

CHARTER TOWNSHIP OF FLUSHING

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

DATE: JUNE 11, 2009

TIME: 7:00 P.M.

PHONE: 810-659-0800

FAX 810-659-4212

WEB PAGE: <http://www.flushingtowship.com>

ADMINISTRATION MEMBERS

SUPERVISOR: Donald A. Schwieman
CLERK: Julia A. Morford
TREASURER: William J. Noecker

TRUSTEES

Michael S. Gardner
Scott R. Matzke
Scott P. Minaudo
Mark H. Purkey

TOWNSHIP ATTORNEY:

STEVEN MOULTON
Cooley Moulton & Smith LLP
727 S. Grand Traverse Street
Flint, Michigan 48502

MEETING CALLED TO ORDER at 7:10 p.m. by **SUPERVISOR DONALD A. SCHWIEMAN (SCHWIEMAN)** with Roll Call and the Pledge of Allegiance to the American Flag. The Board Meeting was held at the Flushing High School Auditorium.

ROLL CALL: Schwieman, Morford, Noecker, Gardner, Matzke, Minaudo, Purkey, and Attorney Steve Moulton

MEMBERS ABSENT: None

OTHER INDIVIDUALS PRESENT: Two hundred forty-seven (247) plus individuals were present.

APPROVAL OF THE AGENDA: GARDNER MOVED, seconded by Purkey to approve the Agenda for June 11, 2009 as submitted.

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Gardner, Matzke, Minaudo, Purkey, Morford, Noecker, and Schwieman

NAYS: 0 MOTION CARRIED.

APPROVAL OF MINUTES OF APRIL 9, 2009: MINAUDO MOVED, seconded by Purkey to approve the Minutes of April 9, 2009 as submitted.

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Matzke, Minaudo, Purkey, Morford, Noecker, Schwieman, and Gardner

NAYS: 0 MOTION CARRIED.

APPROVAL OF BILLS: PURKEY MOVED, seconded by Morford to pay the bills as submitted. (Board Packet).

DISCUSSION:

There were questions regarding the reason some of the bills weren't paid. Reference was made to Page 31 of the Charter Township of Flushing Policy and Procedures Manual regarding Expenditure Authorization.

RECESS BREAK AT 9:20 P.M.

RECONVENED TO REGULAR MEETING AT 9:35 P.M

UNFINISHED BUSINESS:

1. Discussion and Possible Action regarding Supervisor’s 7-Step Plan

A. SCHWIEMAN MOVED, seconded by Matzke to approve the Supervisor’s 7-Step Plan.

DISCUSSION:

A discussion was held on ways to continue looking for options to improve the Police Department issue but the township had to move forward in order to avoid lawsuits, Union grievances, and the lack of 24/7 Police Department coverage. There was discussion on how to get the funding balance built back up in order to get a handle on the pension problem. Since December 2008, issues such as insurance has been cut; fifteen (15%) percent cap has been placed on the Patrol Officers Contract; Patrol Officers are paying eight (8%) percent into retirement; the police chief has retired; and there has been an option of a retirement buy-out. One (1) Board Member recommended having two (2) Board Meetings a month because the Board Meetings are the only place where all seven (7) board members could meet per the Open Meetings Act. Some Board Members felt the 7-Step Plan was good for the township. It was recommended by Flushing Township Auditors, Plant & Moran, to charge the Police Department interest when the Police Department Fund borrowed from the General Fund.

GARDNER MOVED, seconded by Purkey to continue discussion on the Police Department issue.

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Minaudo, Purkey, Noecker, and Gardner

NAYS: Matzke, Morford, Schwieman MOTION CARRIED.

DISCUSSION:

Reference was made to Page 17 of the Charter Township of Flushing Policies and Procedures Manual as to the proper procedure for selecting a Flushing Township Police Chief.

