

**SUPERIOR CHARTER TOWNSHIP BOARD
REGULAR MEETING
MAY 19, 2014
ADOPTED MINUTES
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1. CALL TO ORDER

The regular meeting of the Superior Charter Township Board was called to order by the Supervisor Kenneth Schwartz at 7:30 p.m. on May 19, 2014, at the Superior Township Hall, 3040 North Prospect, Ypsilanti, Michigan.

2. PLEDGE OF ALLEGIANCE

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

3. ROLL CALL

The members present were Ken Schwartz, David Phillips, Brenda McKinney, Nancy Caviston, Rodrick Green and Lisa Lewis. Trustee Alex Williams was absent.

4. ADOPTION OF AGENDA

It was moved by McKinney seconded by Lewis, to adopt the agenda as presented with the addition of Michigan Townships Association Annual Dues as item h. under New Business.

The motion carried by unanimous voice vote.

5. APPROVAL OF MINUTES

A. REGULAR MEETING OF APRIL 21, 2014

It was moved by Caviston, seconded by Lewis, to approve the minutes of the regular Board meeting of April 21, 2014, as presented.

The motion carried by a unanimous voice vote.

6. CITIZEN PARTICIPATION

A. WASHTENAW COUNTY ROAD COMMISSION PRESENTATION AND ANNUAL MEETING

Washtenaw County Road Commission Managing Director Roy Townsend along with other WCRC staff and Commissioners Doug Fuller and Bill McFarlane made a presentation to the Board about road projects completed in 2013 and proposed for 2014. They discussed how road improvements are funded, the result the severe winter had on the roads and suggested some new funding options. They presented a list of proposed projects with a cost of \$627,000. The Township usually spends about \$250,000 on roads annually. About ten residents from Matthaehi Farms were in attendance. They inquired about options to improve Gale Road. Another resident

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related that Nottingham and Devon needed to be improved. Supervisor Schwarz indicated he would be requesting the Board to authorize some funding at a later portion of the agenda.

B. KEN PALKA, TOWNSHIP AUDITOR, FY 2013 AUDIT REVIEW

Township Auditor, Ken Palka, of PHP CPA's presented the Township's FY2013 audit. The audit cited two material weaknesses, the manner in which payments to Health Savings Accounts were processed by the accountant and the writing of checks and bank reconciliations by the Treasurer's office. Both have been addressed and corrected. Mr. Palka reviewed the financial reports for the Township's funds. \$224,932 was transferred into the General Fund, Fund Balance, which resulted in a record Fund Balance of \$2,021,041. Other funds experienced increases in their fund balance and reserve funds. Mr. Palka indicated the Township is in very good financial condition.

It was moved by Lewis, seconded by Caviston, for the Board to receive Superior Township's FY2013 audit.

The motion carried by unanimous voice vote.

7. REPORTS

A. SUPERVISOR REPORT

Supervisor Schwartz reported on the following: Township officials recently met with a group who advocate removing the box "Have You Been Convicted of a Crime" from the employment application. At the next Board meeting, Supervisor Schwartz will bring a proposal of the Township to join this effort, and remove the box from the Township's employment application. On tonight's agenda is a request for the Board to approve a two year extension of the police services contract with the Washtenaw County Sheriff's Department. Supervisor Schwartz has been working with Ordinance Officer John Hudson on blight enforcement of homes that are vacant due to foreclosure or abandonment. He has been successful with gaining compliance from the homeowners to clean-up the properties. The house that had been burned on Nottingham has been removed and the lot has been reclaimed. The Township paid for the cleanup but will attempt to recoup the funds from the homeowner. Supervisor Schwartz expects to bring the YCUA contract to the Board on June 16, 2014 for action. Except for a recent change in GASB accounting rules that need to be incorporated into the contract, all issues have been addressed and resolved. The Superior Township Utility Department experienced a break of a 16" water main on Stamford. It was the Township's first "Boil Water Advisory" in about 20 years. The repair went smoothly and the system was fully functional with about 18 hours of the discovery of the break. Supervisor Schwartz has been exploring options to trim trees within the right-of-way in subdivisions. So far, he has received one bid. He hopes to receive more bids and bring the issue to the Board at the June 16, 2014 meeting. Supervisor Schwartz indicated that tonight, he will request the Board to approve the Township's Administrative staff authority to partially

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approve road projects for 2014. The Road Commission needs to begin scheduling their dust control and all approvals will be reported to the Board at the next Board of Trustees meeting.

B. DEPARTMENT REPORTS: BUILDING DEPARTMENT, FIRE DEPARTMENT, ORDINANCE OFFICER REPORT, PARK COMMISSION MINUTES, SHERIFF'S REPORT, UTILITY DEPARTMENT, ZONING

It was moved by Caviston, seconded by Green, that the Superior Township Board receive all reports.

The motion carried by a unanimous voice vote.

C. FINANCIAL REPORTS, ALL FUNDS, PERIOD ENDING 12-31-13, AFTER AUDIT

It was moved by McKinney, seconded by Caviston, for the Board to accept the Financial Reports for all funds for the period ending December 31, 2014, after audit.

The motion carried by a unanimous voice vote.

8. COMMUNICATIONS

A. COMCAST

In a letter dated, April 25, 2014, Comcast notified the Board that Comcast of the South, Inc., which currently holds the cable franchise for Superior Township, has been converted to a limited liability company (LLC) and renamed to Comcast of Colorado/Florida/Michigan/New Mexico/Pennsylvania/Washington, LLC. The change will have no effect to the franchise obligations, management or day-to-day operations of the cable system.

It was moved by McKinney, seconded by Lewis, for the Board to accept the letter dated April 55, 2014 from Comcast.

