

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
JANUARY 16, 2024
APPROVED MINUTES
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1. **CALL TO ORDER**

The regular meeting of the Charter Township of Superior Board was called to order by the Supervisor Ken Schwartz at 7:02 p.m. on January 16, 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, Trustee Rhonda McGill, and Trustee Bill Secrest.

Absent: None

4. **ADOPTION OF AGENDA**

It was moved by Clerk Findley supported by Trustee Lindke, to adopt the agenda with the following amendments:

1. Add Discuss Farming of Rock Property to New Business
2. Add Relabeling of GFL Bins to Unfinished Business
3. Add Discuss Status of Sexual Harassment Investigation to New Business
4. Move Closed Session to Agenda Item 12 (After New Business)

The motion carried by unanimous vote.

5. **CITIZEN PARTICIPATION**

A. **CITIZEN COMMENTS**

- Carolyn Stuart, Former Clerk's Office Employee, spoke about her negative experience working for Clerk Findley and requested for her resignation letter(s) be added to the record.
- Brenda Baker, Ashton Ct., spoke on behalf of the Committee to Promote Superior Township.
- Jerry Clifton, Stephens Dr., spoke about speed bumps he would like on Stephens

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Dr.

- Irma Golden, Township Deputy Supervisor, spoke on current issues that were raised by residents that she has spoken with and dispersed a handout.

All documents given at the table are at the end of these minutes.

- Tom Brennan, Sheffield Dr., spoke about speed bumps he would like on Stephens Dr.
- Ramona Parker-Hayden-Muhammad, Stamford Rd., spoke about her concerns with the financial status of the Township and requested copies of past Township audit management letters.
- Dana Greene Jr, Stamford Rd., declared his candidacy for Board of Trustees for 2024.
- Clerk Findley requested that Closed Session Item “A” be done in Open Session and requested it be moved up in the meeting so that the public can hear her remarks.
- Samuel Hayes, Zoom, said he is the young man who wrecked his tire on the pothole, and it cost him \$270.00
- Supervisor Schwartz addressed concerns raised by Irma Golden.
- Clerk Findley reiterated her concerns with the order of the meeting and requested that Closed Session Item “A” be moved up in the meeting so that the public can hear her remarks.
- Supervisor Schwartz suggested it go into New Business Items “A” and “B” and every other item be dropped down accordingly.

It was moved by Trustee Lindke and supported by Trustee Secrest to amend the agenda to remove the following from the proposed Closed Session and move it to New Business Items “A” and “B”:

- A. Discuss Letter from Employee to Clerk
- B. Discuss Email from Clerk regarding Supervisor’s interference.

All other documents were given at the table for the Board.

The motion passed unanimously.

- Brian Clark, Barrington Dr., suggested altering the website to include potential community service opportunities.
- Trustee Lindke said the Parks and Recreation Commission suggested a Community Day.
- Trustee McGill said a “Clean Up Day” can be set up pretty easily.

6. PRESENTATIONS AND PUBLIC HEARING

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A. WASHTENAW COUNTY ROAD COMMISSION (WCRC)

Matt McDonnell, Managing Director of the WCRC, gave a presentation on the desired Stephens Dr. speed bumps and the Tanglewood subdivision speed study. He gave his card to those who would like to follow up with him and dispersed a handout.

Mr. McDonnell said the following:

- a. "Speed humps" is one of the outcomes of the WCRC Neighborhood Traffic Program Management (NTPM).
 - b. NTPM is intended for local subdivision roadways with speed limits of 25 miles an hour.
 - c. NTPM is initiated by residents through submitting a petition and the WCRC will do an engineering study.
- Ms. Golden asked if there is a certain time of year that the evaluation is completed.
 - Mr. McDonnell said due to winter maintenance it is generally not a good time to evaluate in the winter.
 - Ms. Golden asked if Stephens Dr. was counted in December.
 - Mr. McDonnell answered that Stephens Dr. was recounted in December.
 - Ms. Golden said the problems are in the summer months when everybody is out.
 - Trustee McGill interjected saying the problem is year-round.

Mr. McDonnell continued in his report:

- d. WCRC has been to Stephens Dr. three times.
 - e. Stephens Dr. falls short of meeting the criteria for approving speed humps or other traffic slowing solutions.
 - f. There is a point system that is used in the evaluation.
- Supervisor Schwartz asked who sets the criteria.
 - Mr. McDonnell said the criteria is created internally.
 - Trustee Lindke asked if the renters had any voice or are homeowner's voices only considered.
 - Mr. McDonnell said that is why the WCRC revisited the petition threshold and lowered it from 75% to 51%.
 - Jerry Clifton said the Washtenaw County Sheriff did a good job regulating the traffic coming out of the townhouses to MacArthur Blvd., but it made the traffic come down Stephens Dr.
 - Mr. Clifton said he received false communications from different parties. He said Supervisor Schwartz told him to contact the WCRC. After a conversation with the WCRC he was told the issue was with Superior Township.

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- Mr. Clifton stressed the perceived disparities within municipalities Washtenaw County and how Superior Township has been overlooked.
- Clerk Findley said, “Help me understand how an area with ‘those people’ that live ‘over there’ can’t get speed bumps for safety”. She asked what we as a Board can do to make that happen.
- Mr. McDonnell recommended submitting a petition showing the desire for the speed bumps noting the names that are renters.
- Trustee McGill said the Township has already done that.
- Mr. McDonnell said the only petition that was received was to do an evaluation. He reiterated that there should be a petition in favor of speed bumps with the commitment by the Township to pay for it.
- Clerk Findley asked if the resolution approved by the Township did anything. She added that those who are fighting for this shouldn’t have to go back and forth on this for so long.
- Mr. Clifton said he has done extensive research on this process, and it looked “ugly”.
- Trustee Linke raised her concern that wealthier neighborhoods have an advantage because of the higher percentage of home ownership versus renters. She questioned how to get that changed.
- Mr. McDonnell said that is the current policy and procedure and he will take that feedback and consider it in future revisions.
- Trustee Secrest said, for those who want to continue this discussion, the WCRC has meetings every Wednesday at noon that are public for viewing and participation.

Mr. McDonnell continued in his report:

- g. There are two roadways that qualify for traffic management devices (speed humps). Overbrook east of Tanglewood and Creekside.
 - h. The next step in the process would be a petition for the installation of these devices.
 - i. Once the signatures are verified, there would need to be a funding agreement with the Township.
- Supervisor Schwartz asked if the WCRC has considered a pilot project with plastic removable speed tables.
 - Mr. McDonnell said they have not.
 - Supervisor Schwartz reiterated that cities are able to add speed bumps at their own discretion and Townships are under the jurisdiction of the WCRC.
 - Brian Clark asked how many subdivisions have actually met the petition criteria.
 - Mr. McDonnell said numerous subdivisions have met the petition criteria.

7. **CONSENT AGENDA**

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It was moved by Trustee McGill supported by Trustee Lewis to approve the Consent Agenda removing the following items:

1. Controller's Report
2. Planning and Zoning Report

The motion passed unanimously.

A. APPROVAL OF MINUTES

- December 18, 2023, Regular Meeting

B. REPORTS

- Supervisor (No Report)
- Liaison Report on Parks & Recreation Commission Meeting – Trustee Lindke
- Community Center Advisory Committee Update – Clerk Findley (No Report)
- 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, November and December

C. COMMUNICATIONS

- a. C2PST
- b. Hope Clinic

8. ITEMS REMOVED FROM THE CONSENT AGENDA

A. PLANNING AND ZONING REPORT

- Trustee Lindke said the Planning and Zoning report did not have the mistaken \$100,000.00 payment to Infinity Homes LLC. She added that this was from two years ago when the amount was requested by Infinity and was paid from the "DG" escrow account.
- Trustee Lindke questioned why this was not in either the Planning and Zoning report nor the Controller's report.
- Supervisor Schwartz said when it was brought to his attention, he asked Laura Bennett, Planning and Zoning Administrator to inform Treasurer Lewis and Clerk Findley of what happened.

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- Mrs. Bennett disagreed and said she was not asked to talk to either of them.
- Supervisor Schwartz said Ms. Bennett told him that she talked to Clerk Findley.
- Mrs. Bennett clarified that it was not on the same day, but she eventually did.
- Trustee Lindke stressed her concerns that this was a large amount to be released from an escrow without the Board being informed.
- Supervisor Schwartz said he has nothing to do with the bonds and he does not handle the bonds.
- Clerk Findley said the one who does handle the bonds reports to the Supervisor.
- Trustee Lindke asked how Ms. Bennett knew to go to Clerk Findley and Treasurer Lewis or was she asked about it.
- Mrs. Bennett said she was asked about it.
- Trustee Lindke said in the future something like this should be in the reports.

B. CONTROLLER'S REPORT

See above

9. UNFINISHED BUSINESS

A. STEPHENS DRIVE SPEED BUMPS

Supervisor Schwartz explained this was addressed in the Presentations portion of the meeting.

B. BID FOR SEPTIC TANK SERVICES

1. **BOLTON SEPTIC LLC**
2. **JIM KOVALAK EXCAVATING & SEPTIC TANK SERVICE, INC.**

- Supervisor Schwartz explained the difference between the two bids.
- Treasurer Lewis asked if there should be a presentation.
- Supervisor Schwartz said if the Board wanted one then there could, but he is skeptical of the ability of Bolton Septic LLC. to complete this project at such a low cost.
- Trustee McGill asked if the Board has checked references for the presented bids.
- Supervisor Schwartz said Kovalak has completed the septic tank at the Fire Station and at Township Hall.

It was moved by Trustee Secrest supported by Trustee McGill to accept the submitted bid for septic tank services from Jim Kovalak Excavating and Septic Tank Service, Inc.

Roll Call

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Ayes: Clerk Findley
Trustee Lindke
Trustee McGill
Trustee Secrest
Supervisor Schwartz

Nays: Trustee Caviston
Treasurer Lewis

The motion passes by the majority.

C. LASALLE INC.

Fred Lucas, Township Attorney, gave the following update:

- a. There is going to be a facilitation meeting.
 - b. The Board should appoint members to appear with Mr. Deneweth at the facilitation.
 - c. It needs to be clear that individuals appearing on behalf of the Board have no ability to “bind” the Board.
 - d. It is a private facilitation.
 - e. It is not arbitration.
 - f. It should be two or three members of the Board.
 - g. Keith Brooks is the facilitator.
 - h. Facilitation is scheduled for February 22, 2024, at 9:00 a.m.
 - i. George Tsakoff will be in attendance.
- Trustee Lindke said she would like to volunteer herself to attend the facilitation.
 - Treasurer Lewis asked if there should be a member of the Superior Township Utilities Department.
 - Attorney Lucas said that it would not be a problem.
 - Clerk Findley said it should be Rickey Harding, Utilities Superintendent, or Mary Burton, Utilities Director.
 - Supervisor Schwartz said, and the Board agreed, for the members present should be the Supervisor, Trustee Lindke, and a member of the Utility Department.

D. UPDATE ON EASEMENT ON “DIXBORO PROJECT” PROPERTY

- Supervisor Schwartz said that Sava, the owner of the Dixboro Project, signed an easement and sent it to Nancy Mason but requested that it not be recorded.
- Trustee Lindke requested information on what this is.
- Supervisor Schwartz said Sava is giving us an easement across two properties and Ms. Kristen Landau is going to give us an easement. Supervisor Schwartz

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said he talked to Sava last week and he is getting her a letter that will reflect how much money she will lose donating it so it can be written off.

