

ALDRICH stated **UNIVERSAL** would protect the price of gas for the township, below the price Consumers was asking for in the price increase, starting at \$1.09 and would go down every year until the gas price was \$1.07½; the price would not go higher than \$1.09 for the next five (5) years regardless of price increases due to hurricanes, etc. For the next five (5) years, within ninety (90) days of the proposed anniversary date, if gas prices should go below the proposed price of \$1.09, **UNIVERSAL** would lower the price and protect the township at the specified price for another five (5) years.

ALDRICH stated Flushing Township would stay with Consumers since gas companies could not be changed. Everything would stay the same as it had in the past when it came to the 1) Consumers Monthly Statement; 2) payments would still be made to Consumers; 3) Consumers would continue to read the meter; 4) and Consumers would continue to do the repairs. Consumers would send to **UNIVERSAL** the dollar amount indicated as “Gas Usage” on the Monthly Statement. Gas companies cannot make money from gas usage by Michigan law; they make their money from the distribution charge. The market for gas causes the price of gas to increase.

ALDRICH stated there had already been one (1) hearing with the Public Service Commission to request a gas price increase; there had to be two (2) hearings after which the price increase would be granted. Even if the requested amount should not be given, there was always a quarterly review so if gas prices should spike, Consumers could raise the price again twenty-five (25%) percent without even going to the Public Service Commission.

ALDRICH stated that if enrollment for the township into the gas program was not possible at the current meeting, hopefully **UNIVERSAL** would not have to raise their prices. If **UNIVERSAL** had to raise their price, there would be a new cost for Flushing Township. If Flushing Township should sign up for the gas price offer, the price would be good for five (5) years and could not be increased for any reason. **FOTENAKES** wanted to know what would happen if the price was lowered? **ALDRICH** stated the contract was reviewed one (1) time per year. When a gas company has requested a price increase, it was actually gas purchased one and one-half (1 ½) to two (2) years prior. No one knows what the price of gas would be. **UNIVERSAL** purchases their gas from different fields but mostly from Sempra Energy, the largest gas company in North America.

PRATT wanted to know that if Flushing Township signed a contract and the gas price was lowered, it would only be the price for **UNIVERSAL**. If Consumers gas prices went down, **UNIVERSAL** would not match the particular price decrease. **UNIVERSAL** has been able to give the proposed prices because of de-regulation of gas which happened several years ago in Michigan.

ALDRICH stated to start the program, he only needed the monthly statement of any locations, buildings, garages, etc and he could enroll everything and the price for all would be protected at one time. The price would be guaranteed for five (5) years.

UNFINISHED BUSINESS

None

NEW BUSINESS:

1. Review and Discussion of Resolution Opposing the “Stop Overspending” Ballot Proposal

TROTOGOT stated the Ballot Proposal had been defeated and would not be on the November 2006 General Election Ballot. No action was taken on the matter.

2. Review and Discussion of Resolution Opposing K-16 Spending Mandate Ballot Proposal

TROTOGOT recommended the Flushing Board of Trustees sign a Resolution in Opposition of the K-16 Mandate Ballot Proposal. The proposal would take money away from students and give money to the college professors. Michigan Townships Association (MTA) recommended each township sign the Resolution, which opposed the issue; the Resolution would then be returned to MTA. **REED MOVED**, seconded by Fotenakes to accept the Resolution in Opposition of the K-16 Spending Mandate Ballot Proposal. MOTION CARRIED.

3. Railroad Management LLC

ATTORNEY STEVE MOULTON (ATTORNEY MOULTON) felt the Railroad Management LLC (Railroad Management) was a private entity going throughout the Country purchasing the rights that were originally with railroad companies. Railroad Management has taken the assignment of the rights under a contract the company entered into in 1986 with Grand Trunk Western Railroad. The railroad permitted Flushing Township to install a twelve (12) inch water line perpendicular to the railroad right of way.

In order to use the underground facility, per an agreement entered into in 1986, the township had to pay \$300 for the first ten (10) year period and \$100 for each ten (10) year period thereafter or fraction thereof. The agreement was signed and delivered.

A Notice was received in December 2005 advising Flushing Township that Railroad Management had assumed the rights of the railroad company, under the agreement, and were increasing their rates to \$345.00 per year affective September 1, 2005.