9. UNFINISHED BUSINESS

There was no unfinished business.

10. NEW BUSINESS

A. WASHTENAW COUNTY SHERIFF CONTRACT AMENDMENT

Supervisor Schwartz explained that the Sheriff's Department has requested a two-year extension of the current contract, which expires on December 31, 2015 to provide police services to the

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JERRY L. CLAYTON
SHERIFF

**WASHTENAW COUNTY
OFFICE OF THE SHERIFF**

2201 Hogback Road • Ann Arbor, Michigan 48105-6732 • OFFICE (734) 971-8400 • FAX (734) 973-4624 • EMAIL: sheriff@ewashtenaw.org



MARK A. PTASZEL
UNDERSHERIFF

April 17, 2014

CV 32847.1

Ken Schwartz, Township Supervisor
Superior Township
3040 N. Prospect Road
Ypsilanti, MI 48198

Dear Township Supervisor Ken Schwartz,

Washtenaw County wishes to amend the contract with your agency. Corporation Counsel has indicated that this amendment could be accomplished by a letter signed by both of us. If this amendment is agreeable to you, please sign and return all copies of this letter. You will receive an executed copy of this letter upon completion.

Accordingly, I hereby amend the Service Contract between Washtenaw County and Superior Township dated January 1, 2012 as follows:

Amend ARTICLE II – COMPENSATION AND OVERTIME to extend the contract as follows:

“The price for a PSU is fixed as follows: (1) \$150,594.00 per PSU for 2012; (2) \$152,100.00 per PSU for 2013; (3) \$153,621.00 per PSU for 2014; (4) \$155,157.00 per PSU for 2015; (5) \$156,709.00 per PSU for 2016 and (6) \$158,276.00 per PSU for 2017. Beginning in 2014, the County reserves the right to adjust these prices as a result of significant unforeseen cost increases in line items contained the Direct Cost categories (Salary, Fringe, Uniform Allowance, Gun Allowance and Fleet). The county and Sheriff shall give each Contracting Partner six (6) months written notice of any such increase. Starting in 2016 an additional amount will be added to the price that will be allocated towards in car printer replacement once total cost of ownership is determined.”

Amend ARTICLE V – TERM to extend the contract as follows:

“The term of this contract shall be fore seventy-two months with an effective date of January 1, 2012 and ending on December 31, 2017.”

All other terms and conditions remain the same as in the original contract

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MARK A. PYASZEN
UNDERSHERIFF

ATTEST:


WASHTENAW COUNTY

Lawrence Kestenbaum (DATE)
County Clerk/Register

Verna J. McDaniel (DATE)
County Administrator

APPROVED FOR CONTENT:

Superior Township


Jerry L. Clayton (DATE) 5/15/14
Sheriff

Accepted by 
Ken Schwartz, Township Supervisor (DATE)

Original: Clerk
Vendor
cc: Department
Purchasing

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It was moved by McKinney, seconded by Green, for the Board to approve the contract extension with the Washtenaw County Sheriff's Department for 2016 and 2017 and to approve the Supervisor to sign the contract.

Ayes: Schwartz, Phillips, McKinney, Caviston, Green, Lewis

Nays: None

Absent: Williams

The motion carried.

**B. ORDINANCE 174-15, ZONING ORDINANCE AMENDMENT, SECTION 14.05
WOODLANDS AND TREE PRESERVATION**

Supervisor Schwartz and Clerk Phillips explained to the Board that when the Woodlands of Geddes Glen was requesting site plan approval it became apparent that the tree replacement and preservation requirements contained in Section 14.05, F of the Zoning Ordinance resulted in excessive regulation of the trees. The Township attorney provided an opinion that ordinance resulted in excessive regulation and he recommended the ordinance be reviewed and revised to make it more defensible in case it was challenged. The Planning Commission and Township Planners spent considerable time and effort in reviewing and revising the ordinance. The revisions include reformatting the ordinance by using more tables; defining regulated trees; changing the height and DBH requirements for regulated trees was increased so that more emphasis was placed on the preservation of more mature trees; the requirement to provide at least 30 trees per acre was removed; the requirement to preserve 35% of regulated trees on the parcel was reduced to 30%; language was added to specify that replacement is not required for dead and diseased trees, invasive species and less desirable species; a provision was added to allow up to 50% of new trees required by the ordinance for screening and buffering may also be counted towards trees required for replacement; language was added to address installation and maintenance and to encourage the permanent conservation of woodlands consistent with Master Plan policies. The Township attorney has reviewed the draft. He did have a concern with language that required the inventorying and replacement of some trees that were located on adjacent properties but that was changed.

Board members discussed the regulatory flexibility that was approved for the Woodlands of Geddes Glen, which resulted in a large decrease in the number of replacement trees required.

It was moved by Phillips, seconded by Green, to approve the first reading of Ordinance 174-15.

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

ORDINANCE NO. 174-15

[An ordinance to amend Sections 14.05 (Natural Features Protection), 12.10 (Design and Development Standards), and 17.03 (Definitions) of the Superior Charter Township Zoning Ordinance No. 174 to revise woodland and tree preservation and planting standards, by authority of the Public Act 110 of 2006 (being MCL 125.3101 et. seq., as amended)]

SUPERIOR CHARTER TOWNSHIP, WASHTENAW CO., MICHIGAN, HEREBY ORDAINS:

**ARTICLE 14
SPECIAL DEVELOPMENT REGULATIONS**

[DELETE and REPLACE the text of Section 14.05F, as follows]

Section 14.05 Natural Features Protection.

This Section is intended to establish minimum regulations necessary to protect groundwater recharge and inflow areas, preserve quality of receiving surface waters and wetlands, minimize soil erosion and siltation, and preserve woodlands and individual trees.