- Supervisor Schwartz added that the Board bought an easement from Mr. Lawson and the rest are in the public right of way with the exception of Andrew Grant, on the corner of Plymouth and Dixboro because he is unwilling to give the property to the Township.
- Supervisor Schwartz said he wants Attorney Lucas to draft a document that is similar to the Lawson agreement and see if it can get approved.

**E. RETURN OF BRENDA MCKINNEY'S, PREVIOUS TOWNSHIP
TREASURER, LAPTOP**

- Clerk Findley reminded the Supervisor that he said he was going to follow-up on this matter.
- Supervisor Schwartz on behalf of Brenda McKinney said she left the laptop with the Township.
- Trustee Lindke asked if we take inventory of the equipment.
- Clerk Findley said it would have been left in the Treasurer's office.
- Supervisor Schwartz said he believes Irma Golden received it.
- Clerk Findley disagreed, saying Ms. Golden received the Supervisor's laptop.
- Supervisor Schwartz disagreed, saying he has only ever had two including the one he has now and the one that was destroyed.
- Clerk Findley said the Supervisor has had another one.

F. RELABELING OF GFL BINS

- Supervisor Schwartz said he spoke with Sam Camaro and he was told GFL would begin relabeling the carts at the first of the year. The Supervisor added that he would reach out to follow up with him.

10. NEW BUSINESS

A. DISCUSS LETTER FROM EMPLOYEE TO CLERK

Clerk Findley dispersed a handout that will be available at the end of these minutes.

- Clerk Findley apologized that Carolyn Stuart had to leave the meeting early. She added that Carolyn was an excellent staff member who does great work. The Clerk added that the last several editions of the excellent Superior Scenes newsletter was a product of Carolyn's expertise.
- Clerk Findley began recalling past events in the Township and read an email

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that shared how she believes this series of events began. She began reading, saying, for the first time in November 2016, she found herself in disagreement with Supervisor Schwartz's recommendation. She expressed her hope that this dissent would not negatively impact their working relationship, clarifying her intention was not to challenge Schwartz's authority but to ensure they were making the right decisions.

- Clerk Findley recalled the efforts back in early May 2017 to find a replacement for Rob Blanton. She said that although no candidates initially surfaced, Jeff Castro, who was planning to retire from YCUA, eventually expressed interest in the position to the Supervisor.
- Clerk Findley expressed ethical concerns about the potential employment of Jeff Castro. She specifically questioned the appropriateness of paying Castro, who was in charge of YCUA and simultaneously receiving a weekly salary from them. She insisted that any contract with Mr. Castro should clearly outline his work hours and responsibilities.
- Clerk Findley said the Controller Keith Lockie, due to ethical concerns, agreed that Jeff Casto should enter into a contract concerning employment.
- Clerk Findley added that, instead of following the normal procedure of seeking Board approval through a resolution, Supervisor Schwartz decided to appoint Jeff Castro as a temporary employee.
- Clerk Findley described facing retaliation from Township Officials after these developments. She reflected on her long career in higher education and the different political dynamics. She said that she believed if she could deal with the politics there that she could handle the 'real' politics, but they do not compare.
- Clerk Findley accused Supervisor Schwartz of continuously meddling with office operations and staff since she revealed Jeff Castro. She highlighted why the Board is discussing this today with this specific incident involving a staff member named Carolyn putting a second letter of resignation in writing, describing how Schwartz's actions had adversely affected her and her decision to resign.
- Clerk Findley stated that the original letter of resignation was given November 29, 2023. She stated that when she was given the letter, she was assured there were no issues and Carolyn even volunteered up front to return to assist during elections on the absentee voting count board. Carolyn then submitted her second letter only after being in the Supervisors office when herself and the Deputy were at a meeting with Washtenaw County.
- Clerk Findley concluded her remarks expressing a sense of retaliation throughout the years against her since she did not support Jeff Castro's appointment. She linked this feeling to political strategies including personal agendas on behalf of Supervisor Schwartz which includes inviting Paula Jefferson, previous Township Deputy Clerk, suggesting a broader context of discord and division.
- Clerk Findley said the Supervisor's actions in regard to the hiring of Jeff

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Castro and the Utility Department reflect directly on what he did in Augusta Township and referred to an article that detailed his behavior, where he forced Mary Burton, Utility Director, to give special privileges to Hyundai which resulted in Hyundai receiving over \$300,000.00.

- Supervisor Schwartz asked Paula Jefferson to get up and express her concerns and support him.
- Clerk Findley stated that Supervisor Schwartz made an announcement to his staff that Paula Jefferson was going to run for Clerk.
- Clerk Findley added that she gave Paula Jefferson a letter of reprimand at year prior to her departure.
- Paula Jefferson, former Township Deputy Clerk, spoke in regard to her negative experience working with Clerk Findley.

Reminder: Due to an interruption by Supervisor Schwartz documents at the table are attached at the end of these minutes.

B. DISCUSS COMPLAINT EMAIL FROM CLERK TO SUPERVISOR

It was moved by Trustee Lindke supported by Trustee McGill to have a small committee of the Board to look into these two complaints and make a recommendation on how to move forward. The committee members are as follows:

- Trustee McGill
- Trustee Lindke
- Trustee Secret

The motion passed unanimously.

C. RESOLUTION 2024-01, APPROVE 2024 POVERTY EXEMPTION GUIDELINE FOR THE BOARD OF REVIEW.

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

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

**RESOLUTION APPROVING 2024 POVERTY EXEMPTION
GUIDELINES FOR THE BOARD OF REVIEW**

RESOLUTION NUMBER: 2024-01

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DATE: JANUARY 16, 2024

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

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

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

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

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year.
- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines published in the prior calendar year as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body of the local assessing unit provided the alternative guidelines do not provide income eligibility requirements less than the federal guidelines.
- 7) The application, Michigan Department of Treasury form 5737 (01-21) must be filed after January 1, but before the day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

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

Annual Allowable Income for 2024 Assessments

Number of Persons Residing Federal Poverty Guideline Superior Township
in the Principal Residence Annual allowable income Annual allowable income

| | | |
|----------------------------|------------------------------------|------------------------------------|
| 1 Person | \$14,580 | \$26,973 |
| 2 Persons | \$19,720 | \$32,173 |
| 3 Persons | \$24,860 | \$37,373 |
| 4 Persons | \$30,000 | \$42,573 |
| 5 Persons | \$35,140 | \$47,773 |
| 6 Persons | \$40,280 | \$52,973 |
| 7 Persons | \$45,420 | \$58,173 |
| 8 Persons | \$50,560 | \$63,373 |
| For each additional person | \$5,140 per each additional person | \$5,200 per each additional person |

Asset Test

The applicant is required to provide a list of assets for all persons residing in the residence.

An applicant could meet the income guidelines but not the asset guidelines.

The total assets for all persons residing in the residence excluding the value of the principal residence shall not exceed \$25,000.

Assets include but are not limited to:

- A second home, land, vehicles
- Recreational vehicles such as campers, motorhomes, boats, and ATV's
- Buildings other than the residence
- Equipment, other personal property of value

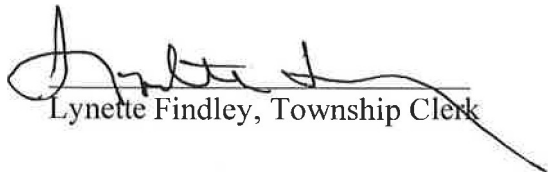
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- All Bank accounts, stocks
- Money received from the sale of property, such as, stocks, bonds, or a house or car (unless a person is in the specific business of selling such property)
- Withdrawals of bank deposits and borrowed money
- Gifts, loans, lump-sum inheritances, and one-time insurance payments
- Food or housing received in lieu of wages
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Review shall follow the above stated policy and guidelines of the local assessing unit in granting or denying an exemption. If a person claiming an exemption is qualified under the eligibility requirements the Board of review shall grant the exemption in whole or in part. A full exemption is equal to a 100% reduction in taxable value, a partial exemption is equal to a 75%, 50%, or 25% reduction.

CERTIFICATION STATEMENT

I, Lynette Findley, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Charter Township of Superior Board held on January 16, 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

01/16/2024
Date Certified

Roll Call

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

Nays: None.

The resolution passed unanimously.

**D. RESOLUTION 2024-02, APPROVE PFEFFER, HANNIFORD, PALKA,
LETTER OF ENGAGEMENT FOR YEAR ENDED DECEMBER 31, 2023**

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

- Trustee Lindke said she would like the contract amount to be added to the resolution. Additionally, she asked about the cost for developing the annual financial statements broken out to be able to see how much the Township is charged for the service.

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

RESOLUTION TO APPROVE AUDIT ENGAGEMENT LETTER

RESOLUTION NUMBER: 2024-02

DATE: JANUARY 16, 2024

WHEREAS, the Superior Charter Township Board of Trustees has reviewed the audit engagement letter presented by Pfeffer, Hanniford & Palka, Certified Public Accountants, detailing the scope and objectives for the audit of the financial statements of the Charter Township of Superior for the year ended December 31, 2023; and

WHEREAS, the audit engagement letter includes the auditing of the financial statements of the governmental activities, the business-type activities, each major fund, the aggregate remaining fund information, and the disclosures, which collectively comprise the basic financial statements of the Charter Township of Superior; and

WHEREAS, the engagement letter outlines the responsibilities of the auditors and the management, the audit procedures for internal control and compliance, the identification of significant risks, and the preparation of the financial statements in accordance with generally accepted accounting principles in the United States of America; and

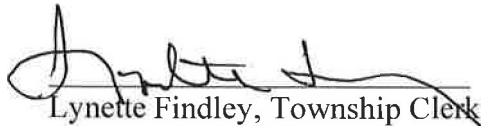
WHEREAS, the Board acknowledges the importance of this audit in ensuring the financial integrity and transparency of the Charter Township of Superior.

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NOW, THEREFORE, IT IS HEREBY RESOLVED that the Superior Charter Township Board of Trustees approves the audit engagement letter from Pfeffer, Hanniford & Palka, as presented for the fee of \$24,000.00. The Township Supervisor is authorized to sign the response section of the engagement letter, confirming the Township's understanding and agreement to the terms of the audit engagement. All Township officials and staff are directed to cooperate fully with Pfeffer, Hanniford & Palka during the audit process and provide all necessary information and assistance as required.

CERTIFICATION STATEMENT

I, Lynette Findley, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Charter Township of Superior Board held on January 16, 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

01/16/2024
Date Certified

Ayes: Supervisor Schwartz

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

Nays: None.

The resolution passed unanimously.

**E. RESOLUTION 2024-03, APPROVE THE HIRE OF FIRE DEPARTMENT
FIRE FIGHTER, JAMES MATTHEW GAKEN**

The following resolution was moved by Treasurer Lewis supported by Clerk Findley.

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Fire Chief Vic Chevrette explained the resolution.