ATTORNEY MOULTON has spoken from different representatives from the company indicating Flushing Township would be paying the original rate of \$100 for ten (10) years. The issue under the agreement is that either party has the right, on sixty (60) days written notice to the other party, to cancel the agreement. The railroad company could issue a written notice indicating they would be terminating the agreement; Flushing Township would be obligated to remove the waterline. If the waterline wasn't removed, the railroad company could take action to compel the township to remove the line.

ATTORNEY MOULTON stated the water line is a public utility, and the township has the power of eminent domain, the township could condemn the property interest which would be very little. **ATTORNEY MOULTON'S** recommendation was to send a check for the \$100 for the upcoming period and then do nothing. The \$100 was paid to and cashed by the railroad company. **FOTENAKES** wanted to know the cost of the public domain. **ATTORNEY MOULTON** stated the value the township would be taking from the railroad company would be minimum; the actual financial amount the township might have to pay would be to acquire an easement of permanent right which should be next to nothing. The cost of litigation should not be significant.

It was determined by the Board to not take further actions at the time.

4. Approve Recreational Resolution

TROTOGOT stated that he, Barbara Goebel, Superintendent of Flushing Schools, Dennis Bow, Flushing City Manager, Carl Liepmann, Treasurer of Flushing Township have discussed a Recreational Authority for the Flushing School District. In order for the different municipalities to further discuss and plan a Recreation Facility, a Resolution has to be signed giving permission to discuss the program. **LIEPMANN** stated the Resolution would only allow Flushing Township, City of Flushing, Flushing School District, Flint Township, and any other municipality, that would like to be involved, to have a recreational authority have in-service type meetings. If it appeared there would be sympathy for the issue, the issue would come back to the Flushing Township Board of Trustees for a vote to place the issue on the ballot for an upcoming election; every municipality would have the same procedure. The determination as to who would be

involved would consist of the people that were within the Flushing School District; municipalities did not have to participate but would have the ability to participate. Once approval had been given to place the issue on the ballot, all the municipalities involved would have to approve the issue. If one (1) municipality rejected the issue, it would not be approved. The Authority would not have any authority other than to bring information back to the Board of Trustees.

TROTOGOT stated a meeting had occurred with the Lapeer Recreational Authority to review their (Lapeer) particular program which had consisted of a YMCA type building with swimming pools, basketball, volleyball, weight lifting machines, etc.

The estimated cost for the Flushing School District would be \$15 to \$18 million. **REED** wanted to know if there would be a continued expense to the people; **LIEPMANN** stated residents that would be taxed for the center would get a break on membership dues for the year. The Lapeer Recreation Authority prices are:

- Youth Membership - \$180 per year if Lapeer Resident
- Seniors - \$180 per year
- Individuals - \$205 per year
- Family - \$360 per year

FOTENAKES MOVED, seconded by Minaudo to adopt the Resolution to create a partnership in the Flushing Area Parks and Recreational Authority.

DISCUSSION:

- **PRATT** wanted to know if the facility would have a pool and who would be able to use the facility. **LIEPMANN** stated the facility in Lapeer has a pool, running track, basketball courts, track, weights room, wading pool, little slides, etc. **FOTENAKES** stated the municipalities that were involved would get the discount. **LIEPMANN** stated that anyone could use the facility but there wouldn't be a discount unless you were one of the municipalities involved in the Flushing Recreational Authority (Flushing School District). **MINAUDO** wanted to know if the Community Development Block Grant Monies could be used for the project.

ACTION OF THE MOTION.
MOTION CARRIED.

5. Reappointment of the Board of Review for a Two (2) Year Term (New Law)

TROTOGOT stated that per a new Michigan law, the Board of Review Members for every Michigan Township expired on December 31, 2006. **TROTOGOT** requested the Board of Trustees renew the membership of Bill Mills, Rusty Eavy, and Bob Myers to the Flushing Township Board of Review. **LIEPMANN MOVED**, seconded by Fotenakes to reappoint Bill Mills, Rusty Eavy, and Bob Myers to the Flushing Township Board of Review. MOTION CARRIED.