F. Woodlands and Tree Preservation.

The standards of this subsection 14.05F (Woodlands and Tree Preservation) shall apply to all parcels proposed for development requiring review and approval of a site plan, site condominium plan, subdivision plat, or Special District Area Plan under this Ordinance or other Township ordinances. The following tree and woodland preservation and mitigation standards shall apply to all developments subject to this Section:

1. **Intent.** Rapid growth and increasing demands upon natural resources have encroached upon, despoiled or eliminated many of the trees and other forms of vegetation, and associated processes, that constitute important physical, aesthetic, recreational, and economic assets to existing and future residents of the Township. Specifically, the Township finds that woodlands and trees:
 - a. Protect public health and safety by reducing noise and the mental and physical impacts of noise pollution; absorbing air pollutants and carbon dioxide; reducing flood risk and conserving surface water quality by minimizing soil erosion and siltation; providing buffering to reduce wind and storm impacts; and maintaining visual screening with its accompanying summer cooling effect.
 - b. Contribute significantly to the Township's general welfare by maintaining natural beauty, providing recreational and educational opportunities, and representing an irreplaceable heritage for existing and future residents.
 - c. Are matters of paramount public concern, as provided by the Michigan Constitution (1963, Article IV, Section 52), and the Natural Resource and Environmental Protection Act of 1994 (P.A. 451 of 1994, as amended).

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2. **Purpose.** The woodlands and landmark tree preservation and mitigation standards of this Section are hereby established to:
 - a. Provide for the protection, preservation, replacement, proper maintenance, and use of trees and woodlands located in the Township; minimize disturbance; prevent damage from erosion and siltation and/or construction activities; and prevent loss of wildlife habitat and vegetation. In this regard, it is the intent of this Section to protect the integrity of woodlands as a whole, recognizing that woodlands serve as part of an ecosystem, and to place priority on preservation of woodlands and trees.
 - b. Protect the woodlands and trees of the Township, support local property values, and promote the natural beauty of the Township.
 - c. Prevent owners or developers of property from removing trees from land prior to or in anticipation of development.
 - d. Provide for the replacement of trees removed, where no reasonable alternative site development is available.
 - e. Respond to public concern for preservation of natural resources in the interest of public health, safety and general welfare of Township residents.

3. **Required plan information.** The following required information shall be incorporated into the applicable development review processes of this Ordinance or other Township ordinances:

Required Development Plan Information for Woodlands and Tree Preservation	Preliminary Plan	Final Plan
Required information shall be provided by a registered land surveyor, engineer or landscape architect, or a certified arborist, who shall verify the contents by seal or signature, whichever applies.	●	●
The most current available aerial photograph of the site, at a scale not less than one (1) inch equals 100 feet.	●	●

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Required Development Plan Information for Woodlands and Tree Preservation	Preliminary Plan	Final Plan
<p>General evaluation of the quality of woodland areas and trees on and around the site by means of a reasonable sampling, including:</p> <ol style="list-style-type: none"> 1. Diversity of tree species. 2. Tree sizes and density. 3. Health and vigor of the trees, including general documentation of dying and diseased trees by species and condition. 4. Soil conditions and drainage characteristics of the site. 5. Other factors such as the value of the woodland area as a scenic asset, wind block, noise buffer, or other environmental benefit. 	●	
<p>General assessment of trees in adjacent road-rights-of-way, and trees located beyond the lot boundaries that may be affected by development-related access or utility improvements, grading, or other changes; by means of a reasonable sampling with trees identified by location, size, and species.</p>	●	
<p>Tree inventory of all regulated trees as specified in Section 14.05F.5., in a form acceptable to the Planning Commission, as follows:</p> <ol style="list-style-type: none"> 1. A topographical map at the same scale as the related site plan, plat or survey drawing for the division of the land. 2. All regulated trees shall be inventoried by field survey and shown on the topographical map by identifying tag number, type, location, and crown spread drawn to scale. 3. Existing trees and woodlands shall be superimposed on the related site plan, plat or survey drawing for division of land. 4. Groups of trees whose individual bases are located at a ground elevation within one (1) foot of each other may be shown as a group with the overall crown spread drawn to scale, with estimated number and size of each predominant species. 5. General outline and evaluation of woodlands outside the development site and not otherwise impacted by the development. Detailed inventory of such trees shall only be required where necessary to verify compliance with the minimum tree preservation requirements of this Section. 		●
<p>Identify all regulated trees to be removed, relocated or preserved.</p>		●