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WASHTENAW COUNTY, MICHIGAN**

RESOLUTION TO APPROVE THE HIRE OF FIRE DEPARTMENT FIRE FIGHTER

RESOLUTION NUMBER: 2024-03

DATE: JANUARY 16, 2024

WHEREAS, the Charter Township of Superior has experienced the retirement of Firefighter Nick Robson, necessitating the hiring of a new firefighter;

WHEREAS, on Wednesday, January 4, 2024, a selection panel including the Fire Chief, Fire Captains, Fire Fighters, the Township Supervisor, and Township Clerk conducted interviews with three applicants for the position;

WHEREAS, after careful review of the interview documents and personnel applications, Fire Chief Victor G. Chevrette has recommended the hiring of James Matthew Gaken, based on his experience and qualifications;

WHEREAS, James Matthew Gaken is currently employed as a firefighter with the Chelsea Area Fire Department, possesses 9 years of experience as a firefighter, serves as a member of the Washtenaw County Medical Control Board, and is a team member of the Washtenaw County Technical Rescue Team;

WHEREAS, Fire Chief Victor G. Chevrette has attested to the suitability of James Matthew Gaken to be an asset to the Superior Township Fire Department;

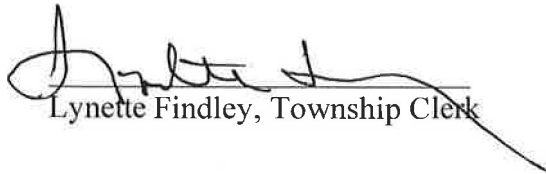
WHEREAS, Mr. Gaken has met all the requirements of the hiring process, pending the completion of medical and psychological exams as well as a background check;

NOW THEREFORE BE IT RESOLVED that the Charter Township of Superior Board of Trustees hereby hires James Matthew Gaken as a Firefighter for the Superior Township Fire Department, effective at the discretion of the Fire Chief, subject to the completion of all relevant hiring procedures and subject to all the provisions of the labor agreement with Fire fighters Union Local 3292, International Association of Fire fighters.

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CERTIFICATION STATEMENT

I, Lynette Findley, the duly qualified Clerk of the Charter Township of Superior, Washtenaw County, Michigan, do hereby certify that the foregoing is a true and correct copy of a resolution adopted at a regular meeting of the Charter Township of Superior Board held on January 16, 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

01/16/2024
Date Certified

Roll Call

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

Nays: None.

The resolution passed unanimously.

F. REVIEW ESCROW ACCOUNTS: INFINITY, DG, HYUNDAI, MCTAVISH AND SELECTIVE GROUP

- Trustee Lindke raised the following concerns regarding Infinity Homes:
 - a. They never had an escrow account.
 - b. They asked for a payment, that they received, of \$100,000.00.
 - c. They knew the “DG” account was open when they asked for it.
- Trustee Lindke said that “DG” desires their money back.
- Trustee Lindke asked if the Township ever released Hyundai’s funds back to them because we were supposed to send them back \$211,000.00.
- Supervisor Schwartz said the Township sent back \$184,000.00 and he said he requested Hyundai to potentially donate the remaining funds.
- Trustee Lindke questioned why that is the case and what would prompt Hyundai to donate funds.
- Trustee Lindke questioned why the Township is holding on to McTavish’s funds.

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
JANUARY 16, 2024
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PAGE 18**

- Supervisor Schwartz said that McTavish went to prison.
- Trustee Lindke was concerned that the Township holds on to money that does not belong to them.
- Attorney Lucas said that the total amount of the escrow for DG was \$184,000.00, which was initially deposited.
- Attorney Lucas explained that DG had provided an assignment of \$40,000.00 to McTavish. Therefore, when DG requested the return of the \$184,000.00, he indicated that the full amount would not be released due to this assignment.
- Attorney Lucas clarified that the assignment sheet showed an amount of \$41,000.00 assigned to McTavish, emphasizing that any amount beyond that would not belong to McTavish as it was the only amount assigned to him.
- Attorney Lucas continued, stating that this assignment reduced the amount DG was entitled to, bringing it down to approximately \$140,000.00.
- Attorney Lucas mentioned that they contacted OHM to determine the cost of repairs or completion that DG would have to undertake. From this inquiry, they received an estimated cost of \$25,000.00.
- Attorney Lucas said he spoke to asset management and informed them of the decision to hold back \$30,000.00 from the escrow. This was to ensure there was enough to cover all necessary expenses.
- Attorney Lucas concluded by explaining how they arrived at the final number of \$113,000.00. This figure was determined by subtracting the amount assigned to McTavish and the estimated cost for repairs and completion from the original escrow amount.
- Trustee Lindke said she wants to assure that the Utility Department receives back the \$13,000.00 that was approved.
- Trustee Lindke said she saw communication between the Board and the Infinity lawyer. The lawyer had stated they did not want to return the entire \$100,000, preferring instead to issue invoices against it. She expressed strong disbelief and frustration over this approach.
- Trustee Lindke emphasized that the Board had already given Infinity \$100,000 and insisted that this amount should be returned first. Following this, she suggested that the escrow account should be replenished with an additional \$140,000.
- Trustee Lindke acknowledged her uncertainty about the specific issues at hand but firmly stated that whatever was happening needed to be addressed and corrected promptly.
- Trustee Lindke questioned the Bank of Ann Arbor document that has a stated line of credit.
- Supervisor Schwartz said he is not sure what it is.

It was moved by Trustee Lindke supported by Trustee McGill to perform an

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audit (Ken Palka) of the escrow accounts to effectively allocate funds to the appropriate parties.

Roll Call

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

Nays: None.

The resolution passed unanimously.

Clerk Findley thanked Mrs. Bennett for standing up and owning her role in this situation.

G. MOTION TO APPROVE “DG” AGREEMENT FOR FULL AND FINAL RELEASE OF CLAIMS

It was moved by Trustee McGill supported by Clerk Findley to table pending an audit.

The motion passed unanimously.

H. DISCUSS PROCESS TO SELL TOWNSHIP PROPERTY

- Trustee Lindke said that last month, Ken reported about a man interested in buying a property off Plymouth Road, approximately 1.71 acres, for \$65,000. She recalled Ken's plan to talk to the property owner about making a formal purchase offer, followed by an appraisal and negotiation.
- Trustee Lindke mentioned that she visited the property before the holidays and noted its desirable location on Plymouth Road. She compared it to nearby properties in Mystic Forest, where homes are valued at around \$1.2 million.
- Trustee Lindke observed that similar properties in the area, like those in Tanglewood and Glengary, were priced much higher, around \$340,000 to \$350,000. She expressed concern that the \$65,000 offer was significantly lower than these figures.
- Trustee Lindke suggested that the Board should first decide whether they want to sell that property or any other property they own in the Charter Township of

**CHARTER TOWNSHIP OF SUPERIOR BOARD
REGULAR MEETING
JANUARY 16, 2024
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Superior. She proposed reviewing the list of properties the township holds to determine if there are any they no longer wish to keep.

- Trustee Lindke raised a question about the origins of the land, recalling Ken's email that mentioned the property was donated during the development of Mystic Forest. She wondered about the reasons behind this donation and if there were any planning and zoning considerations involved.
- Trustee Lindke proposed that in a future meeting, the Board should review all township-owned properties to decide if any should be sold. She mentioned potential projects like the Dixboro Green, speed bumps, and playground equipment that could benefit from repurposing the funds from such sales.
- Trustee Lindke concluded by emphasizing the need for a clear process before proceeding with any property sales, ensuring that the township's interests and potential uses for the funds are thoroughly considered.
- Attorney Lucas assured the Board that although anyone is able to present an offer, the Board is obligated to do an appraisal prior to any sale and subsequent Board approval.
- The Board agreed that before any sale happens that there must be an appraisal.

I. DISCUSS PROCESS TO REVIEW CONTRACTS: LEGAL, ENGINEERING, AUDITING, IT AND CONTROLLER

- Trustee Lindke said that there is a need to re-bid contracts, specifically mentioning IT contracts. She recalled sending examples of IT bidding documents to Supervisor Schwartz but noted that there was no follow-up action taken.
- Trustee Lindke expressed a desire to audit the current service providers, acknowledging that while they may end up with the same contractors, it is important to review their performance due to the long duration of their engagement.
- Trustee Lindke highlighted that they have had Ken Palka's firm for the current year, but she emphasized the need to open up the bidding process for a thorough evaluation. She noted that the firm in question has been providing services for about 20 years, underlining the importance of this audit and potential rebid.
- Supervisor Schwartz clarified from the new business item that the Controller, Keith Lockie was not under a contract.
- Trustee Lindke said, in regard to Keith Lockie, that there was an attempt to resign which was later rescinded. However, she believes that the time has come for a change, particularly in light of various issues related to accounting and auditing.

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REGULAR MEETING
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- Trustee Lindke expressed concern that having someone on-site could have provided better oversight and might have helped in identifying ongoing issues. She mentioned that the current situation poses a liability and risk, which is even noted in the management letter.
- Trustee Lindke stated that it's problematic to have a key role filled by someone who lives in Florida, apologizing to Keith for the comment. She concluded by emphasizing the need for an in-house controller, indicating a shift towards having more direct and local oversight of financial matters.
- Supervisor Schwartz said he thinks somebody in-house would be helpful but past audits have supported the accounting.
- Trustee Lindke said that the assertion about past audits was incorrect according to the management letter's contents. She clarified that there is a recurring material weakness noted in the management letter, stemming from the fact that the financial statements have to be prepared by external parties at the end of each period.
- Trustee Lindke pointed out the impracticality of having a key financial role occupied by someone who resides in Florida. She argued that there are many local professionals capable of fulfilling this role.
- Trustee Lindke expressed her strong opinion that it is essential to have someone local for this position. She mentioned the significant expense of over \$100,000 paid to the current individual, plus additional costs for travel and for Palka's firm to prepare the financial statements.
- Trustee Lindke concluded by emphasizing the financial feasibility of hiring a full-time, local professional given the amount of money currently being spent.

Trustee Lindke moved to start looking into talking to Keith about stepping back and getting someone on Board for the Township that is local.

Supervisor Schwartz said that the motion is too vague.

Trustee Lindke moved to discuss terminating Keith Lockie's employment and hiring a Controller or CPA on site.

Supervisor Schwartz asked to table this until the next meeting saying that he believes her action is premature.

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The motion died for lack of support.

J. UPDATES FROM THE COMMITTEE TO REVIEW THE DESIRED LANGUAGE FOR THE JOB POSTING TO HIRE A PART TIME PERSONNEL DIRECTOR.

- Trustee Lindke said that she and Trustee McGill, along with Nancy Mason, collaborated to draft a document. She mentioned that they referred to other townships for guidance, specifically looking at the roles and responsibilities of human resources directors to inform their draft.
- Trustee Lindke acknowledged that while they have developed this draft, they had not yet assigned any budget or funds to the proposed position or plan.
- Trustee McGill said this should potentially be considered for a full-time role.
- Supervisor Schwartz and Clerk Findley agreed that the committee should propose an appropriate salary assessment and it will be voted on and posted in February.

11. BILLS FOR PAYMENT AND RECORD OF DISBURSEMENTS

It was moved by Trustee McGill supported by Trustee Lindke to approve the Bills for Payment and Record of Disbursements

The motion passed unanimously.

12. PLEAS AND PETITIONS

- Irma Golden asked if Board members receive additional compensation for the activities they are assigned.
- Supervisor Schwartz said additional compensation can be considered but he generally considers this part of the job as an elected official.
- Trustee Lindke asked that before any discussion on farming the “Rock Property” is considered, that it is open to the public and asked for it to be added to New Business in the February 2024 meeting.
- Ramona Parker-Hayden-Muhamad asked why the Board does not meet more than once a month.
- Samuel Haynes asked for the pothole that damaged his car to be fixed.
- “SO” said they would like to see all communications mentioned on the agenda included in the Board packet.
- Debby Mitchell Covington asked for the Township to upgrade the hybrid meeting experience.
- “Resident” asked how the Board follows up on the citizens comments.
- “Resident” asked about the audit process.

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- “Resident” asked if the Board found a company to salt and plow.
- “Resident” asked how can bids be accepted without the Board reviewing.
- “SO” asked why the elected officials not have protective software on their equipment.
- “Resident” asked does the Board have procedures to accept reports from Township employees in regard to treatment by elected officials.
- “Resident” said the Township should have mandatory sexual harassment training for all employees and officials.
- “Resident” said abuse allegations concerning elected officials should be investigated by outside parties.
- “Resident” asked if the comment regarding the Clerk being on her 6th deputy true.
- “SO” asked if a representation of the Sheriff’s Office present.
- “Resident” asked who authorized the payment of the \$100,000.00.
- “Resident” said when reviewing land that the Township should review all assets.
- Clerk Findley said, on behalf of the Sherriff’s Department, there has been representation in the meeting.