APPROVAL OF THE MOTION TO ACCEPT THE 7-STEP PLAN:

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Matzke, Morford, and Schwieman

NAYS: Minaudo, Purkey, Noecker, and Gardner MOTION FAILED

NEW BUSINESS:

1. Second Reading of AN ORDINANCE TO AMEND SECTIONS 5-26, 5-27, 5-28, AND 5-29 OF THE CODE OF ORDINANCES AND TRANSFER RESPONSIBILITY FOR THE ADMINISTRATION AND ENFORCEMENT OF THE MICHIGAN STATE CONSTRUCTION CODE, as adopted for enforcement in Flushing Township, to the Bureau of Construction Codes under the Provisions of the Still-DEFROSSETT-HALL single State Construction Code Act, Act 230 of the Public Acts of 1972, as amended, MCL 125.1501, et seq.

GARDNER MOVED, seconded by Purkey to approve the second reading of the proposed ordinance to amend Sections 5-26 through Sections 5-29 of the existing ordinance to authorize the State of Michigan to provide code enforcement in Flushing Township.

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Schwieman, Gardner, Matzke, Minaudo, Purkey, Morford, and Noecker

NAYS: 0 MOTION CARRIED.

2. Approval of New Pump at Pumping Station No. 101 – Gillette Road

PURKEY MOVED, seconded by Morford to approve the purchase of the pump for Pumping Station No. 101.

DISCUSSION:

There was a question as to whether to obtain other bids for the pump and service per the Policies and Procedures Manual. It was recommended to stay with Mid-Michigan Manufacturing due to their dependability, service, and the low cost which would be the choice of the Township. There is a contract with Mid-Michigan that pertains to the pumping stations.

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Noecker, Schwieman, Gardner, Matzke, Minaudo, Purkey, and Morford,

NAYS: 0 MOTION CARRIED.

3. Discussion and Possible Action Regarding Park Coordinators’ Hours and Wages

SCHWIEMAN MOVED, seconded by Matzke to increase the Park Coordinator’s hours to twenty-eight (28) hours in the summer and the wage would be increased to \$14.00 per hour.

DISCUSSION:

Job duties at the Nature Park were discussed. A comparison of wages between different positions were also discussed.

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Schwieman, Morford, Noecker, Matzke, Minaudo, and Purkey,

NAYS: Gardner MOTION CARRIED.

4. Update from Bids Committee on Job Descriptions/Bids

a. Fire Department

PURKEY MOVED, seconded by Matzke to enter into the City of Flushing for fire protection.

DISCUSSION:

It was recommended to go with Plan 2 for fire protection with the City of Flushing. The Plan would be for five (5) years with a one (1) year cancellation provision. The first year would be \$115,000.00. If we do not use the specific amount of fire service, it would be re-evaluated at the end of the year.

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Matzke, Minaudo, Purkey, Minaudo, Noecker, Schwieman, Gardner

NAYS: MOTION CARRIED.

5. Discussion of Flushing Township Police Chief Regarding

Proposed wording for Publication of Police Chief Employment Description:

The Charter Township of Flushing is seeking applications from qualified candidates to serve as Chief of Police. The Police Department employs 9-10 full time sworn officers, patrols approximately 140 miles of road, and has an approximate annual operating budget of \$1,200,000. The 2000 population was approximately 10,500.

The Chief’s responsibilities include, but are not limited to: management and oversight of daily operations; pursuant and attainment of established departmental goals; planning, organizing and directing law enforcement and other activities; developing, interpreting, and implementing rules, regulations, policies and procedures; preparing and

monitoring the departmental budget along with conducting patrol and complaint response activities as needed.

The qualifications include: a bachelors' degree or equivalent combination of education and experience that provides appropriate knowledge, skill and abilities with a proven track record of successful law enforcement management. This requires a minimum of ten (10) years in a supervisory position as a "full time law enforcement officer." Must have certification from the Michigan Commission of Law Enforcement Standards (MCOLES); possess a valid driver's license; have considerable knowledge of police enforcement laws; must possess the ability to work effectively with diverse groups; have excellent verbal and written communication and interpersonal skills and understanding of management methods and principals. Beginning salary will be negotiated at time of employment offer.

Please send cover letter, resume, and reference to: Flushing Township, 6524 N. Seymour Road, Flushing, Michigan 48433, 810-659-0800.