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<p align="center">Required Development Plan Information for Woodlands and Tree Preservation</p>	Preliminary Plan	Final Plan										
	<p>Proposed locations of any existing trees to be relocated, together with a description of how such trees are to be removed, protected, and transplanted during land clearance, development, and construction; and how they are to be maintained after construction.</p>		●									
<p>A statement of compliance setting forth how existing trees to be preserved will be protected during land clearance and construction and on a permanent basis thereafter, including proposed use of tree wells, protective barriers, directional drilling, retaining walls, etc.</p>		●										
<p>Invasive species information, including the general locations of the following four (4) species of invasive woody shrubs, a description of the extent of growth, the condition and size range of such species on the site, and percentage of the site covered by such species:</p> <table border="1" data-bbox="402 995 1312 1205"> <thead> <tr> <th data-bbox="402 995 964 1041">Common Name</th> <th data-bbox="964 995 1312 1041">Species</th> </tr> </thead> <tbody> <tr> <td data-bbox="402 1041 964 1079">Common (European) and Glossy Buckthorn</td> <td data-bbox="964 1041 1312 1079"><i>Rhamnaceae family</i></td> </tr> <tr> <td data-bbox="402 1079 964 1119">Autumn Olive</td> <td data-bbox="964 1079 1312 1119"><i>Elaeagnus umbellata</i></td> </tr> <tr> <td data-bbox="402 1119 964 1159">Honeysuckle</td> <td data-bbox="964 1119 1312 1159"><i>Lonicera tartarica</i></td> </tr> <tr> <td data-bbox="402 1159 964 1199">Multiflora Rose</td> <td data-bbox="964 1159 1312 1199"><i>Rosa multiflora</i></td> </tr> </tbody> </table>	Common Name	Species	Common (European) and Glossy Buckthorn	<i>Rhamnaceae family</i>	Autumn Olive	<i>Elaeagnus umbellata</i>	Honeysuckle	<i>Lonicera tartarica</i>	Multiflora Rose	<i>Rosa multiflora</i>		●
Common Name	Species											
Common (European) and Glossy Buckthorn	<i>Rhamnaceae family</i>											
Autumn Olive	<i>Elaeagnus umbellata</i>											
Honeysuckle	<i>Lonicera tartarica</i>											
Multiflora Rose	<i>Rosa multiflora</i>											
<p>A plan for eradication and control of these four (4) invasive species as part of the development project.</p>		●										
<p>A general grading plan prepared by a registered engineer or land surveyor showing the anticipated drainage patterns, including the location of any areas where cut and fill operations are likely to occur and their potential impact on the viability of the existing trees.</p>	●	●										
<p>A statement of compliance with the tree preservation and replacement tree requirements of this Section, including the numbers of regulated trees to be preserved and removed, percentages of regulated trees on the site before and after removal, and all required calculations.</p>		●										
<p>Such other information and detail as may be required to demonstrate compliance with the requirements of this Section.</p>		●										

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4. **Landmark and sovereign tree standards.** A landmark tree, as regulated by this Section, shall be any tree that has a diameter at breast height (D.B.H.) of 24 inches or greater; or that is of a type and D.B.H. equal to or greater than that shown on the following table. A sovereign tree, as regulated by this Section, shall be any tree that is registered on the National Big Tree Registry or a similar national or state registry accepted by the Planning Commission; that has been documented by the Township, a historian, or other means accepted by the Planning Commission to be closely associated with an event, person, or place of historical significance to the Township; or that is of a species and diameter at breast height (D.B.H.) equal to or greater than that shown on the following table:

Common Name	Species	Landmark Tree D.B.H.	Sovereign Tree D.B.H.
Any tree species that has a diameter at breast height (D.B.H.) of at least:		24 inches	
Basswood	<i>Tilia americana</i>	18 inches	54 inches
Beech	<i>Fagus grandifolia</i>	18 inches	45 inches
Buckeye, Ohio	<i>Aesculus glabra</i>	18 inches	
Catalpa	<i>Catalpa</i> spp.	18 inches	45 inches
Cherry, Black	<i>Prunus serotina</i>	18 inches	54 inches
Elm, American	<i>Ulmus americana</i>	18 inches	50 inches
Fir	<i>Abies</i> spp.	18 inches	
Fir, Douglas	<i>Pseudotsuga menziesii</i>	18 inches	
Kentucky Coffee Tree	<i>Gymnocladus dioicus</i>	18 inches	40 inches
Pine	<i>Pinus</i> spp.	18 inches	
Sycamore or London Plane	<i>Platanus</i> spp.	18 inches	54 inches
Spruce	<i>Picea</i> spp.	18 inches	
Tulip-tree	<i>Liriodendron tulipifera</i>	18 inches	54 inches
Walnut, Black	<i>Juglans nigra</i>	18 inches	54 inches
Hickory, various	<i>Carya</i> spp.	16 inches	35 inches
Maple	<i>Acer</i> spp.	16 inches	48 inches
Oak	<i>Quercus</i> spp.	16 inches	48 inches
Birch	<i>Betula</i> spp.	12 inches	36 inches
Cherry	<i>Prunus</i> spp.	12 inches	36 inches
American Chestnut	<i>Castanea dentata</i>	Six (6) inches	18 inches
Butternut	<i>Juglans cinerea</i>	Six (6) inches	18 inches

5. **Tree preservation and replacement.** Any development subject to this Section shall not conduct land clearing or grubbing activities; or remove, replace, transplant, damage, or destroy any woodland or individual tree regulated by this Section, except in accordance with the following:

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Standards for Tree Preservation and Replacement		Existing Trees	Replacement Trees
<p>The following trees located within the lot boundaries, along with trees adjacent to the lot boundaries or in adjacent road rights-of-way where the drip line overlaps a lot boundary or right-of-way line, shall be considered to be regulated trees for purposes of this Section, and shall be replaced if removed in accordance with the following schedule:</p>			
Regulated Trees	Replacement Ratio (number of replacement trees per removed tree)		
Coniferous (height)			
10.0 to 15.0 feet	one to one (1:1)		
15.01 to 30.0 feet	three to one (3:1)		
More than 30.0 feet	six to one (6:1)		
Landmark coniferous tree	one (1) tree per inch of removed tree D.B.H.		
Deciduous (D.B.H.)		●	●
8.0 to 12.0 inches	one to one (1:1)		
12.01 to 16.0 inches	three to one (3:1)		
More than 16.0 inches	six to one (6:1)		
Landmark deciduous tree	one (1) tree per inch of removed tree D.B.H.		
Sovereign (D.B.H.)			
Sovereign tree	two (2) trees per inch of removed tree D.B.H.		