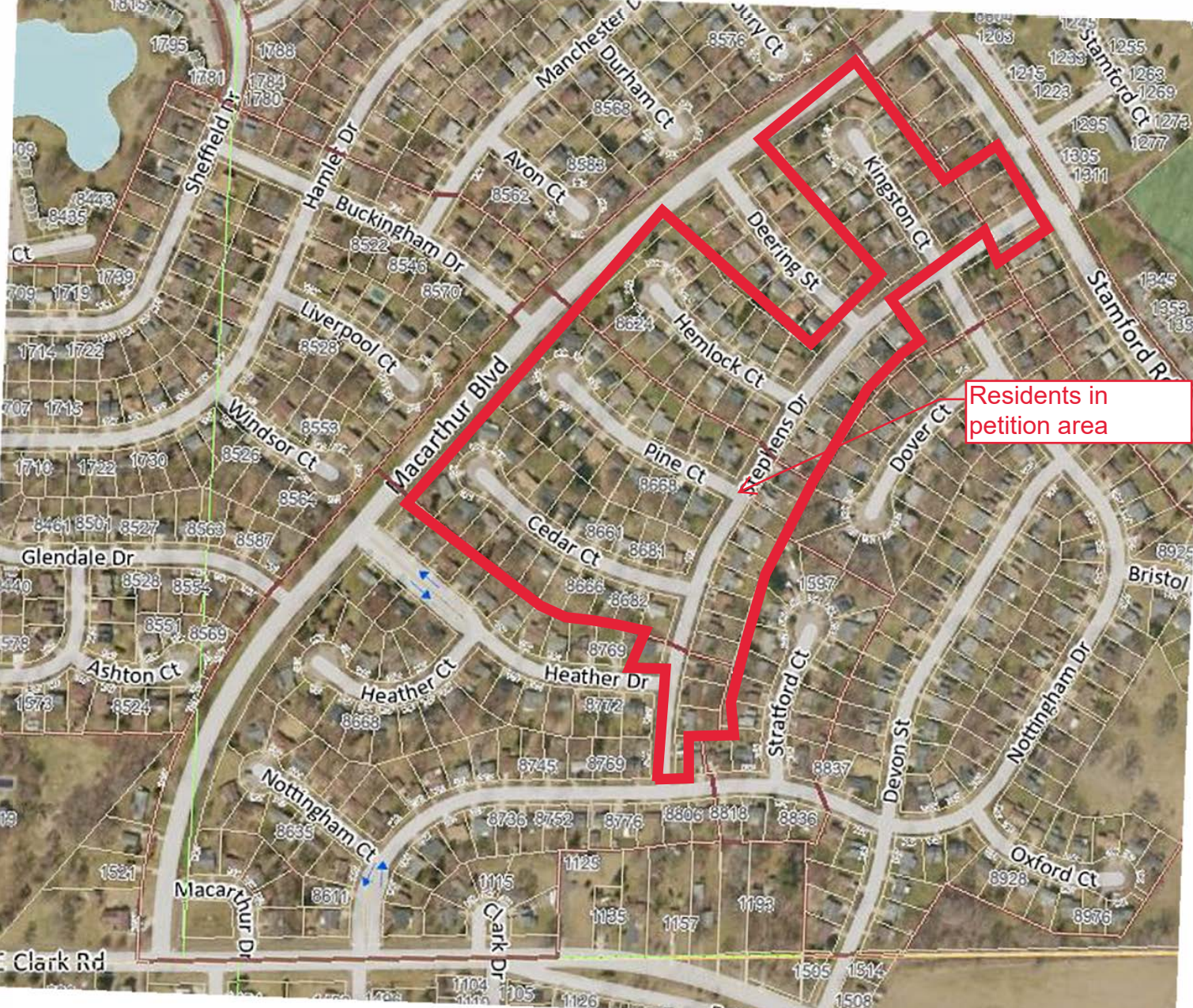
13. **ADJOURNMENT**

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

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor



Residents in petition area

**Washtenaw County Road Commission
 Neighborhood Traffic Management Program
 SPEED HUMP INSTALLATION PETITION**

We, the undersigned, indicate our support or opposition to the installation of speed humps on Stephens Drive between Nottingham Drive and Stamford Road. Seven (7) speed humps are proposed at the locations identified on the attached plan. The intent of the speed humps is to reduce vehicle speeds and cut through traffic, providing a safer traffic environment within our neighborhood. In order for the speed humps to be installed, a minimum of fifty-one percent (51%) of the residents affected by the project must support the installation of the speed humps. If this petition is successful with at least 51 percent approval, the issue of funding will still need to be resolved with the township.

| <u>Printed Name</u> | Address | Email & Telephone Number | Signature | Date | Please Check One | |
|---------------------|---------|-----------------------------|-----------|------|------------------|--------|
| | | | | | Support | Oppose |
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|---------------------|---------|-----------------------------|-----------|------|------------------|--------|
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| Printed Name | Address | Email & Telephone Number | Signature | Date | Please Check One | |
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| <u>Printed Name</u> | Address | Email & Telephone Number | Signature | Date | Please Check One | |
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| 60. | | | | | | |



 Proposed speed humps on Stephens Dr



1 : 3,600

1/18/2024

THIS MAP REPRESENTS PARCELS AT THE TIME OF PRINTING. THE OFFICIAL PARCEL TAX MAPS ARE MAINTAINED SOLELY BY THE WASHTENAW COUNTY EQUALIZATION DEPARTMENT AND CAN BE OBTAINED BY CONTACTING THAT OFFICE AT 734-222-6662.



NOTE: Parcels may not be to scale.

The information contained in this cadastral map is used to locate, identify and inventory parcels of land in Washtenaw County for appraisal and taxing purposes only and is not to be construed as a "survey description". The information is provided with the understanding that the conclusions drawn from such information are solely the responsibility of the user. Any assumption of legal status of this data is hereby disclaimed.

Concerns for Resolution 2017-26

Read this
prior to Resolution
on August 21, 2017

I would like to preface my comments by saying this is the first time since November 2016 that I am not in agreement with what Supervisor Schwartz is recommending. I hope there is no fallout with the comments I am sharing in regards to our working relationship. I am not questioning or trying to usurp his authority.... Only concern as an elected township official if we are doing the right thing, which is the bottom line for me.

Backstory:

- Ken contacted neighboring Township officials inquiring if they are aware of anyone who has the skill set to replace Rob Stanton in early May.
- No one surfaced. But Jeff Castro called back in May and said, he would retire from YUCA and take the job.
- Concerns surfaced with Ypsilanti officials where Jeff pulled back.
- Ken first stated to Brenda and me that he would enter into a contract with Mr. Castro who sets the water rates for Superior Township. I immediately questioned the ethics as it relates to paying someone who is in charge of YUCA and also receiving \$350.00 a week while employed with YUCA. I ask that the contract would include hours of working (time of day) with the Township and the hours working with Rickie as what he classified as a "mentor" and "tutor".
- Weeks went by with no conversation until Keith Lockie sent an email on August 14, regarding what we do to do as a Township to employ Mr. Castro, basically sharing some of the same concerns I had addressed in previous discussions regarding the matter.
- Supervisor Schwartz decided to make him a temporary employee which would have been mentioned in his Supervisor's Report instead of getting board approval via resolution.
- Refer to DEQ Interim Operation Policy and Procedure
- Suggest contract outlining position and or posting the position for Rob's replacement.

Lynette Findley

From: Lynette Findley
Sent: Wednesday, January 03, 2018 1:57 PM
To: lynettefindley@gmail.com
Subject: Fwd: Position

Sent from my iPad

Begin forwarded message:

From: Ken Schwartz <kenschwartz@superior-twp.org>
Date: December 2, 2016 at 4:04:39 PM EST
To: Lynette Findley <lynettefindley@superior-twp.org>, Brenda McKinney <brendamckinney@superior-twp.org>
Subject: FW: Position

Ken Schwartz
Superior Township Supervisor
(734) 482-6099

From: Alexander K Williams [mailto:flex.williams@gmail.com]
Sent: Thursday, December 01, 2016 10:09 PM
To: Ken Schwartz
Subject: Position

Good morning Ken,

I've been meaning to stop in at the township hall this week, but I haven't been able to get out of work early enough to get there before 4:30. Yesterday was my last hope, but as it was 4:26 when I got there, I decided that there wasn't really enough time to talk. So don't look at this message as a sign of being unwilling to talk with you face-to-face, I would like to, but I also don't want to let it go too long without explaining my position.

I would have done this last Tuesday, but it seemed like you would be unwilling to listen. When a similar event happened several years ago where Bill also took great offense at something I said, I both gave him a few more days to cool off, and I was able to get to the town hall to speak with him face-to-face.

Let me start by saying, as I did on Tuesday, that this has nothing to do with Dave. I did not realize how much bad blood was between you and him. I don't think it would have impacted my decision to say what I did, but I did not realize that you would leap to a conclusion of some sort of collusion between Dave and I. Nothing of the sort exists. As I mentioned earlier, this isn't the first time I've said something the supervisor thought was embarrassing. I doubt I will say such a thing again, unless all the conditions are met. There were a number of reasons I said what I did, when I did, and how I did; I believe it unlikely that those conditions will occur again in the next four years. I generally will come to you, or other members of the administrative staff, if there is

something I see which needs explanation or correction. This last event was definitely more of an exception than a rule, but as I said I had a number of reasons. I realized that you would find it embarrassing, and I do not enjoy doing such a thing. Again, this was not suggested by Dave; I will not carry his water.

By now you should have also realized that nothing will result from your temporary embarrassment. No citizens have stormed the office, they don't really care. The office staff also doesn't really care. From an outsider's perspective, it was just a trustee commenting on how they have heard it is sometimes difficult to find elected officials, and reminding the administrative staff that there is a tradition in this township of the officials being available. That is true, both what I've heard, and the tradition. As I mentioned last Tuesday, I did hear that from Dave, but Dave wasn't the only person I heard it from. I will not mention who I heard it from even now. I don't think that's important. I would like to not hear it from citizens in the future. I'm not certain how that's going to happen, but it does disturb me a little when I'm hearing citizen complaints of that nature.

But to move on, a lot of what you were saying last Tuesday struck me as odd. It sounded like what you were really upset about was that I wasn't loyal to you. Which is odd, because I'm not loyal to you, and you should realize that. I'm not loyal to Brenda either. And I'm not loyal to Dave. I'm loyal to my position and the duties of my position. I'm loyal, as much as possible, to the citizens of the township. But I'm not loyal to you or the administrative staff. Yet, don't read too much into that, because I'm also not disloyal to you, Brenda, or the township officials. I'm not going to attack, smear, disparage, or fight what you or the administrative staff do; generally I will be supportive and helpful. So long as those actions are good for the township and citizens of the township, and those actions which are related to township duties are performed in an honest, transparent and honorable fashion.

