to recycling, and the recycled metals are in new panels today." (Michael Shellenberger, 2022).

Citations:

The dark side of solar power. Harvard Business Review. (2022, April 19). <https://hbr.org/2021/06/the-dark-side-of-solar-power>.

Shellenberger, M. (2022, October 12). If solar panels are so clean, why do they produce so much toxic waste? Forbes. <https://www.forbes.com/sites/michaelshellenberger/2018/05/23/if-solar-panels-are-so-clean-why-do-they-produce-so-much-toxic-waste/?sh=861ef37121cc>.

Has Alternative Energy projects been greatly impacted by localized control to the point PA 233 is needed?

No. With local control and citizens input, Michigan has installed nearly twice as much wind capacity as Ohio and Wisconsin combined with their state-controlled siting. Michigan has installed nearly identical amounts of solar as Wisconsin and Ohio. Developers exaggerate the roadblock local control presents and seek to supersede the safeguards set in place by local municipalities in their zoning and master plans for the large corporate developers' financial benefit over environmental considerations.

How can I get involved in the effort to advance the Citizens for Local Choice Initiative to appear on the November 6, 2024, General Election Ballot?

Citizens for Local Choice need your assistance between now and November 6, 2024, to help us gather 550,000 signatures and raise \$7-10 million dollars to get this initiative on the ballot. We know we can do this with your help. It will take many dedicated and enthusiastic volunteers to make this initiative successful.

So, let's describe the process in detail:



CITIZENS FOR LOCAL CHOICE

The First Step is collecting the signatures of registered voters in the State of Michigan.

The statewide campaign needs to collect 550,000 signatures within a 180-day timeframe once the language is approved by early 2024.

Signers must: Be a registered voter and sign the petition with their registered address in their county and cannot sign more than one petition for the initiative to be placed on the ballot. If so, both signatures including the original one, are disregarded by the Michigan Secretary of States' Election Division.

The Second Step assist with donations, fundraising or volunteer your time for this initiative:

Contribute to the effort. Donations can be made on the Citizens for Local Choice website at <https://www.micitizenschoice.org/>.

Host or co-host a Fundraiser and/or Informational Session. You can donate your time to the effort by hosting a small or large fundraiser.

Connect with your local County Captain(s) for the Citizens for Local Choice initiative for further questions or for assistance with planning an informational session, fundraising effort, or speaking to a community organization.

The Third Step is to connect with your Washtenaw County, the Citizens for Local Choice Co-County Captains for any questions:

Wendy Taylor-Albers: is a 25+ year resident of Augusta Township, business owner and Community Advocate. Wendy can be reached by email at walbers@live.com or 313 282-4929.

Monica Ross-Williams: is a Former Elected Ypsilanti Township Trustee & Park Commissioner. (2011-2020), 25+ year Ypsilanti Township Resident and local business owner. Monica can be reached by email at MonicaRW@MRWSolutionsGroup.com or at 734.328.3025.

The Fourth Step is assist with gathering signatures for the Citizens for Local Choice initiative can receive the 550,000 signatures required.

The Initiative to appear on the November 6th General Election ballot requires 550,000 registered Michigan Voters' signatures by May 31, 2024.. To request a Petition from Citizens for Local Choice visit: <https://www.micitizenschoice.org/take-action>.

Please feel free to contact your Washtenaw County Captains to get more information or if you have any questions.

Superior Charter Township Job Description for Human Resources Director

Summary

We are seeking an experienced HR director with outstanding people skills to manage our personnel and ensure that our human resources programs and initiatives are effective, efficient, and aligned to support township services and programs. Duties for the HR director will include supporting employee development, enhancing job satisfaction, designing onboarding procedures, implementing HR strategies that support business objectives, forecasting staffing needs, mitigating risk, structuring benefit packages, maintaining employee records, managing budgets, designing accountability mechanisms, dealing with employee grievances and disputes, and overseeing overall employment needs.

The ideal candidate for this role should possess a high work ethic, excellent communication skills, knowledge of labor regulations and HR practices, strategic thinking abilities, strong organizational skills, and excellent interpersonal skills. The exceptional HR director should improve HR processes, implement strategies that support business growth, and employee retention, enhance safety and wellness, manage job satisfaction, attract the best recruits, and promote the township's values.