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Standards for Tree Preservation and Replacement	Existing Trees	Replacement Trees
<p>A minimum of thirty percent (30%) of the total number of regulated trees as currently existing or that have existed on the subject site within the last five (5) years shall be preserved and left standing. This calculation shall be made based upon the number of regulated trees either within the:</p> <ol style="list-style-type: none"> 1. Defined area of the development site as shown on the development plan, where woodlands outside of this area and not otherwise impacted by the development will not be disturbed; or the 2. Lot boundaries of the development parcel, where all such trees have been included in the detailed tree inventory. <p>The Planning Commission shall consider preserved woodlands outside of the development site as part of determining whether the development plans conform to this requirement.</p>	●	
<p>No replacements shall be required for following trees otherwise regulated by this Section, subject to documentation and verification as part of the required plan information, and such trees shall not count towards the minimum required percentage of preserved trees:</p> <ol style="list-style-type: none"> 1. Dying and diseased trees. 2. Any invasive woody shrub species listed in Section 14.05F.3. 3. Any of the following species of trees: Box Elder (<i>acer negundo</i>), Silver Maple (<i>acer saccharinum</i>), Cottonwood (<i>populus deltoids</i>), and Red Cedar (<i>juniperus virginiana</i>). 	●	●
<p>If regulated trees were removed within the past five (5) years, the Township Planner or designee shall use historical aerial photos and other available data to determine the number, characteristics, and extent of such trees; and the amount of additional tree mitigation required for such removed trees.</p>	●	●
<p>Regulated tree removal shall be limited to any of the following:</p> <ol style="list-style-type: none"> 1. When necessary for the location of a structure or site improvement where no reasonable alternative location for the structure or improvement can be identified, after consideration of all development options available under this Ordinance. 	●	
<ol style="list-style-type: none"> 2. When necessary for the location of a structure or site improvement where no reasonable alternative location for the structure or improvement can be identified, after 	●	

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Standards for Tree Preservation and Replacement	Existing Trees	Replacement Trees
<p>consideration of all development options available under this Ordinance.</p> <p>3. Where necessary, as determined by the Township Engineer, to provide reasonable drainage on the site, and when no reasonable alternative drainage is available without the removal of the trees.</p> <p>Land clearing shall be minimized and limited to designated road rights-of-way, drainage and utility easements, minimum building and driveway envelopes, and other minimum areas necessary for site improvements, considering the development options available under this Ordinance.</p>		
<p>The Planning Commission may require that sovereign trees on a development parcel subject to this Section be preserved and incorporated into the proposed development, and will consider creative arrangements and clustering of lots or development areas to preserve additional landmark and sovereign trees.</p>	●	
<p>Regulated trees shall be tagged in the field, using non-corrosive metal tags, with by the identifying number designated on the required tree inventory.</p>	●	
<p>All trees to be removal shall be so identified on site by fluorescent orange spray paint (chalk base) or by red flagging tape prior to any activity. Trees selected for transplanting shall be flagged with a separate distinguishing color.</p>	●	
<p>Replacement trees shall be of the same or a more desirable species suitable for the habitat and location that is on the list of landmark trees in this Section or otherwise native to Michigan, except those listed in Section 14.10H (Prohibited Plant Materials).</p> <p>Trees of such species that are otherwise required by this Ordinance for screening or buffering purposes may also be used to satisfy up to fifty percent (50%) of the replacement tree requirements of this Section.</p>		●
<p>Replacement trees shall conform to Section 14.10B (General Plant Material Standards) and Section 14.10C (Standards for Size and Variety of Plant Materials). Such trees shall be:</p> <ol style="list-style-type: none"> 1. Nursery grown or comparable relocated from the same lot. 2. Tree spade transplanted while in the dormant state or, if not in the dormant state, balled and burlapped with a solid, well laced root ball when in the dormant state. Burlap to be 		●

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Standards for Tree Preservation and Replacement	Existing Trees	Replacement Trees
removed or cut open at planting.		
3. Number I grade, with a straight, unsecured trunk and a well-developed uniform crown (park grade acceptable).		
The location of any replacement tree shall be on the same parcel as the removed tree wherever feasible, as determined by the Township. If tree replacement on the same parcel is not feasible, the Township may:		
1. Accept an alternative planting location in the Township; or		●
2. Allow a deposit into a tree-planting fund maintained by the Township in an amount acceptable by the Township, based upon the current retail market value for the tree replacement, to be utilized for planting, maintenance, and preservation of trees and woodland areas in the Township.		
Replacement trees shall be approved through inspection by the Zoning Inspector or designated representative.		●

6. **Installation and maintenance.** Installation, care, and maintenance of all existing trees and replacement trees subject to the requirements of this Section shall conform to the requirements of Section 14.10I (Plant Material Installation and Maintenance), and the following:

Installation and Maintenance Requirements	Existing Trees	Replacement Trees
Replacement and transplanted trees shall be staked, fertilized, watered, and mulched to ensure their survival in a healthy, growing condition and replaced at the developer's expense if they die within three (3) years.	●	●
Prior to the issuance of the first building permit, the developer shall post a performance guarantee with the Township [per Section 1.12C (Performance Guarantee)] in an amount estimated by the developer and approved by the Township Engineer to ensure preservation or installation of required trees for a period of three (3) years from the date of receiving written notification from the developer that the last required tree has been planted or preserved, and has been inspected by the designated Township official.	●	●