So what is my complaint? Well, let's start with Brenda. It is an open secret that for the last 20 years Brenda has been working on average a 30-hour work week, and getting paid a full-time salary. Not only does this irritate quite a few people in the township, it means that on occasion her actions require me to lie for her. A few times a year, when talking to a citizen, a question will come up which really relates to the treasurer. Since I know my limitations, I'll say to them, "I think you should ask the Treasurer that question. The township hall is open from 8:30 - 4:30, so give her a call and I know she'll be glad to help you." Then I have to follow that up with the following, "And, while I recommend making an appointment, I know she'll usually be busy in the mornings, until about, say 10:00, so if you want to just drop in, it would probably be best to wait until after then." I don't want the citizen to be disappointed, I would really like them to have a positive experience when visiting the township hall. But in order to do that, I need to lie to the citizen. I am not going to tell the citizen that Brenda just doesn't show up to work until 9:30 or so, even though the township office opens at 8:30. Then there is the possibility that someone does show up at 8:30 to see the Treasurer, and Brenda gets a call at home and tells the office staff to tell the visitor that Brenda will be available in half-an-hour. Not mentioning that it's because she needs to get up, shower, dress, and show up to work long after opening time.

Now, there really is nothing that can be done to make Brenda show up to work a 40-hour work week. I know that. And I know there are good reasons why elected officials have a certain amount of immunity from boards. There are some very good reasons for this. But when someone is taking advantage of those rules, to the extent of drawing full-time salary for 3/4-time work, I don't have to like it. And I don't. I generally do not say anything, and I didn't even at the board meeting, but I do not mind that Brenda and you know that I do not approve of the situation.

What made me upset with you? Well there are two things. First, I really don't mind you taking cases again, and even occasionally appearing in court on a workday. There is no vacation policy for elected officials, and I'm comfortable with you saying you're taking a half-day, or a couple days, to work on a case. What irritates me to know end, however, is that you did so

without letting the board know. Yes, I know you don't have to let the board know, there is no requirement or law, saying you need to do so. But not letting the board know makes it look like you are hiding something. I have been waiting for a couple months for you to make a statement, maybe in the pleas or petitions portion, that you were taking on a couple cases for old clients and if any board members have any questions they can simply ask you. It would have been even better to say that you are planning on doing this, but as a way to avoid any sense of impropriety you will ask Rod Green to take a look at the clients to verify that there is no conflict of interest.

You know that a person who is directly involved cannot determine if there is a conflict of interest. That's basic ethics. Let me give you an example. Say you are working in a law office, and you learn during a bull-session from someone working for another firm that one of your partners has taken a case without letting anyone in your firm know. Do you just think, "Oh, I know John. He's a good guy and a good lawyer. I'm sure there isn't a conflict of interest."? I doubt it. He would be asked why it wasn't mentioned, because you know that being personally involved means that he isn't a good judge about what is or isn't a conflict of interest.

I'm not saying that any of the cases you took would be conflict of interest. I am saying that not mentioning it does raise more questions than mentioning it would.

Again, is there any law saying that you need to mention it? No. There is nothing the board can do to change your decision to take cases or not. But that doesn't mean we have to approve of your lack of respect of the board by hiding a potential conflict of interest. Which leads me to make another point, while you have duties and responsibilities that the rest of the trustees don't have, on the board we are all equals. We were all elected by the same population to represent them, and we all have one vote. The board members do not work for you, and you don't work for the board. We are all peers. So when you do not mention things which might directly impact your performance from the board, we have a right to be irritated.

I suppose at this point I might as well tell you why I question your actions as much as I do. It's not because I think you are doing something wrong, if I thought some township direction was wrong I would oppose it, and vote against it. Which I have done on occasion. I question your actions because it is one of my duties to ensure that the actions the administrative staff and the board takes is thought through and is the best decision we can make at the time. You mentioned that I questioned the appointment of Keith to comptroller after Susan was let go. I did so because I knew Keith was already officially performing the duties of what was previously seen as two full-time positions, and adding the duties of a third position which was also full-time seemed like either Keith would have trouble getting the work done, or that the other positions really didn't need to be full-time. [REDACTED]

[REDACTED] But that is what I see as my duty as a trustee, to question and verify that the administrative staff are making the best decision possible. No one deliberately goes out of their way to make a bad decision, but bad decisions occur on a regular basis. Often through negligence or inadvertence, but quite often also due to blind loyalty to someone who may not have considered all the implications of a decision.

This is the main reason I'm asking questions about Cheney. I'm not against purchasing Cheney for the township. There are activities the township could perform if we had Cheney. However, I saw some of the budget numbers when the library considered purchasing Cheney a few years ago, and the magnitude of them is at a level which I worry is not sustainable for our township at this time. The lawn-mowing costs alone were >\$40,000/year. So I'm very cautious about making any agreements without seeing the projected costs. I'm not against it, but I really don't want a future board to get stuck with property which takes up a lot of township resources without providing services which equal those resources.

I suppose I should try to wrap this up somewhat. And to do so I'll mention one other thing which the office staff, you, Brenda, and Dave, have done which have royally pissed me off. And that is the infighting in the office which has delayed the new township website from being

P.s. I wrote quite a bit in this letter which I generally wouldn't have committed to writing. But it didn't look like I was going to get a chance to speak with you any time soon, and I didn't want this to go unsaid for too long. So I respectfully ask that you delete this once you have read it. It's up to you of course. -A.W.

Lynette Findley

From: Alexander K Williams <flex.williams@gmail.com>
Sent: Wednesday, September 20, 2017 8:56 PM
To: Lynette Findley
Subject: Chat

Good evening Lynette,

I regret that I have little time these days, the recent change in jobs has required me to work 10-12 hour days for the last several months. But I will do what I can.

First, what I can offer is advice. The first bit of advice is to document behavior. I'm certain you already know this, but while I am aware of the peculiarities of Brenda and Ken, I'm not certain how many of the other trustees are. There is little point in bringing this sort of behavior up at a board meeting, I do so on occasion but I don't have to work daily with the administrative staff.

I do not bring up the problems in a hope that either Brenda or Ken will change their habits, but in order to let them know that at least one trustee is paying attention and is not happy with their commitment to public service. When I mentioned it last November it was also in the hope that you would recognize that when you realized what has been going on, that you would remember that you are not alone in this.

For the record, I had some conversations with Dave about this while he was clerk. The upshot is that from what we could find of the state law there was little which can be done, even by the board. As elected officials they have far more autonomy than a regular employee who could be hired for failing to meeting their responsibilities. It does not appear that an elected official can be moved to a part-time position without their consent, or removed from office without a recall. (Barring court actions, and frankly as long as the job is getting done and there is no corruption I don't think any legal action would be successful).

So the options are to bring the problem to the community at large, bring it to the board, or ignore it and keep your blood pressure down.

The first option has a very low possibility of success. Brenda is quite influential in the local democratic party organization, and she is very good at poisoning the well. Anyone publicizing her lack of commitment to her job, or her fractiousness when at work, will experience a very well executed character assassination within the democratic party. For someone in your position this will translate to making your job harder as getting volunteers to work elections will likely become much harder. It will also make it almost impossible for you to get re-elected, but you may not care so much about that after the experience you've been having.

Ken, while not as untouchable as Brenda, has contacts with people at every level of the county, and a few at the state level, and he is also not adverse to using them. Ken is an opportunist, he's looking for the next thing which will get him wealth or power. He, as far as I'm concerned, made a mistake in giving up his County Road Commission position to become the township supervisor. He saw an opportunity, jumped at it, and ended up discovering that the job actually required some work. A lot of work. I think he probably has realized that he's made a mistake, but until something better comes along he would rather shirk his responsibilities than make an effort. His biggest problem is that he is now getting too old for new opportunities to present themselves.

So from my perspective, the root problem is that neither Brenda or Ken really want to do the work that comes with the position, but they want the acclamation which these positions provide. So they both work shorter

hours, and justify those with the belief that their participation in other activities, like the meetings which occur in the evenings, or the meetings of the local political party, or the meetings of a veteran's group count toward the minimum time they need to be on the job. Resulting in both of them arriving late and leaving early, and not being available when a citizen calls.

Unfortunately, the position of township clerk is probably the most difficult of the administration jobs. The treasurer, if they don't really understand finance, will always have an assistant or a comptroller. The supervisor can delegate much of the day-to-day running of the township to assistants (and in a mature township many departments run themselves). The clerk, on the other hand, having the responsibility for elections, when election laws keep changing, has the most difficult position because the clerk is expected to be responsible for the elections. No matter how competent their assistants are, the clerk bears that responsibility. (Although I've know clerks who also haven't taken the job seriously.)

The second option, bringing it to the board, is probably the most likely to affect any change. But the change we can effect is limited. We can not approve a salary increase, we could probably even vote to reduce the salary for those positions. But if I read the Michigan law properly, if we vote to reduce their salaries because of their actions, they could refuse to accept that reduction in pay. I understand the reason for the laws being written this way, you don't really want to give a board the power to reduce the salary of an administrative official in half simply because the board doesn't like them. But it does limit the actions a board can take. In fact, as long as the actions of the elected official are not hurting the township operations, there appears to be little the board can do.

Being a little more specific. To my knowledge, Lisa Lewis is aware that there are some problems, but unless strong evidence and a corrective action is available I think Lisa is unlikely to support any censure. If behavior cannot be corrected, I suspect Lisa is not likely to make waves. I do not know if Rod Green is aware of the problem or not, he plays his cards very close to the chest, but if there was evidence of a problem he would be willing to act. As far as Nancy Caviston is concerned, I don't know if she would be interested in learning about any problems or be willing to take action. From what I read of her personality, Nancy would be willing to accept a justification that the actions of Brenda and Ken are acceptable, as long as the township runs smoothly.

There is one thing which would probably turn Nancy against Ken, and that would be evidence that Ken has re-started his law practice and is seeing clients on township time. Nancy would not mind if there were 2-3 old clients getting advice, or if Ken needed to appear in court 3-4 times a year. But if Ken is regularly seeing clients and appearing in court, say 3-4 times a month, that would really irritate Nancy.

The last option is the most frustrating for you, but many previous people dealing with Brenda and Ken have learned to accept their behavior. This option recognizes that as frustrating and as inappropriate as their behavior is, they are not going to change. So you have to live through it.

The good news is that I can't see either Brenda or Ken wanting to serve too many more 4-year terms. In fact I suspect Ken will not run again. Brenda might, but that may be because I suspect Charlie really is happier if she's out of the house. But in reality, I am hoping that in 3 years time both of them decide to give up the sinecure they have discovered.

Well, this message is probably getting a little long. My advice is always to document inappropriate behavior because people will discount someone making a complaint, but it's hard to discount evidence that the complaint is justified. At least six months of documentation is necessary to establish that poor performance is a habit rather than a rough patch. Even if both of us know that these behaviors are habitual, convincing people who have not been paying attention is hard. And, I hate to say this, but the other trustees may conclude that waiting 2 1/2 - 3 years is the right action rather than to disrupt the operation of the township.

But always remember, even if no action is taken, that I understand the problem, I'm on your side, and I'm willing to discuss it if you need to talk about it.

Alex Williams

First letter of
Resignation

Lynette Findley

From: Carolyn Stuart
Sent: Wednesday, November 29, 2023 3:45 PM
To: Lynette Findley
Subject: Resignation

Carolyn Stuart
22140 Columbia
Dearborn, MI 48124

11/29/2023

Charter Township of Superior
3040 N. Prospect
Superior Township, MI 48198

Dear Clerk Findley,

Please accept this letter as my formal notice of resignation from my position as Clerk's Administrative Assistant at the Charter Township of Superior.

My last day will be December 13, 2023. It is my intention to complete all shifts scheduled for me during this period.

Thank you for this opportunity.

Sincerely,

Carolyn Stuart

Clerk's Administrative Assistant
3040 N. Prospect
Superior Township, MI 48198
734-482-6099

For Voter Information: <https://mVIC.sos.state.mi.us/>

Lynette Findley

From: Carolyn Stuart
Sent: Thursday, December 07, 2023 1:50 PM
To: Ken Schwartz; Board
Cc: Nancy Mason
Subject: My departure

Second letter after
Ken talked to her
(Carolyn) while Landis
and I were away
at County Training
from (11:30-1:00pm)
that day.