6. Continued Discussion on the Heating/Air Conditioning System of the Township Hall

TROTOGOT stated the heating and air conditioning situation in the Police Department has been a continued matter. An estimate was received from Goyette Mechanical to fix the heating/air conditioning problem at a cost of \$4,495. **TROTOGOT** recommended the Board of Trustees place the matter on hold until he checked further with other companies. **FOTENAKES** wanted to know exactly what was wrong with the Police Department to cause the problems. **TROTOGOT** stated that when the new addition for the Police Department had been added there were mechanical items in the ceiling that had not been changed to comply with the rest of the building, which in turn had blocked the heat in one area; the air conditioning/heat also doesn't flow properly. **FOTENAKES** stated she had received a bid earlier in the year that was lower than the quoted price from Goyette Mechanical.

7. Janitorial Bids

TROTOGOT stated a lot of resumes and bids had been received for the proposed janitorial services needed for the Flushing Township Offices. FOTENAKES recommended the Bid Committee review the bids and bring the results back to the Board of Trustees at the next regular scheduled board meeting. PRATT requested approval from the Board of Trustees that he not take part in any discussion for the janitorial services because his (Pratt) wife had turned in a bid. The Bid Committee consists of TROTOGOT, PRATT, AND MORFORD; PRATT will abstain - MINAUDO will replace PRATT for the particular bid issue.

8. Resolution on the Freeman Drain

LIEPMANN stated he had received a call from a resident on Duffield Road concerning a backup of water onto a couple of parcels caused by the Freeman Drain. There needed to be a lot of maintenance work on the drain due to trees, hay, etc being in the drain. The Resolution would come from the Genesee County Drain Commission concerning having an assessment drain district.

COMMITTEE REPORTS:

1. Parks and Recreation Committee

LIEPMANN stated Flushing Township had received a \$10,000 Charitable Gift from Waste Management to be donated to the Flushing Township Nature Park. The money has been designated to be used for the park. Five (5) years ago a \$12,000 Charitable Gift had been received from Waste Management. The money has been listed in the budget as “discretionary funds” meaning the Park Manager could use the funds for various events such as the Halloween Party and other educational events at the Nature Park.

PARK MANAGER TOM ENRIGHT (ENRIGHT) requested permission to attend a “Planning a Sustainable Alternative Energy System” course, offered at Oakland University at a cost of \$550 for tuition fees. The money would come from the \$10,000 Charitable Gift. ENRIGHT would pay for his own expenses. LIEPMANN MOVED, seconded by Fotenakes for the township to pay \$550 for tuition fees for ENRIGHT to attend “Planning a Sustainable Alternative Energy System” at Oakland University.

ROLL CALL VOTE:

AYES: Minaudo, Pratt, Reed, Morford, Liepmann, Fotenakes, and Trotogot

NAYS: 0 MOTION CARRIED.

REPORTS:

- 1. **Building Inspector’s Report:** Reviewed and Accepted.

BUILDING PERMITS ISSUED:

NEW HOMES	1
ACCESSORY BUILDINGS	2
DECKS	2
REMODELING	0
ADDITIONS	1
GARAGES	0
FENCE PERMITS	2
ROOF REPAIR	0
POOL	0
COMMERCIAL	0
SIGN	0
TOTAL PERMITS ISSUED	
	8
PERMIT VALUATION FOR AUGUST 2005	\$ 1,170,048
PERMIT VALUATION FOR AUGUST 2006	293,480

PERMIT FEES COLLECTED FOR AUGUST 2006	\$ 1,523
TRAILER INSPECTIONS	0
TRASH AND RECYCLING CHARGES	0
SPECIAL USE PERMIT	0
HOME OCCUPATION PERMIT	0
EARTH REMOVAL PERMIT	0
VARIANCE REQUEST	0
REZONING REQUEST	0
CODE BOOKS	0
FOR A TOTAL OF	\$ 1,523
CONSTRUCTION TO DATE AUGUST 2005	7,880,166
CONSTRUCTION TO DATE AUGUST 2006	5,014,601
FOR A DECREASE OF	\$ 2,865,565

2. User Fees:

LIEPMANN AND BUILDING INSPECTOR JERRY FITCH (FITCH) has been reviewing the User Fees for Flushing Township. There were recommendations for changes in some of the fees. **REED MOVED**, seconded by Pratt to change the fees for Flushing Township. MOTION CARRIED.

PUBLIC COMMENTS:

8:15 P.M. OPEN FOR PUBLIC COMMENTS

- 1. Pat Drozdowski** – had a question concerning trash cans being placed in ditches.