Procedures for the Selection of a Police Chief:

- a. There are separate procedures for bids (page 30) and hiring of employees (page 17) of the Policies and Procedures Manual.
- b. If anything is changed in the Policies and Procedures Manual, it could be a violation of the Unions.
- c. The article is published in the newspaper, web site, etc.
- d. The resumes of the applicants respond to the Personnel Officer (Supervisor) and assembled by the Supervisor.
- e. The Personnel Committee (Schwieman, Morford, and Noecker) reviews and conducts the interviews and makes a recommendation to the Board.
- f. The candidate would be at the next regular scheduled Board Meeting for approval.

COMMENTS:

- It was suggested:
 - a. go into Closed Session where all the Board Members would be able to sit in on the interviews. (Attorney Moulton will check on the issue and respond back to the Board.)
 - b. have a panel of three (3) police chiefs review the resumes and then return to the Board of Trustees with the names.
 - c. don't deviated from the Policies and Procedures Manual, because there could be a breach of contract with the Unions.
 - d. that the General Maintenance Applicant would follow the Policies and Procedures Manual as to employment qualifications. (Page 17)
 - e. there be worker's compensation and liability insurance on the individuals mowing the lawns, especially the foreclosed homes? (Reference was made to the "Noxious Weeds Ordinance"). Per the Attorney, liability insurance is the only thing the township has to have.

MINAUDO MOVED, seconded by Purkey to adopt the Police Chief Employee Description and the Independent Contractor Requirements.

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Minaudo, Purkey, Noecker, Schwieman, Gardner, Matzke, and Morford

NAYS: 0 MOTION CARRIED.

THE BELOW LISTED ISSUES WERE POSTPONED UNTIL THE SPECIAL MEETING TO BE HELD ON JUNE 25, 2009 AT 7:00 P.M. AT THE FLUSHING HIGH SCHOOL AUDITORIUM.

- 1. Discussion and Possible Action Regarding Road Repair Contracts
- 2. Update on the Flushing Township Building Department
- 3. Update from Bids Committee on Job Descriptions/Bids
 - b. Lawn/Snow Maintenance

- 4. Update of Policy and Procedures Manual – Attorney Moulton
- 5. Future Location of Township Board Meetings

GARDNER MOVED, seconded by Minaudo to have a meeting two (2) weeks from today, which would be Thursday, June 25, 2009 at 7:00 p.m. at the Flushing High School Auditorium.

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Purkey, Morford, Noecker, Schwieman, Gardner, Matzke, and Minaudo
 NAYS: 0 MOTION CARRIED.

COMMITTEE REPORTS:

None

REPORTS:

- 1. **Treasurer’s Report:** **MORFORD MOVED**, seconded by Gardner to accept the Treasurer’s Report for May 2009.

DISCUSSION:

A lady from the City of Flushing donated the money for a badge for the former Flushing Township Police Chief. The Township also received a check for mowing the lawn of a local resident where the grass had now been mowed for a while.

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Matzke, Minaudo, Purkey, Morford, Noecker, Schwieman, and Gardner
 NAYS: 0 MOTION CARRIED.

11:30 P.M. PUBLIC COMMENTS OPEN:

Four (4) people gave their Opinions

11: 40 P.M. PUBLIC COMMENTS CLOSED

BOARD COMMENTS:

- 1. **GARDNER** wanted to know why Flushing Community Schools Superintendent Barbara Goebel wouldn’t talk to him.
- 2. **PURKEY** offered to talk to any of the Police Officers concerning the Municipal Employees Retirement System (MERS).
- 3. **SCHWIEMAN** stated the employees now pay a difference in the MERS Contribution.

THE NEXT BOARD OF TRUSTEES MEETING IS SCHEDULED FOR THURSDAY, JULY 9, 2009 AT 7:00 P.M.

ADJOURNMENT: Due to no further issues on the Agenda, the Supervisor adjourned the meeting at 11:45 p.m.

JULIA A. MORFORD, Clerk

DONALD A SCHWIEMAN, Supervisor

APPROVED DATE: _____