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Installation and Maintenance Requirements	Existing Trees	Replacement Trees
The developer shall be responsible for replacing any tree used to satisfy the replacement requirements of this Section determined by the developer, Zoning Inspector or designated Township representative to be diseased, dead or dying within three (3) years after installation.	●	●
The developer shall be responsible for replacing any regulated tree determined by the developer, Zoning Inspector or designated Township representative to have been damaged due to on-site construction activity, or that is determined to be diseased, dead, dying, or otherwise destroyed or removed within three (3) years after final approval of a site plan or subdivision plat. Such identified tree(s) shall be replaced in accordance with the replacement ratio specified in this Section.	●	●
Three (3) years after all trees have been planted within the development, the Township shall release the guarantee, less any funds needed to complete required tree replacement.	●	●
After this initial three (3) year period, the developer or any successor entity responsible for common area maintenance shall be responsible for replacing any healthy regulated tree or replacement tree within a general common element or other common area of the development determined by the Zoning Inspector or designated Township representative to have been damaged, destroyed or otherwise removed from the site. Such identified tree(s) shall be replaced in accordance with the replacement ratio specified in this Section. No replacements shall be required for dead or diseased trees.	●	●
Road rights-of-way, utility easements, and large land areas separate from the construction or land-clearing area may be cordoned by placing stakes a minimum of 50 feet apart and tying ribbon, plastic tape, or other brightly visible materials at least 30 inches above the ground from stake to stake along the outer perimeter of areas to be cleared.	●	
Protected area around preserved trees shall be defined by the drip line of all woodlands and individual trees designated to remain, plus an area outside of the drip line defined by a parallel boundary line placed a minimum of five (5) feet outward from the drip line. Such areas around preserved trees shall be protected before and during development, filling, land clearing, or any property alteration or construction activity.	●	

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Installation and Maintenance Requirements	Existing Trees	Replacement Trees
Protective barriers of wood, metal, or other suitable materials (such as snow fencing, cyclone fencing, etc.) acceptable to the Township Engineer shall be placed parallel to the outer perimeter of each protected area.	●	
No person shall conduct any construction activity; place, park or store solvents, building materials, equipment, soil, gravel, debris, vehicles, trailers, temporary structures or similar items; or attach a device or wire to any remaining tree within such protected areas except to cordon off such areas as required.	●	
Protective barriers shall remain in place and be maintained in proper condition until the Township authorizes their removal or issues a final certificate of occupancy, whichever occurs first.	●	
Removal of brush, invasive species, and other land grubbing activities within the protected area of a landmark tree or sovereign tree shall be done by hand. No tracked or motorized vehicles or machinery shall be permitted within this area.	●	

7. **Additional tree removals.** Additional removal of regulated trees resulting from review or approval of construction plans or outside agency permits or approvals, or any action by the developer following final development plan approval, shall be subject to the requirements of this Section. Tree replacement shall not be required for removal of regulated trees from within a road right-of-way by written order of the county or state road authority with jurisdiction for traffic safety purposes; or from within the boundaries of an adjoining parcel of land by the independent action of a landowner not associated with the development subject to this Section.

8. **Woodland protection.** In accordance with Master Plan objectives and policies for woodlands protection, developers of land subject to this Section are encouraged to conserve woodlands through the use of conservation easements, inclusion of such areas within the development's general common elements or other common areas, or by other methods of long-term protection.
 - a. The official Township Woodland Map is on file at the Township offices, and all notations, references, and information shown thereon shall be as much a part of this Section as if fully described herein.
 - b. If, because of problems with scale or detail, there is any ambiguity as to whether a particular area is a part of a woodland, that determination shall be made by or through the direction of the Planning Commission.

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9. **Verification of plan information.** The Township may engage the services of a landscape architect, certified arborist or other consultant whose expertise the Township values to confirm the accuracy of the tree survey and related documentation of compliance with this Section before a final decision is made. Such expenses shall be subject to reimbursement by the applicant per Section 1.12B (Escrow Deposits for Variable Costs and Expenses).
10. **Inspections.** To ensure compliance with this Section, the Township may perform periodic inspections of subject lots or parcels prior to mass grading and during all phases of construction and development, as well as for up to three (3) calendar years after completion of the development project. The Township may employ a landscape architect, certified arborist or other consultant whose expertise the Township values to verify compliance with the approved final site plan, and to inspect and verify the health and condition of any tree designated to remain, any transplanted tree, and any replacement trees under this Section. The applicant shall incur all costs associated with such inspections.

**ARTICLE 12
CONDOMINIUM REGULATIONS**

[REVISE subsection "F" to ADD a new subsection "3" prohibiting street tree species that would buckle adjacent sidewalks as they mature, as follows]

Section 12.10 Design and Development Standards.

The following shall apply to all condominium units and developments in the Township:

F. Trees.

Trees shall be provided in the margins of both sides of all streets in a condominium development, and shall be placed at the minimum rate of two (2) per single-family residential lot or at a maximum distance apart of 60 feet. The Planning Commission may also require the installation of trees according to the same distances in pedestrian ways.

1. These requirements may be relaxed by the Planning Commission if existing trees within the right-of-way or easement, or trees growing adjacent to the right-of-way or easement, satisfy the intent of this Ordinance.
2. Trees to be installed in the street margins or pedestrian ways shall be of a large deciduous type, and shall conform to the standards of Section 14.10 (Screening and Land Use Buffers). The Planning Commission may permit substitution of deciduous ornamental trees for some or all of the required street trees.
3. Species, such as the Norway Maple (*Acer platanoides*), that have shallow root zones or may otherwise cause uplift or buckling of adjacent sidewalks or paved pedestrian ways as they mature shall be prohibited.

**ARTICLE 17
DEFINITIONS**

[INSERT new definitions for "regulated tree," "sovereign tree," and "woodland" as follows]

Section 17.03 Definitions.