Dear Board of Trustees,

As I stated in a previous email, I will be leaving the Township. I had wanted to do so in a professional manner by giving the customary two weeks' notice and using that time to make sure my immediate co-workers were up to date on anything I was working on. Unfortunately, I will not be able to fulfill this commitment because I cannot continue to work in a hostile environment. Clerk Findley has not just continued to make working for the Township extremely difficult but, has escalated her abusive behavior since I informed her of my resignation. I do not use the term "abusive behavior" lightly, and I have struggled with bringing this to your attention.

Beginning in August of 2022, after the departure of her previous Deputy, Sarah Collier, Clerk Findley and I began working in a one-on-one basis. At this time, she began to demand I no longer have contact with fellow employees, that I report to her conversations other employees were having, even going as far as to report to her who attended a non-work function. When I did not text her, while not on the clock, to report who was attending this non-work function I was reprimanded and told I would never be "promoted." Other unacceptable behavior that began at this time includes belittling me, gaslighting me, accusing me of things I supposedly said behind her back, and unwanted physical contact. I have also been made to bear witness to ethically questionable actions she has taken. This behavior on her part has been draining me mentally, emotionally, and physically. It has affected my ability to do my job to the best of my ability and my personal life negatively.

I had hoped to give my two weeks' notice, leave, and start to heal from what I have had to endure working with Clerk Findley. However, due to her increasingly worse behavior over the past couple of days I am at a breaking point and can no longer continue being in her presence.

Please understand that I felt morally compelled to explain my early departure.

I ask two simple things of you. Please ensure I am paid out my full benefits despite leaving 4 days shy of the two weeks' notice. Second, please note, I want no further contact from Clerk Findley of any kind. I will take legal action against her if she attempts to contact me.

Clerk Findley has possession of the Township laptop I used, and I will turn over my keys and badge to her deputy upon his return to the office this afternoon.

If you have any questions, please contact me at carolynstuart1@gmail.com.

Carolyn Stuart

*Clerk's Administrative Assistant
3040 N. Prospect
Superior Township, MI 48198*

Lynette Findley

From: Carolyn Stuart
Sent: Wednesday, September 13, 2023 3:33 PM
To: Lynette Findley
Subject: FW:

You have my permission to share this email.

From: Carolyn Stuart
Sent: Friday, July 21, 2023 8:42 AM
To: Lynette Findley <lynettefindley@superior-twp.org>
Subject: RE:

Thank you for your understanding. Landis did contact me yesterday on your behalf. There is no need to for you to apologize, you had no way of knowing this would happen, nor did you cause any of this.

From: Lynette Findley <lynettefindley@superior-twp.org>
Sent: Thursday, July 20, 2023 10:21 AM
To: Carolyn Stuart <cstuart@superior-twp.org>
Subject: Re:

I understand.

Please do.

Lynette Findley
Clerk, Charter Township of Superior
3040 N. Prospect Rd.
Superior Township, MI 48198
Ph: 734-482-6099
www.superiortownship.org
Check the status of your voter information at www.michigan.gov/vote

On Jul 20, 2023, at 10:00 AM, Carolyn Stuart <cstuart@superior-twp.org> wrote:

Lynette,

Since reading the disturbing email sent by Supervisor Schwartz I have suffered several panic attacks. It has been extremely difficult for me to maintain professional behavior while at work. I can not assist you any further with this matter and understand that my refusal to do any further tasks in regards to this matter may impact my employment.

As well I need to take a mental health day for the rest of the day, I am leaving at 10am

Thank you for your understanding,

Posted on Sun, Jan 3, 2010 : 6:04 a.m.

Augusta Township officials made deal that cost the utility department at least \$400,000, documents show

By Tom Perkins



Augusta Township Trustee Bill Tobler stands in the Lincoln Pines subdivision, where construction has stalled.

Tom Perkins | For AnnArbor.com

Several former **Augusta Township** leaders made an agreement with a developer in 2004 that cost the township's utility department more than \$400,000 in revenue, newly released documents show.

And the current board recently halted an internal investigation into the circumstances of that deal.

The agreement was investigated by a committee in March 2008 - but was not publicly disclosed - just as some township residents saw the first of what will likely be several significant increases in their water and sewer bills because of the utility department's deep financial problems.

Residents packed two public meetings on the issue last spring to ask for answers and voice anger over rate hikes of 20 percent or more for homes with higher than average water usage.

During the early stages of the housing boom, he began planning the 132-lot Lincoln Pines subdivision at Whittaker and Bemis roads, receiving board approval in 1999.



A water tap in the Lincoln Pines subdivision is shown.

Tom Perkins | For AnnArbor.com

At the time, developers were to pay \$1,500 per lot to tap into the [Ypsilanti Community Utility Authority's](#) water and sewage systems, per section 6.5 of Augusta Township's 1999 planned unit development agreement.

The PUD agreement details ordinances and guidelines that residential developers must follow in building homes, along with the fees required. The connection fee is in an ordinance set by the Augusta Township board. It charges all developers the same rate to connect into the systems and notes that it can't be changed, extended or altered without a board vote.

Section 6.5 also stipulated the \$1,500 fee was valid for a 42-month period after the first building permit for a home in a development was pulled. At the conclusion of the 42-month window, developers pay fees in effect at that time.

The [Washtenaw County Building Department Web site](#) shows the first building permit for LaClair's Lincoln Pines development was pulled on May 18, 2000. Under the 42-month window, the company had until Nov. 18, 2003, to pay the \$1,500 connection rate.

According to documents provided to AnnArbor.com, LaClair Builders paid for 58 connections on Lincoln Pines' 132 lots before Nov. 18, 2003. That left 74 to be charged at the new rate, set at \$7,000 by the board on Jan. 28, 2003.

But LaClair Builders still paid \$1,500 on the remaining 74 lots - a \$5,500 difference for each connection. That amounts to \$407,000.

LaClair contends he deserved the break because construction was behind schedule, and his company paid for a substantial portion of the piping. He added his company was the first

Jackson told the committee she, Schwartz and Babut weren't going to cut the deal for free and informed LaClair, "You need to do something nice for us."

"So he donated \$33,000 for the fire department," she told the committee.

LaClair denied anything inappropriate occurred.

"This was done with the township supervisor and attorney, so if it was (inappropriate), I have no idea," he said.

Later in the tape, Jackson told the committee LaClair said he would pay the \$33,000 donation, "As a thank-you for not sticking it to me for being a couple days late on my fee." Records show he was actually six months late paying for most of the connections.

In the e-mail exchange with LaClair, Jackson identifies Schwartz as the one who came up with the idea.

"Ken suggested that we should cut you some slack whereby we would allow you to pay the fees at the original rate ... and you donated the \$33,000 (negotiated by you and I) to the fire dept," she wrote to LaClair.

Schwartz denied it was his idea and said proper consent was given for the extension.

"Anything that happened was approved by that board," he said.

The township clerk's office said it could find no record of the board approving the deal. AnnArbor.com asked Schwartz to provide any documentation or dates of such approval; he didn't respond to the request.

Schwartz also said there was a grace period for the developer to pay lower fees after the 42-month period in the PUD agreement, but the document lists no such exception.

Receipts from the [Augusta Township Treasurer's Office](#) confirm LaClair's company made the donation of \$33,000 on March 31, 2005. And an oversized check is displayed on a wall at the township hall.

More potential lost revenue

As the economy nose-dived, construction in Lincoln Pines halted.

Empty lots sit overgrown, and just 22 building permits were pulled after 2004. Yet receipts from the treasurer's office show LaClair Builders paid for 64 water and sewer connections on May 12, 2004 - before the final 22 permits were pulled.

“You just say to yourself ‘Oh my gosh! This is unbelievable that these events were taking place,’” Tobler said.

Tobler said the investigation was put on hold as the 2008 election approached, but the committee revisited it early this year.

Hafler came to a meeting to ask what the committee was investigating and said he was told of the deal and other matters. He then voted for a motion sponsored by Trustee Mike King to “evaporate” the committee at the next board meeting on April 28.

The vote was 4-3, with Jackson, Hafler, King and Trustee **Dan Lula** saying yes. The usual voting bloc of Giszczak, Tobler and Trustee **Angela Sherbine** voted against it.

Hafler said he voted to disband the committee because it never reported back to the board and raised Open Meetings Act concerns.

Tobler called the charge untrue. He said the committee had no decision-making powers, and said he believes it was dissolved for discussing Jackson’s activities.

He said he doesn’t understand why elected officials aren’t pursuing recourse.

“I’m dismayed that the township is potentially going to lose out on all this needed revenue for a utility department that is failing financially,” Tobler said.

From here, the township’s options appear limited.

Winters said a decision to try to recover the money through civil means or any other action lies with the board, and declined to comment or speculate on the case.

“I can only proceed to investigate the possibility of trying to recoup those dollars if authorized by the township board,” he said. “I think it would stick in anyone’s craw if someone benefits at the expense of the taxpayer, but it’s up to the board.”

Tom Perkins is a freelance writer for AnnArbor.com. Reach the news desk at news@annarbor.com or 734-623-2530.

Mary & Rickey were told by Ken to send these emails.

Lynette Findley

From: Mary Burton
Sent: Thursday, April 12, 2018 2:06 PM
To: Ken Schwartz
Cc: Lynette Findley; Brenda McKinney
Subject: Re: Performance

Ken,

Rickey is doing excellent work. He has really been on top of issues and trying to address/prevent them before they arise.

Mary Burton
Utility Administrator
Superior Township
734-480-5500

On Apr 12, 2018, at 10:51 AM, Ken Schwartz <kenschwartz@superior-twp.org> wrote:

FYI

Ken Schwartz
Superior Township Supervisor
(734) 482-6099

From: Rickey Harding
Sent: Thursday, April 12, 2018 9:53 AM
To: Ken Schwartz
Subject: FW: Performance

Here is my evaluation from Jeff and my reply.

From: Rickey Harding
Sent: Monday, April 9, 2018 7:43 AM
To: Jeff Castro
Subject: Re: Performance

Jeff,

I really appreciate this and everything you've done for me and Superior Twp thus far. People always ask me how is it going with the new interim supervisor position and I tell them great because I have an awesome mentor over at YCUA named Jeff Castro.

Thanks for your leadership.

Rickey

Ken Schwartz

From: JEFF CASTRO <jcastro44@comcast.net>
Sent: Sunday, July 24, 2022 4:31 PM
To: Ken Schwartz
Subject: RE: Superior Township (Ann Arbor) WQP letter

Hi Ken,

How about Leo's in Ypsi Twp on Anna Step Dr. Anytime Tuesday. 9a, 10a, 11a, 1p, 2p? Let me know, thx.

Jeff

On 07/22/2022 10:48 AM Ken Schwartz <kenschwartz@superior-twp.org> wrote:

How about Tuesday. You name the place and I'll be there.

Ken Schwartz

Superior Township Supervisor

(734) 482-6099

From: JEFF CASTRO <jcastro44@comcast.net>
Sent: Friday, July 22, 2022 9:35 AM
To: Ken Schwartz <kenschwartz@superior-twp.org>
Subject: RE: Superior Township (Ann Arbor) WQP letter

Ken,

Monday or Tuesday anytime. Let me know.

Jeff

On 07/19/2022 3:59 PM Ken Schwartz <kenschwartz@superior-twp.org> wrote:

Jeff,

Let's get together to discuss the situation.. All I can say is there is a sickness on the Board that has intensified since the last election. Throw me some times for lunch or coffee.