Typical Job Duties

- Developing and implementing human resources policies
- Supporting strategic objectives
- Hiring staff and negotiating employment agreements
- Ensuring compliance with laws and regulations
- Handling employee grievances and disputes
- Managing staff wellness and performance reviews
- Maintaining staff records
- Administering employee benefits
- Identifying staffing needs and creating job descriptions
- Designing and directing training programs
- Recruitment and testing activities (if required) of staff
- Projecting salary costs for collective bargaining and budgetary purposes
- Posting vacancies for township

Education, Experience and Training

Required:

- Bachelor's degree from an accredited college or university with a major in Personnel Administration, Human Resources Management, Business or Public Administration
- Minimum of three (3) years full-time work experience preferably in a government type setting
- SHRM-CP or PHR Certification

Knowledge and Skills

- Knowledge of human resources management, administrative principles and methods, including goal setting, program and budget development, implementation and control.
- Extensive knowledge of the practices and principles of local government human resources administration, laws affecting personnel administration; Township's organization and functions; wage and salary administration; public relations, current ADA, EEO, FMLA, FLSA, and ACA rules and regulations; position classification; job analysis and merit systems.
- Ability to appropriately plan and organize; administer and prioritize; monitor and evaluate the work flow of projects and activities; work with minimal supervision and take initiative in pursuing departmental responsibilities.
- Ability to communicate effectively verbally and in writing and establish and maintain effective working relationships with employees and the public.
- Ability to maintain composure and communicate effectively under stress; ability to perform effectively while working under competing and/or conflicting demands on time and self; skill and tact in dealing with others.

Supervision Received

Who? Board? Official?

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

**AMENDED RESOLUTION TO RECOMMEND SPEED BUMP INSTALLATION ON
STEPHENS DRIVE TO THE WASHTENAW COUNTY ROAD COMMISSION**

RESOLUTION NUMBER: 2023-76

DATE: NOVEMBER 20, 2023

WHEREAS, the Superior Charter Township Planning Commission received a notification from resident Jerry Clifton regarding the urgent need for speed bumps on Stephens Drive, a situation presented at the Planning Commission meeting held on November 15, 2023; and,

WHEREAS, Stephens Drive, located between Clark Road and Stamford Road, is extensively used as a shortcut by vehicular traffic, leading to frequent and dangerous speeding incidents in the area; and,

WHEREAS, the speeding has resulted in multiple hazardous incidents, including the striking of three children by vehicles, one as recent as last week, a vehicle collision into a resident's home, and two recent accidents; and,

WHEREAS, previous efforts for traffic calming by the Washtenaw County Sheriff's Office have proven to be only temporary solutions; and,

WHEREAS, the need for a more permanent solution to ensure the safety of the residents and pedestrians in the area has become evident; and,

WHEREAS, the Planning Commission, after deliberation and consideration of the matter, has expressed strong support for the implementation of speed bumps on Stephens Drive; and,

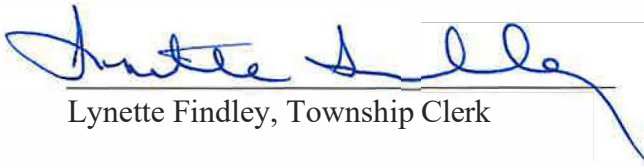
***WHEREAS**, the Board of Trustees have met during the regular meeting of February 20, 2024, and Trustee McGill moved with the support of Clerk Findley to reaffirm this Resolution with the addendum that the Board of Trustees hereby agrees to fund the installation of the speed bumps on Stephens Dr. The motion carried by majority vote.*

NOW, THEREFORE, BE IT RESOLVED, that the Charter Township of Superior Board of Trustees hereby adopts the recommendation of the Superior Charter Township Planning Commission and supports the installation of speed bumps on Stephens Drive, between Clark Road and Stamford Road, as a measure to significantly reduce the speed of vehicular traffic and enhance the safety of the residents and pedestrians *with the agreement to fund the installation;*

BE IT FURTHER RESOLVED that the Board of Trustees requests the Washtenaw County Road Commission to take immediate action in the implementation of the speed bumps on Stephens Drive.

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 November 21, 2023 and that public notices of said meeting were given pursuant to Act No. 267, Public Acts of Michigan, 1976, as amended.



Lynette Findley, Township Clerk

11/21/2023
Date Certified