

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD
FLUSHING, MICHIGAN 48433
BOARD OF TRUSTEES

DATE: JANUARY 10, 2008 TIME: 7:00 P.M.
PHONE: 810-659-0800 FAX 810-659-4212
WEB PAGE: <http://www.flushingtowship.com>

ADMINISTRATION MEMBERS

SUPERVISOR: Andrew Trotogot
CLERK: Julia A. Morford
TREASURER: Carl G. Liepmann

TRUSTEES

Ann L. Fotenakes
Scott Minaudo
Barry Pratt
Ida M. Reed

TOWNSHIP ATTORNEY:

STEVEN MOULTON
Cooley Moulton & Smith LLP
412 S. Saginaw Street, Suite 300
Flint, Michigan 48502

MEETING CALLED TO ORDER at 7:00 p.m. by **SUPERVISOR ANDREW TROTOGOT** with Roll Call and the Pledge to the American Flag.

ROLL CALL: Trotogot, Morford, Liepmann, Pratt, and Attorney Steve Moulton
MEMBERS ABSENT: Fotenakes, Minaudo, and Reed (Attending the MTA Conference)

OTHERS PRESENT: Richard Lucius, John P. Cuddeback, and Rene Rosencrantz of the Flint Journal

ADOPTION OF THE AGENDA: LIEPMANN MOVED, seconded by Pratt to adopt the Agenda as presented. **MOTION CARRIED.**

APPROVAL OF MINUTES OF DECEMBER 13, 2007: PRATT MOVED, seconded by Liepmann to approve the Minutes of December 13, 2007 as presented. **MOTION CARRIED.**

APPROVAL OF BILLS: PRATT MOVED, seconded by Morford to pay the bills as listed.

ROLL CALL VOTE:
AYES: Pratt, Morford, Liepmann, and Trotogot
NAYS: 0 MOTION CARRIED.
ABSENT: Fotenakes, Minaudo, and Reed

UNFINISHED BUSINESS:
None

NEW BUSINESS

1. **Recommendation from the Planning Commission for Approval for AN ORDINANCE AMENDING THE ZONING ORDINANCE TO DEFINE "CONDOMINIUM", "DUPLEX", AND "TOWNHOUSE."**

PRATT stated the amendment was a clarification of the definitions for "Condominium", "Duplex", and "Townhouse". **ATTORNEY STEVE MOULTON (ATTORNEY MOULTON)** had reviewed and revised the definitions for the Planning Commission and a Public Hearing had been held on December 10, 2007. There has been confusion between the terms when an applicant had come before the Planning Commission; the Planning Commission has excellent terms which they (Planning Commission) could stand on and where everyone else would be on the same level. **PRATT MOVED,**

seconded by Liepmann to accept the approval of the Ordinance amendment for the terms of “Condominium”, “Duplex”, and “Townhouse.”

DISCUSSION:

- **TROTOGOT** stated there had been concerns regarding individuals constructing condominiums or duplexes on the side of the road, not necessarily in a subdivision. Due to so many empty houses and rentals, the township didn’t have any control over the situation. **PRATT** stated there had been a previous request for a duplex; some of the neighbors had questions and it turned out to be that **PRATT** was the lone objector. The conclusion had been that the special use request complied with the ordinance so the issue had been approved. **PRATT** stated he would take the issues back to the Planning Commission.

ACTION OF THE MOTION:
MOTION CARRIED.

2. Approval of Committee Appointments for 2008

MORFORD MOVED, seconded by Liepmann to approve the 2008 Flushing Township Committee Appointments as presented.

DISCUSSION:

- **LIEPMANN** stated that he was opposed to the appointment of **TRUSTEE MINAUDO** to the Police Negotiating Committee, but would vote in the affirmative because he (Liepmann) felt the Supervisor had the right to make the appointments as he seen fit.

ACTION OF THE MOTION:
MOTION CARRIED.

3. Approval for New Computer for Supervisor

LIEPMANN stated there had been a request from the Supervisor for a new computer; however, since the Agenda had been presented for the current meeting, the Supervisor has decided to purchase his own computer. If and when the Supervisor leaves office, he will take the computer with him. Since the Supervisor was paying for his own computer, nothing had to be addressed. The decision would save the Township almost \$800.00

4. Approval for Update of 2007 Microsoft Office for Clerk’s Office

LIEPMANN MOVED, seconded by Pratt to approve the update of Microsoft Office for the Clerk’s Office and the system would be added to the network at a cost of \$230.00; the update would be Microsoft Office 2007 Pro OEM Edition.