Ken Schwartz

Superior Township Supervisor

(734) 482-6099

From: JEFF CASTRO <jcastro44@comcast.net>
Sent: Tuesday, July 19, 2022 9:53 AM
To: Ken Schwartz <kenschwartz@superior-twp.org>
Subject: Fwd: Superior Township (Ann Arbor) WQP letter

Ken,

Attached is info on new water quality standards. I wanted to make sure Rickey understood.

Jeff

----- Original Message -----

From: "Simon, Taryn (EGLE)" <SimonT5@michigan.gov>

To: JEFF CASTRO <jcastro44@comcast.net>

Date: 06/16/2022 12:47 PM

Subject: Superior Township (Ann Arbor) WQP letter

Lynette Findley

From: Bernice Lindke
Sent: Thursday, August 04, 2022 1:38 PM
To: Lynette Findley
Cc: Frederick Lucas; Ken Schwartz; Board; Lisa Lewis; Nancy Caviston, Trustee
Subject: Re: Attached Image

Good afternoon,

I would like to add that there is no evidence of Mr. Castro being approved by the Board of Trustees for hire, as is the case with other employees.

Additionally, I would like to question him about the specific services he rendered for being on the township's payroll.

Thank you.

Bernice

Sent from my iPhone

On Aug 4, 2022, at 12:06 PM, Lynette Findley <lynettefindley@superior-twp.org> wrote:

Fred,

I do appreciate your professional opinion as our Township Attorney.

Prior to you issuing your professional opinion, we asked for a meeting with Jeff Castro and the Board.

This did not occur.

I have had concerns from day one regarding Jeff Castro's employment.

In fact, I stated from day one that he should have been a contractual employee because his services were needed for a specific task and for a specific amount of time.

I have had concerns from day one, not being able to know what Mr. Castro did beyond his time after Rickey Harding received his license (as for the task he was hired to complete).

I have had difficulties signing his checks the entire time.

Also, during this time, I have had attacks launched on me by the Supervisor (who encouraged the previous Treasurer) interfering with the staff in the Clerk's Office and my re-election in 2020 where they had spread vicious lies and sabotaged the Clerk's Office (especially during critical election times) to get rid of me so that the Supervisor's plan to make Mr. Castro a permanent employee after he retired from YCUA. There was only one board member who supported me during my re-election campaign, and that was Nancy Caviston.

I stopped signing Mr. Castro's checks in the beginning of the New Year (2022) so that the Supervisor could not say that he was working for us from the perspective of his previous employer (YCUA). Ken started to sign his checks and then had Mr. Castro do direct deposit to avoid the lack of my signature.

The Controller was asked to keep Mr. Castro on the payroll after he too, expressed concerns about his employment (or lack of employment as it relates to working).

They were unsuccessful in their attempts to replace me in the 2020 elections.

I am thankful that two new board members Rhonda McGill and Bernice Lindke were elected in 2020 and have seen the concerns related to the employment of Mr. Castro (amongst other concerns).

I received a FOIA request as it relates to Mr. Castro on Monday, August 1, which I will send out today.

I was unable to do so on Monday because of my deputy clerk taking the week off to deal with family concerns.

Based on the above information, respectfully, I do not agree with your decision and will not sign a check.

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

www.superiortownship.org

Check the status of your voter information at www.michigan.gov/vote

From: Frederick Lucas <lucas@lucaslawpc.com>

Sent: Thursday, August 04, 2022 10:00 AM

To: Ken Schwartz <kenschwartz@superior-twp.org>

Cc: Lynette Findley <lynettefindley@superior-twp.org>; Lisa Lewis <llewis@superior-twp.org>; Nancy Caviston, Trustee <education@superior-twp.org>

Subject: Re: FW: Attached Image

Ken, you have asked my opinion on whether Mr. Castro is an employee or independent contractor for the township. In reviewing the last paycheck issued to Mr. Castro, I noted that the Township deducted FICA and other taxes from his salary. This tells me that he has been treated as an employee and not an independent contractor. To avoid possible violations of federal and state wage and hour laws, I would recommend paying Mr. Castro the back wages owed for his services immediately.

Please share this email with the rest of the board.

I have copied Clerk Lynette Findley, Treasurer Lisa Lewis and Trustee Nancy Caviston on this email and would have included Trustees Rhonda McGill and Bill Secrest but I do not have their email addresses. Either provide me with the email or addresses and I will send this email to them or if you prefer forward this email to them.

These are not just “technicalities”. Each of these issues are important to the workings of township business and shared governance.

All of the above is to provide some clarity and context to our discussion. Rather than respond to this email, let’s have an open discussion with the entire Board about these matters.

Sent from my iPhone

On Apr 22, 2022, at 1:45 PM, Ken Schwartz <kenschwartz@superior-twp.org> wrote:

Lynette,

I was not complaining to Bernice about the hire. It was a technicality. She loves technicalities, so I throw that one out. What I did complain about is that there were 3 no votes for Landis’ \$3 an hour raise with new duties as you can see in the attachment. While you voted no on Landis you unilaterally gave Carolyn a \$3 an hour raise and she’s been here about 4-5 months. You did not take that raise to the Board, and you did not change her duties and you voted no on Landis which was presented to the Board. You demanded a salary study for Landis after giving Carolyn a unilateral raise the week before the meeting.

Ken Schwartz
Superior Township Supervisor
(734) 482-6099

From: Lynette Findley <lynettefindley@superior-twp.org>
Sent: Friday, April 22, 2022 11:25 AM
To: Board <board@superior-twp.org>
Subject: Carolyn Stuart

Good morning,

I wanted to reach out to all of you to share an employee related concern.

Bernice met with Ken on Tuesday, April 19 in the afternoon with Ken for several hours.

During that time, my name surfaced frequently.

One instance, Ken shared with Bernice that I did not take to the Board, the hiring of Carolyn Stuart which occurred three months ago.

Bernice doing the due diligence as she does with us all, confronted me with the concern.

I stated that I did take Carolyn's hiring to the Board.

After checking yesterday, I was wrong, I took the position to get approval to the Board, but not the person (Carolyn Stuart).

I will take the necessary steps to correct this for our next board meeting.

I would have sent this email yesterday, but was informed at the last minute of a candidate interview.

Lynette

Lynette Findley
Clerk, Charter Township of Superior
3040 N. Prospect Rd.
Superior Township, MI 48198
Ph: 734-482-6099
www.superiortownship.org
Check the status of your voter information at www.michigan.gov/vote

Lynette Findley
Thursday, January 25, 2024 3:56 PM

FW: My departure
Resignation Letter from Carolyn Stuart.pdf; Tracie Duncan Letter of Resignation Superior Township[89].docx; Carolyn Stuart Email Leaving Early Due To Stress.pdf; Carolyn Stuart Second Letter.pdf; Clerk Findley email to Tracie Duncan.pdf; Letter to Inform 1-17-19[50].docx; Posting for the position (Printed by Ken at 11am).pdf; Text message from Thanksgiving.pdf; MAMC statement about compensating Election workers.pdf

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

www.superiortownship.org

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From: Lynette Findley
Sent: Tuesday, December 12, 2023 1:36 PM
To: Frederick Lucas <fred@castleberrylucas.com>; Board <board@superior-twp.org>
Subject: RE: My departure
Importance: High

Board,

I am asking that you please ask the Supervisor to stop intervening with the Clerk's Office. For some reason, it always happens during critical elections.

Ken printed the clerk assistant description with salary which I thought Landis had printed (which Carolyn was well aware of the salary prior to taking another job closer to home). The County Clerk's Office along with other organizations (MAMC) have stated Clerk's office and staff should be paid more based on the major changes for all critical elections which requires nine days of early voting, permanent absentee ballots and others.

I had no problems with Carolyn as many can attest to in the office including Nancy Mason who stated this basically took her for a loop because we (Carolyn and I) were just eating salads together UNTIL Landis and I were away at a Clerk's meeting last Thursday December 8th .

I have confirmed that Carolyn was in Ken's Office during this time period and he called Nancy Mason to discuss vacation time related to Carolyn. Since, she has never asked me as her supervisor could she get her vacation time, she should have been sent back to me.

Please understand (and it was also overheard) Carolyn wanted a job closer to home. She stated that she was not searching and that she was doing it for a friend. When the Supervisor overheard, he implied was this your choice which at the time she explained and it was a pleasant conversation.

Not only was it her choice, after she told me she was leaving, she stated that she would love to come back and work (especially the Absentee Count Board) if her new employer would allow; but she would definitely help in the evening time.

This is reminiscent of Sarah Collier when we had gone to the Boro the week prior to the Election. During that time, Ken had gone in the vehicle with another employee.

At lunch, Sarah stated that she would like to assist with the Personnel Manual and that there were no other concerns.

The previous week, I had stated to Ken that I had taken Sarah off my email which only gave her access to voters which she had asked along for along with other duties since she was the person I was grooming for my job. I also shared other comments related to her family members working on elections in our Township and expressed as he (Ken) agreed that he knew it was a concern in Ypsi Township. I am sure he took this information twisted everything to meet his goal.

We were back before Ken and the staff member returned. Sarah went into the staff member's office. When she came out, Sarah was going by my office and I asked her to provide information to a candidate regarding absentee voters. She responded to me by saying "You do it Yourself".

Basically, this started the demise of our relationship. As we know from there, Sarah did not show up to the election and all her communications from there were with the staff member who went for rides with Ken. Several things that happened prior to me releasing Sarah Collier were:

- Ken informing Sarah that it was okay (while she was requesting FMLA) to attend a pool party during work hours at another employee's home.
- Ken Schwartz hiring Sarah Collier as his deputy supervisor after being informed several times by our Township Attorney not to hire her.
- Ken contacting a Board member saying that I have neglected my duties and that a special meeting should be held to appoint Sarah as Clerk.
- Someone calling the County Clerk's office stating that I have neglected my duties during a critical election time.

Too many similar incidents that Ken has impacted which has destroyed relationships that I had with at least three great staff members employed in my office.

I am very, very concerned as to what Ken tells staff members when he goes on rides with them or get them in his office to create such animus related to me.

I know from Utilities what he has shared with staff to get them to dislike me which you can asked them. As an example, I was so taken aback with Rickey Harding stated that Ken told their staff that it was because of me that they did not get raises. I know what he has shared negative with previous and current board members about me.

Ken printed the attached job description around 11 am today and I asked him what he is trying to do now..... "his reply was even though it is in the budget, you do not have to pay them that amount".

Please look at other pay rates in the Township. He must leave me alone.

Just like Sarah, I am very hurt that he can get Carolyn to put untruths in an email message. What did he say to her in his office?

Look at the consistency of the messaging.....it is what he has stated to you as a board.....you do not have any other emails from my staff regarding me other than the one above from Tracie Duncan.

I have a letter of reprimand given to Paula Jefferson. She still remained employed until a problem happened during a critical election. I went to lunch with Ken and Brenda at the Sidetrack and informed them that when I returned from vacation (two weeks) that I will be ending Paula's employment at the end of that September prior to the November election. Paula gave me a resignation letter the same day I informed Brenda and Ken that I was going to terminate her. Paula is now at Plymouth Township.

Tracie Duncan recommended Denisa. While away on a two vacation, again, Brenda and Ken talked to Denisa's family to get her to go the Plymouth Township where Paula Jefferson is.

Denisa left my office on a snowy Friday night saying she would bring me in some salve for my eczema that her daughter makes the following Monday. By the way, Sarah Collier was also encouraged to take a job in Plymouth Township.