Whenever used in this Ordinance, the following words and phrases shall have the meaning ascribed to them in this Section:

- 215a. **Tree, Regulated.** Any coniferous tree ten (10) feet in height or larger, any deciduous tree eight (8) inches in diameter at breast height (D.B.H.), and any tree meeting the definition of a landmark tree under this Ordinance that is located within the lot boundaries of a parcel of land subject to Section 14.05F (Woodlands and Tree Preservation), along with trees adjacent to such lot boundaries or in adjacent road rights-of-way where the drip line overlaps a lot boundary or right-of-way line. Dead trees are not considered to be regulated trees under this Ordinance.
- 215b. **Tree, Sovereign.** Any tree that is registered on the National Big Tree Registry or a similar national or state registry accepted by the Planning Commission; that has been documented by the Township, a historian, or other means accepted by the Planning Commission to be closely associated with an event, person, or place of historical significance to the Township; or that is otherwise designated and regulated as a sovereign tree by this Ordinance.
- 234a. **Woodland.** Land covered with woody vegetation, with concentrations of trees from 20% to 100% tree canopy coverage, and land areas identified in the Township Master Plan as woodlands (see Map 3-3 (Major Woodlands in Superior Township); also referred to as timberland or forest.

Ayes: Phillips, McKinney, Green, Lewis, Schwartz

Nays: Caviston

Absent: Williams

The motion carried. The first reading of Ordinance No. 174-15 was approved.

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C. DIXBORO FAIR AMUSEMENT ENTERPRISES ACTIVITY PERMIT APPLICATION

The Dixboro United Methodist Church submitted an application to conduct their annual Dixboro Fair on Saturday, August 2, 2014. The event has not changed since last year and the application is essentially the same as last year. Board members expressed support for the event. The Building/Zoning Official indicated he will require proof of appropriate insurance prior to his approving the application.

It was moved by McKinney, seconded by Green, for the Board to accept the Dixboro UMC's Transient and Amusement Enterprises Activity Permit Application finding that it met the requirements of Section 6.05 of the Zoning Ordinance.

The motion carried by unanimous voice vote.

D. DIXBORO FARMER'S MARKET AMUSEMENT ENTERPRISE APPROVAL AMENDMENT

The Dixboro Farmer's Market submitted a request to amend their approved Amusement Enterprise application to allow for a classic car show in conjunction with the Farmer's Market. No other changes are proposed.

It was moved by Green, seconded Lewis, for the Board to approve amending the Dixboro Farmer's Market Transient and Amusement Enterprises Activity application to allow for conducting a classic car show in conjunction with the Farmer's Market, finding that it met the requirements of Section 6.05 of the Zoning Ordinance.

The motion carried by unanimous voice vote.

E. REORGANIZATION OF TOWNSHIP HALL OFFICE STAFF

Supervisor Schwartz explained the plan to reorganize the Township's accounting functions and to clarify the responsibility for accounts payable, the general ledger and the accounting. The Township's auditors recommended that the Township add the position of Controller to oversee the accounting functions. Utility and Parks Department Director Keith Lockie is a Certified Public Accountant and he is familiar with the Township's accounting functions. It is proposed to hire him as the Controller and increase his salary by \$8,256.00 per year. Board members were in

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agreement with the proposal but suggested Mr. Lockie's salary increase be retroactive to February 24, 2014 to reward him for the work he performed during the recent transition of accountants.

The following resolution was moved by McKinney, seconded by Lewis:

**SUPERIOR CHARTER TOWNSHIP
WASHTENAW COUNTY, MICHIGAN**

REORGANIZATION OF THE TOWNSHIP'S ACCOUNTING SYSTEM

MAY 19, 2014

RESOLUTION NUMBER: 2014-25

Whereas, the Superior Township Board of Trustees is responsible for financial oversight and the implementation of a transparent accounting system based upon generally accepted accounting principles for Superior Township; and,

Whereas, with the departure of the former township accountant the time is ripe to review the current policies, organization and practices of the accounting system and bookkeeping processes within the township, and"

Whereas, this matter has been reviewed by the Township's auditors and administrative staff.

Now Therefore be it resolved, that the Superior Township Board of Trustees creates two new positions:

- A. Superior Township Controller
- B. Superior Township Bookkeeper

Be it further resolved that the position of Controller is part time and the position of Bookkeeper is fulltime beginning immediately.

Be it further resolved that the Superior Township Board appoints Keith Lockie as Superior Township Controller at an increase pay of \$8,256.00 per year, retroactive to February 24, 2014.

Be it further resolved that the Superior Township board of Trustees appoints Nancy Mason the Superior Township Bookkeeper at the wage of \$23.00 per hour.

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Be it further resolved that the Superior Township Board assigns to the position of Township Controller the following duties. These duties do not constitute an exhaustive list:

- The Controller is directly responsible for all accounting functions of the Township and oversees and supervises the Bookkeeper.
- The Controller creates, with input from the officials and department heads, the annual budgets, budget amendments and quarterly budget reports.
- The Controller is responsible for creating and certifying monthly financial statements for all funds and reports the results to the Board on a quarterly basis.
- The Controller works with the outside audit firm as required.
- The Controller works with the officials and the Board on special projects as directed.
- The Controller prepares and/or review grant reporting to the appropriate agency.
- The Controller shall work with both the Clerk and the Treasurer.
- This position reports to the Supervisor and Board.
- This position is five to six hours per week.

Be it further resolved that the Superior Township Board describes the position of Township Bookkeeper to include, but is not limited to the following duties:

- Accounts Payable
- General Ledger
- Payroll and Payroll Taxes
- Interdepartmental Invoicing
- Balance Sheet Reconciliations
- Benefits Accounting
- The Bookkeeper prepares grant reporting.
- Projects and reconciliations as needed

Be it further resolved that the Superior Township Board that the Bookkeeper will report directly to the Clerk and the Controller; and the Controller shall report directly to the Supervisor, and both positions shall report to the Superior Township Board of Trustees.