8:16 P.M. CLOSED FOR PUBLIC COMMENTS

BOARD COMMENTS:

- 1. FOTENAKES** wanted to know if anything has transpired regarding placing tape on township resident's trash cans in order for Waste Management workers to place the trash cans in the ditches. **LIEPMANN** stated the process could be done, but everyone doesn't want to place their trash cans in the ditch. **FOTENAKES** stated the way she understood James Wilson of Waste Management, was the resident would mark their cans if they wanted their cans placed in the ditch. **LIEPMANN** stated he would call James Wilson and review the situation to see what could be done.

- 2. LIEPMANN** stated he would not be in attendance at the October 2006 Board of Trustees Meeting. The **Truth and Budgeting Public Hearing** will be scheduled for October as the tax roll has to be set in October; Assessor Dennis Judson will present the material for the Public Hearing. The Notice Publication that will appear in the Flushing Observer will reset the millage for the general fund at .5 mill. **LIEPMANN** stated the average cost, in the township, for a \$100,000 taxable value at .5 mill will be \$50.

LIEPMANN stated he had received inquiries about going back to the original millage by Headlee which would be reduced to .8385 mills. To place the millage at .8385 mills would represent a difference of 74.43% or .3578 mills. In dollar figures, it would mean if there was a taxable value of \$100,000, the individual would be paying \$35.78 more for the year; or \$3.00 per month. It would mean approximately \$68,000 to \$72,000 for expenditures to the township. The increase of 74.43% would only be for Flushing Township, not the other entities. **LIEPMANN** recommended that if the Board should

decide to go with the particular increase of 74.43% figure, a great portion of the monies be dedicated to ditching. During 2006, there has been approximately \$280,000 spent on limestone for seven (7) gravel roads (in Flushing Township) so the roads should be in great shape; ditching has caused a lot of problems.

REED stated that other than using the money for ditching, would there have to be an increase. **LIEPMANN** stated, per the auditor’s meeting the township was in a plus for last year; the township could get by without increasing the budget. **TROTOGOT** recommended spending time with the treasurer regarding the roads. **PRATT** wanted to know how many miles of ditching the \$62,000 to \$70,000 would cover. **TROTOGOT** stated so far this year: 1) all of Stanley Road; 2) some of Duffield Road; 3) some of Frances Road – approximately five (5) miles – all for less than \$62,000 because the 50/50 money from the County has also been used. **TROTOGOT** stated the township had ten (10) days of ditching every year.

FOTENAKES felt that with the economic times, it would be hard to ask the residents to pay more; if the township was in a deficit it would be a different situation. **LIEPMANN** stated the budget would be figured at .5 mills and everything would be published at .5 mills.

3. **TROTOGOT** stated the passage of all the millages on the 2006 August Primary Election for Mass Transit, Senior Centers, Parks and Recreation, etc were unbelievable.

4. **PRATT** made reference to an article that was in the Flint Journal on Wednesday, August 23, 2006 entitled “Township Eyes Taking Over Road Control” from Grand Blanc Township. There would be a lot of hoops to jump through to get the program.

5. **REED** stated she had been talking with Planning Commission Member Ron Flowers, who had stated the Genesee County Metropolitan Planning Commission was trying to extend the area for primary roads. **PRATT** wanted to know if there would be more monies created for townships.

6. **MORFORD** stated the Hazardous Waste Collection date was set for Saturday, October 14, 2006 at three (3) locations: 1) Water Service Center on Court Street, 2) Clio High School, and 3) GMSPO on Bristol Road in Swartz Creek.

7. **FOTENAKES** wanted to know if the schedule for leaf pickup had been obtained from Waste Management.

8. **MORFORD** reminded everyone that Davison Township would be hosting the Michigan Townships Association –Genesee County Chapter Meeting on Thursday, September 21, 2006. Everyone has previously received a notice.

9. **LIEPMANN** reminded everyone about the 2006 MTA District Meeting in Frankenmuth, Michigan on Wednesday, September 20, 2006 at 8:30 a.m.

THE NEXT BOARD OF TRUSTEES MEETING IS SCHEDULED FOR THURSDAY, OCTOBER 12, 2006 AT 7:00 P.M. AT THE TOWNSHIP HALL.

ADJOURNMENT: There being no further business matters, Supervisor Trotogot adjourned the meeting at 8:16 P.M.

Julia A. Morford, Clerk

Andrew Trotogot, Supervisor

APPROVED DATE: _____
09/14/06 Regular