She never showed up to work. I was worried about her thinking perhaps she was in a car accident. I called her next of kin listed as her emergency contact. The person told me that Ken and Brenda both talked to her and told them negative information about me and that I was crazy. She told me she was not coming back. I finally reached Denisa who told me that "this place is too toxic" and did say that she would come in to help with the board packet. I shared that with Ken, but, she never showed up.

Please know that text messages and other phone calls (numbers) cannot be destroyed.

I can show you where I have never texted Carolyn at the party asking about Sarah. I have proof the rest is also untrue. I cannot believe the unwelcome touching that was included in this message). This is a person that was just in my office asking me if I wanted tacos the previous Tuesday. I know that Ken had mentioned to staff that I decreased Carolyn's salary to pay Landis his salary.

I have shared with you that I know for a fact that Ken told Sarah to file the EEOC claim against me. I also know for a fact he told her she would walk away with at least \$60,000. Because of lies that were placed in Sarah's claim that I had emails to support the truth.....she did not get close to that amount (which she should not have received anything because she was not eligible for FMLA).

I know for a fact that Ken wanted to hire Jeff Castro part-time (once he retired from YCUA) after keeping him on our payroll as an employee.

Ken has been after me the entire time, I have documentation to proof all of this started after I brought to the Boards attention that Jeff Castro should be hired as a contract employee. Once two new board members were elected in 2020, they also noticed what Ken was doing in the Utility Department. I have an email that Ken sent to Jeff Castro stating that basically say let's meet at Leo's, it is not just the one, but two more that is a problem. This email was sent to Jeff Castro after the board had asked Ken several meetings to terminate Jeff who had that time over the course of five years had taken pay totaling over \$70,000. The Utility Department Administrators stated that he did not earn the money.

Ken Schwartz has sabotaged your Township elections and there are many prominent individuals who can attest to this. He has colluded with others who work with me to engage in these tactics.

I purposely did not say anything about Carolyn leaving when she submitted her first email (which more than likely hurt her feelings) on purpose so that Ken could not interfere with her on the way out the door.

This was supposed to be Carolyn's job, but she chose to take a job closer to home and volunteered to come back to help with whatever we needed in the Clerk's office.

We have a very important board meeting to prepare for along with a February 27th Presidential Primary.

I have taken the steps for to ask for a full investigation placing Carolyn's letter up front and center.

I am 100 percent willing to take a polygraph test and hope all others that are involved will do so.

This is only retribution from Ken Schwartz and I refuse to allow him to tarnish my reputation that I have built on my entire life.

Please see the following attachments below:

1. Original Resignation Letter from Carolyn Stuart
2. Tracie Duncan Letter of Resignation
3. Carolyn Stuart Email Leaving Early Due to Stress
4. Carolyn Stuart Second Letter after going into Ken's Office
5. Emails between me and my former deputy, Tracie Duncan, showing our relationship.
6. Letter from my former deputy, Tracie Duncan, detailing a conversation between her and Ken while I was out of the office.
7. A copy of the posted position that Ken printed at 11:00 this morning and found on the printer.
8. Text message from Carolyn on Thanksgiving
9. MAMC statement about compensating election workers

Below is the link to the conversation between me and the deputy's that Ken sent to my office.

<https://www.dropbox.com/scl/fi/ky9a5a7ohb5cm0w3er99g/July-25-2023-Deputy-Raisanen.mp3?rlkey=v3vroisahsumshllplb7i7lkc&dl=0>

By the way, this email is attached to Fred's response because you have claims that so scarily familiar with no other document other that Ken's words.

You have the first letter with no concerns attached from Carolyn. Carolyn has not filed a complaint against me.

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

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Check the status of your voter information at www.michigan.gov/vote

From: Frederick Lucas <fred@castleberrylucas.com>

Sent: Friday, December 08, 2023 2:53 PM

To: Board <board@superior-twp.org>

Subject: Fwd: My departure

I am reviewing the personnel manual now. While I still want to complete my review of the manual, please know that the provisions of the Open Meetings Act take precedence over our manual as it relates to the right of the Township to call a closed session. If the board is considering a closed session to discuss the deputy clerk's complaint I would direct the Board's attention to Section 8 of the OMA:

(1) Except as otherwise provided in subsection (2), a public body may meet in a closed session only for the following purposes:

(a) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named individual requests a closed hearing. An individual requesting a closed hearing may rescind the request at any time, in which case the matter at issue must be considered after the rescission only in open sessions.

As I understand the situation the deputy clerk has already tendered her resignation. Consequently, the purpose of this meeting would not be to dismiss, suspend or discipline her. Moreover, unless the meeting is to discuss complaints or charges *against* her (not by her), there is no basis for a closed session, regardless of whether she asks for one.

I see that Section 5, Step 4 of the grievance procedure in the manual provides that an "employee may elect to have a closed session to discuss his/her complaint with the Board", but this language does not appear to follow the language of the OMA which provides for a closed hearing only when the complaint is against the employee.

I will do some more research on this issue over the weekend and let the board know the results of my study.

----- Forwarded message -----

From: **Bernice Lindke** <blindke@superior-twp.org>

Date: Fri, Dec 8, 2023 at 2:12 PM

Subject: Re: My departure

To: Ken Schwartz <kenschwartz@superior-twp.org>

Cc: Board <board@superior-twp.org>, fred@castleberrylucas.com <fred@castleberrylucas.com>

Please read the policy. As our township attorney, what does Fred think?

Sent from my iPhone

On Dec 8, 2023, at 2:01 PM, Ken Schwartz <kenschwartz@superior-twp.org> wrote:

I spoke to Fred about the closed meeting issue and his reckoning is that the statute does not permit a closed session. This would be an open meeting discussion.

Bernice...what do you think the personnel policy directs us to do?

Ken Schwartz

Superior Township Supervisor

(734) 482-6099

What's on your Mind ... Superior Charter Township Residents?

The information below is being forwarded as it was presented.

I read a quote from Martin Luther King yesterday, "Our lives begin to end the day we become silent about things that matter." I know silence is not golden especially when the result is a harmful impact on the health, safety, and quality of life of all residents.

Washtenaw County Sheriff

1. Regular Washtenaw Road Sheriff (WCS) patrolling of the neighborhoods south of Geddes to prevent the recurring vehicle thefts.
2. More follow up from the WCS on important incidents to see if they are identifying suspects to curtail crime. Of the most noteworthy incidents (gun violence) WCS responded to over the past year is Superior Township, not a single one has had a suspect identified or apprehended.
3. I don't care about a community center if kids can't even play safely in their own yard. TWO drive by shootings this year! WTH
4. Safe community, it's getting pretty rough.

Washtenaw County Road Commission

1. I appreciate you for reaching out. It would help to repair the sunken manhole that has become a sizeable pothole at E Clark Rd & MacArthur.(See pictures)
2. I've have never seen a road drain that causes car damage. We have to swerve to avoid it and it has been this way for years! (See pictures)
3. I have a question for the township officials, how many children have to be hit by a speeding car or truck before speed bumps are a priority in this area?
4. Speed bumps on Berkshire Drive.
5. Speed bumps on Stamford Drive.
6. Need speed bumps on Devon Street also, people speed and run stop sign all the time.
7. What type of assessment does Washtenaw County Road Commission conduct for safe speed bumps?
8. I'm much more concerned about this and getting necessary speed bumps than I am about Geddes Ridge signage. But, if there is a sign put up, the question arises as to where the responsibility for the sign upkeep will be.
9. Can you find out the last time the township or the road commission trimmed trees on road in any of the neighborhoods. I've lived here over 40 years, and I can't recall the last time. Drive down some of these streets in the summer and see for yourself.

10. I was wondering why such a poor job was done resurfacing roads with tar and pebbles last summer? There are several places where it has worn off already. For example, corner of Stamford Road and MacArthur (near 1206 Stamford Rd) or on Geddes Road west of Hunters Creek Dr. I've been a driver for decades and I've never seen resurfacing as poor as that. Does anyone inspect?
11. I live on the circle bump out off Glendale Drive in Oakbrook. Snow plows (picture below) rarely do the circle which makes it hard to get to the main Glendale drive because of piled up snow that results.



Located at the corner of MacArthur/Clark Road

Ordinance Violators

1. Please do a better job at citing ordinance violators. It's widespread! Can I get an email address and I'll send pictures.
2. Where is the township muscle for ordinance violators?



Board of Trustee Meetings/Elected Officials

1. More opportunities for citizen engagement in the board meetings. There should be an opportunity for citizens to ask questions and make comments after every section in the agenda so there is more accountability and clarity pertaining to important issues.
2. The content provided in board packets need more visibility – the newsletter alone is not an adequate summary.
3. More oversight for elected officials. We shouldn't have to worry about elected officials causing lawsuits we then have to pay for because of their negligence or inappropriate behavior.

Roadside Trash Maintenance

1. I have concerns about the upkeep of shared areas. Who is responsible for picking up trash on the bike paths? Last there was a accident on Harris Road at the entrance to Berkshire. There were car parts that were left in the ditch, on the bike path and in the field next to the library. I contacted the supervisor asking about clean up and never received a response. I finally picked up as much as I could in April (and have done an additional couple of cleanups in this area since then). We need to know: is it citizen responsibility, or something the township should be taking care of?
2. I realize I'm not a South of Geddes resident, but I would be very happy to participate in (and help organize) any volunteer programs to pick up trash and beautify areas, regardless of which side of Geddes it's on. Anywhere in the township – I'm down to help! I called Washtenaw County Road Commission about this and they were less than helpful....
3. I called and inquired (no response). In regard to the sign upkeep question I posed, the "beautification" that residents are outlining for the Oakbrook sign and others is what I'm talking about for neighborhoods without an HOA. Who is responsible for landscaping, weeding, trimming, so it's not an unruly, ugly mess after a while. We need to clearly understand responsibilities right from the beginning.



Recreation/Community Center

1. More recreational and education programs. Most of the local townships in the area have large recreation and education programming for all ages. For us we have to go to another township for a facility to use or sports for our kids to play. The library is a great resource and I love the new building.
2. Youth programming! I'm tired of having to travel to other communities for my kids to participate in sports, music, and art.
3. Hi there, I live in Oakbrook Lakeview Drive when is your next meeting at the community center.

4. Can the township in collaboration with the school district tear down Cheney and build recreations center there?
5. More recreational and education programs. Most of the local townships in the area have large rec and ed programing for all ages. For us we have to go to Ypsilanti Township youth programming I'm tired of having to travel to other communities for my kids to participate in sports, music, and art.

Good for Life Environmental Services (GFL)

1. I think Republic Waste was a much better garbage collection service than GFL. GFL has missed many pickups. Yard waste has had to sit out for 2 weeks to be collected. They ignore requests on their website to correct missed pickups. Republic made mistakes, too, but they were good at responding to requests. I've even had their regional/area managers email me personally in response to my requests. GFL's website doesn't work well, and they seem to ignore requests.
2. Trash pickup is a BIG problem North of Geddes as well.

Mature Tree Trimming

1. It would be great if we could organize an *optional* collective tree surveying/trimming contract so that we don't have to make arrangements individually. Oakbrook, Geddes Ridge, Washington Square, off Clark Rd, Panama, and some in Brookside and Bromley Pard have lots of beautiful old trees but the ice storm last winter proved how dangerous they can be. Many trees have been allowed to grow unchecked for years that could pose safety risks for homes and drivers if branches fell.

Sidewalk Repair/Replacement Program

2. If we can afford to purchase the Rock property for millions of dollars with general funds so the minority 25% of residents North of Geddes don't have a trailer park built near their property and affecting their property values, why weren't general funds instead used for the sidewalk repairs that benefit 75% of the population of Superior Township? Why are 75% of our citizens subsidizing the property values of the wealthy 25%.