Ayes: McKinney, Caviston, Green, Lewis, Schwartz, Phillips

Nays: None

Absent: Williams

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The motion carried. The resolution was adopted.

F. BIDS FOR PAINTING FIRE STATION NO. 2 AND OLD TOWNSHIP HALL

Supervisor Schwartz explained that Fire Station No. 2 and the Old Township Hall are in need of painting. Numerous painting contractors were requested to bid but only one contractor provided a bid. The contractor, Mussio Painting, did provide references. The Ypsilanti Library District has agreed to pay \$2,475.00 for half the cost of painting the Fire Station.

The following resolution was move by McKinney, seconded by Lewis:

SUPERIOR CHARTER TOWNSHIP

WASHTENAW COUNTY, MICHIGAN

**A RESOLUTION TO AUTHORIZE A CONTRACT WITH MUSSIO PAINTING TO
PAINT FIRE STATION NO. 2 AND THE OLD TOWNSHIP HALL**

RESOLUTION NUMBER: 2014-26

DATE: MAY 19, 2014

WHEREAS, the Superior Charter Township is a Michigan Charter Township: and

WHEREAS, Superior Township has the power, privilege, authority and responsibility to maintain Township buildings; and

WHEREAS, the exterior of fire station No. 2 located at 8795 MacArthur Boulevard is peeling, discolored and is in need of painting; and

WHEREAS, the exterior of the Old Township Hall located at 3040 North Prospect is peeling, discolored and is in need of painting, and

WHEREAS, the Ypsilanti District Library occupies a portion of Fire Station No, 2 and has agreed to pay for one-half of the cost of painting the fire station/library; and

WHEREAS, the Township obtained a bid from Mussio Painting to complete the following painting (labor and materials): the sign of Fire Station No. 2 for \$850.00; the exterior of Fire Station No. 2 for \$4,950.00; and, the exterior of the Old Township Hall at a cost of \$1,700.00, and

WHEREAS, other painters were requested to bid on the jobs but Mussio Painting was the only painter who submitted a bid, and

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WHEREAS, it is recommendation of the Township Administrative staff to accept the bid from Mussio Painting for the painting of the sign and exterior of Fire Station No. 2 and the Old Township Hall at a total cost not to exceed \$7,500.00, and

NOW THEREFORE BE IT RESOLVED, that the Superior Township Board approves the proposal from Mussio Painting to complete the following painting (labor and materials): the sign of Fire Station No. 2 for \$850.00; the exterior of Fire Station No. 2 for \$4,950.00; and, the exterior of the Old Township Hall at a cost of \$1,700.00 and approves the Township Supervisor to sign the agreement with Mussio Painting, and

NOW THEREFORE BE IT FURTHER RESOLVED, that the cost for the painting will be charged to the corresponding account numbers from each respective fund, and

NOW THEREFORE BE IT FURTHER RESOLVED, upon completion of the painting of Fire Station No. 2, the Township will pay Mussio Painting and then invoice the Ypsilanti District Library at a cost not to exceed \$2,475.00.

The motion carried by unanimous voice vote. The resolution was adopted.

G. ANN ARBOR / YPSILANTI REGIONAL CHAMBER ANNUAL DUES

The Board discussed the positive activities conducted by the Ann Arbor / Ypsilanti Regional Chamber and indicated support for the Township's continued membership.

It was moved by Lewis, seconded by McKinney, to approve the annual dues for the Ann Arbor / Ypsilanti Regional Chamber in the amount of \$358.50.

The motion carried by voice vote.

H. MICHIGAN TOWNSHIPS ASSOCIATION ANNUAL DUES

The Board discussed the services provided by the Michigan Townships Association and supported the Township's continued membership with the association.

It was moved by McKinney, seconded by Lewis, to approve the annual dues for the Michigan Townships Association in the amount of \$5,344.67

The motion carried by voice vote.

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I. WASHTENAW COUNTY ROAD COMMISSION AGREEMENT FOR 2014 ROAD IMPROVEMENTS

Supervisor Schwartz requested the Board authorize the Township's Administrative staff to approve up to \$200,000 in road improvement projects for 2014 with the Washtenaw County Road Commission. He said the Road Commission can't wait until the Board next meeting of June 16, 2014 and the Township is already committed to spending about \$126,000; \$22,500 for the Plymouth-Curtis Road intersection improvement, \$50,000 for the local match for paving Nottingham (a carry-over from 2013), \$30,000 for Township-wide limestone and \$24,000 for dust control. At the next Board meeting, the Board will be informed of what projects were approved.

It was moved by Lewis, seconded by McKinney, for the Board to authorize the Township's administrative staff (Supervisor, Clerk and Treasurer) to approve road improvement projects for 2014 with the Washtenaw County Road Commission at a cost not to exceed \$200,000. Further, at the next Board meeting on June 16, 2014, the administrative staff will provide a report to the Board of the projects that were approved.

The motion carried by unanimous voice vote.

11. PAYMENT OF BILLS

It was moved by McKinney, seconded by Lewis to approve the Bills for Payment in the amount of \$1,110.00 for the Fire Fund and \$2,750 for the Utility Fund and that the Record of Disbursements be received.

The motion carried by a unanimous voice vote.

12. PLEAS AND PETITION

There were none.

13. ADJOURNMENT

It was moved by Caviston, seconded by Green, that the meeting be adjourned. The motion carried by a voice vote and the meeting adjourned at 9:50 p.m.

Respectfully submitted,

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David Phillips, Clerk

Kenneth Schwartz, Supervisor