ROLL CALL VOTE:

AYES: Pratt, Morford, Liepmann, and Trotogot

NAYS: 0 MOTION CARRIED.

ABSENT: Fotenakes, Minaudo, and Reed

5. Approval for New Hard Drive for Receptionist’s Computer

LIEPMANN stated the hard drive for the Receptionist’s computer has been acting up and a new hard drive is necessary. The “Quote Price” from the Township’s Internet Technician (I.T.) is \$290.00. Since the I.T. would be updating both Microsoft Office and the Hard Drive, and if both issues were approved, there would only be one charge. (The total cost of updates for both the 2007 Microsoft Office and the hard drive would be close to \$440.00.)

LIEPMANN MOVED, seconded by Morford to approve \$220.00 for the new hard drive for the Receptionist’s Hard Drive.

ROLL CALL VOTE:

AYES: Pratt, Morford, Liepmann, and Trotogot

NAYS: 0 MOTION CARRIED.

ABSENT: Fotenakes, Minaudo, and Reed

COMMITTEE REPORTS:

1. Amendment to the 2008 Flushing Township Meeting Dates

LIEPMANN MOVED, seconded by Pratt to approve the amendment to the 2008 Meeting Dates with the changes being:

- A) Planning Commission – change **from** January 14, 2008 **to** January 7, 2008
change **from** October 13, 2008 **to** October 6, 2008

AND

- B) Zoning Board of Appeals – change **from** May 6, 2008 **to** May 13, 2008

ACTION OF THE MOTION:

MOTION CARRIED.

2. Finance Committee

LIEPMANN stated the office has been a lot of problems regarding tax refunds when there has been an overpayment from a lender or mortgage company.

Mortgage companies, banks, etc. have been selling mortgages rapidly, going out of business, or going into bankruptcy, etc. **THE PROBLEM:** Flushing Township sent out approximately forty-five (4,500) hundred tax statements and two (2%) to three (3%) percent of the statements would have clerical errors or mistakes because someone does or doesn't have a homestead exemption; the corrections have to be made by the Township Board of Review.

The problem has gotten larger every year where the mortgage company has made the tax payment and there is an overpayment of (example) \$800.00. The township would turn around and send the \$800.00 back to the address of the lender which would end up in "cyberspace" because the check would never get cashed and the lender would call the township stating they never received the check. Letters have been returned "return receipt requested" but the checks never seem to get to the right office. **LIEPMANN** recommended that if there was an overpayment, give the check back to the property owner with a letter stating "*we are returning this check to you because an overpayment was made by your lender and it is up to you to talk to your lender.*" **Example:** an individual purchased a home from a parent and the homestead exemption didn't get transferred over to the new property owner. Since there wouldn't be a homestead exemption, the owner ended up paying additional costs; the individual wouldn't know there were additional costs because the lender paid the tax statement. When the next tax statement was sent to the property owner, there wouldn't be enough escrow so the owner would owe more taxes so the lender would raise the mortgage payment on the home, and then send more money to the township. The mortgage payment on the home would raise but the individual hadn't done anything wrong.

Conclusion: If the township sent the overpayment back to the lender, there wasn't any way of knowing who would receive the money or if the money would be credited to the home owner.

LIEPMANN recommended sending the money back to the property owner because the owner had originally paid the money; the emphasis would be placed on the property owner to contact their lender. Underpayments that are received from mortgage companies or banks where the lender can't be located directly, would be left up to the property owner to pay the arrears.

QUESTIONS:

- **PRATT** wanted to know if there was a liability because the money would be sent to the person that paid the taxes. On an underpayment, should there be a certified

letter sent to the property owner? **LIEPMANN** stated underpayments generally have not been a problem. When an underpayment occurs, the check and the originally notification has been received from the lender; the township would call the lender to get the additional funds. **ATTORNEY MOULTON** stated the property owner was liable so in the underpayment situation, the property owner could be contacted directly. There could be a problem where the property owner was in default and the bank had advanced the owner with the money to pay the taxes; the property owner then used the money for something else.

LIEPMANN MOVED, seconded by Morford that the Board allow the Treasurer to establish a policy that required his office to refund over payments of taxes to the property owner when the original payment was received from a mortgage company or bank. Underpayments from mortgage companies or banks would also be billed to the property owner, not the lender, when the office was unable to contact the responsible party. **MOTION CARRIED.**

3. Budget Committee

LIEPMANN stated there have been numerous changes to the budget but there was only one (1) cost center where the changes represented more than ten (10%) percent which the Treasurer was allowed to make without Board approval. Elections has put the budget out of balance. **LIEPMANN** recommended a \$9,000.00 increase in “Elections Equipment Expenses”; the money would be refunded from the political parties. **LIEPMANN MOVED**, seconded by Pratt for an increase of \$9,000.00 in the “Elections Equipment Expenses”.

ROLL CALL VOTE:

AYES: Morford, Liepmann, Pratt, and Trotogot

NAYS: 0 **MOTION CARRIED.**

ABSENT: Fotenakes, Minaudo, and Reed

REPORTS:

1) Stormwater Pollution Prevention Initiative (SWPPI) for the Lower Flint River Watershed

TROTOGOT stated there would be more information coming before the township regarding Stormwater Pollution Prevention Initiative (SWPPI). The township and Genesee County has been working on the project for the last four (4) years and amounted to about \$3.00 per household. The mandate was from the Federal Government to the Department of Environmental Quality (DEQ) to where the township had to come up with a Plan on how Flushing Township was going to protect the Flint River (River) from being polluted.

Through grants and volunteers, high school and college students have walked the River looking for streams that flowed into the River containing pollutants. A Plan has already been submitted to the DEQ from Flushing Township to where Genesee County Water and Waste would be responsible for all of Flushing Township’s initiatives. If the program was done individually, by the township, it would cost \$1,000,000.00.

TROTOGOT stated in some of the subdivisions, a picture of a fish has been painted along the curb which states “*don’t dump, this water goes direct to the Flint River*”. The painting has been done by elementary and high school students.

TROTOGOT will bring the finished Plan to the next Board of Trustees Meeting for review; the Plan would then be sent to the DEQ. **PRATT** wanted to know if the program involved the “Flint River Watershed” signs along the roads.

2) Building Inspector’s Report: **LIEPMANN MOVED, seconded by Pratt to accept the Building Inspector’s Report. **MOTION CARRIED.****

BUILDING PERMITS ISSUED:

NEW HOMES	0
ACCESSORY BUILDINGS	1
DECKS	0
REMODELING	1
ADDITIONS	0
GARAGES	0
FENCE PERMITS	0
ROOF REPAIR	0
POOL	0
COMMERCIAL	0
SIGN	0

TOTAL PERMITS ISSUED	2
PERMIT VALUATION FOR DECEMBER 2006	\$ 36,432
PERMIT VALUATION FOR DECEMBER 2007	28,600

PERMIT FEES COLLECTED FOR DECEMBER 2007	\$ 308
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TRAILER INSPECTIONS (1)	50
TRASH AND RECYCLING CHARGES	0
SPECIAL USE PERMIT	100
HOME OCCUPATION PERMIT	0
EARTH REMOVAL PERMIT	0
VARIANCE REQUEST	0
REZONING REQUEST	0
CODE BOOKS	0
FOR A TOTAL OF	\$ 458

CONSTRUCTION TO DATE DECEMBER 2006	6,221,399
CONSTRUCTION TO DATE DECEMBER 2007	2,391,304

FOR A DECREASE OF	\$ 3,830,095
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7:35 P.M. OPEN FOR PUBLIC COMMENTS:

7:36 P.M. CLOSED FOR PUBLIC COMMENTS

BOARD COMMENTS:

None

THE NEXT BOARD OF TRUSTEES MEETING IS SCHEDULED FOR THURSDAY, FEBRUARY 14, 2008 AT 7:00 P.M.

ADJOURNMENT: Due to lack of further business, **TROTOGOT** adjourned the meeting at 7:36 p.m.

JULIA A. MORFORD, Clerk

ANDREW TROTOGOT, Supervisor

APPROVED DATE: _____

01/10/08 Regular