

CHARTER TOWNSHIP OF FLUSHING

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

DATE: FEBRUARY 14, 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 ANDY TROTOGOT** with Roll Call and the Pledge to the American Flag.

ROLL CALL: Trotogot, Morford, Liepmann, Fotenakes, Minaudo, Pratt, Reed, and Attorney Steve Moulton

MEMBERS ABSENT: None

OTHERS PRESENT: 19 other interested individuals

LIEPMANN requested to add to the Agenda as Number 1, "*Flushing Township Police Millage Report*".

ADOPTION OF THE AGENDA: FOTENAKES MOVED, seconded by Pratt to adopt the Agenda with the addition of Number 1, "*Flushing Township Police Millage Report*". **MOTION CARRIED.**

APPROVAL OF MINUTES OF JANUARY 10, 2008: REED MOVED, seconded by Liepmann to approve the Minutes of January 10, 2008 with corrections: **PAGE 3:** Committee Reports, number 2, paragraph 1, "Liepmann stated. . . lender or mortgage company" **changed to** "Liepmann stated the office has seen a lot of problems regarding tax refunds when there has been an overpayment from a lender or mortgage company"; **PAGE 4,** Reports, number 1, paragraph 4, "Pratt wanted to know. . . signs along the roads" **changed to** "Pratt wanted to know if the program involved the "Flint River Watershed" signs along the roads"; **PAGE 5,** "Total Permits Issued - 6" **changed to** "Total Permits Issued - 2". **MOTION CARRIED.**

APPROVAL OF BILLS: PRATT MOVED, seconded by Fotenakes to pay the bills as presented.

ROLL CALL VOTE:

AYES: Fotenakes, Minaudo, Pratt, Reed, Morford, Liepmann, and Trotogot
NAYS: 0 **MOTION CARRIED.**

UNFINISHED BUSINESS:

None

NEW BUSINESS

1. Flushing Township Police Millage Report

LIEPMANN gave a detailed presentation on the proposed Flushing Township Police Department Millage, which has previously been reviewed by the Millage Committee, regarding the Police budget. Without the passage of the proposed millage, there could be a reduction of three (3) part time officers, three (3) full time officers, and the Secretary would be part time.

IMPORTANT FACTS REGARDING REASON FOR THE MILLAGE:

- Main problem has been post employment health care for employees; the problem occurred three (3) or four (4) years ago with a new accounting system required by the State.
- The current budget would get the Police Department through August 2008 without any layoffs. Currently forty-four (44) to forty-six (46) percent of the budget goes for benefits.
- Currently, Flushing High School (High School) pays for one Resource Officer, if the millage was approved, there would be money for a Resource Officer to be at both the High School and the Middle School.
- May 2008 would be the perfect time for a millage to be placed on the ballot as the only thing on the (May Special Election) ballot would be the school board election. If the proposed millage was placed on the August 2008 ballot, there would be immediate layoffs if it failed.
- At a recent Millage Committee Meeting, there were thirty two (32) people present and after much discussion, no one could figure out a way to resolve the budget issue. The proposed millage would be for one (1) mill or \$1.00 per \$1,000.00 of taxable value.
- It was recommended to place the proposed millage issue on the May 2008 ballot and then form a Committee to review the situation to see if there were any alternate methods to obtain money rather than going for the millage.

COMMENTS FROM THE AUDIENCE:

1. **Fred Thorsby, 8291 Apple Blossom, Flushing** – “would Headlee affect the millage?”
2. **Bonnie Martinson, 5232 Tahquamenon Trail, Flushing** – “don’t want to see the township deteriorate.”
3. **FOTENAKES** wanted to know if there were buyouts for employees that were thinking about retiring.
4. **Mark Calvert, Flushing** – “if the township held off on the proposed millage, it would be difficult to be pro-active with the issues.”

FOTENAKES stated that at one of the classes she had attended while at the 2008 Michigan Townships Association Conference, there had been alternative plans suggestions for townships to obtain money. Some of those plans being:

1. Dog licenses
2. Processing of Passports
3. Housing and Urban Development (HUD) – the township would purchase HUD homes for \$1.00 and then resell the homes for their value. The house had to be on the market for six (6) months.

LIEPMANN MOVED, seconded by Reed to place the millage issue on the May 6, 2008 Election Ballot using the wording of the millage ending in 2012 as presented by the Township’s Attorney.

DISCUSSION:

1. **MINAUDO** inquired if the Police Department would be replacing the persons but not the positions?”
2. **PRATT** recommended having joint services with the City of Flushing.

3. Currently there are four (4) millages but we hope to combine all four (4) by 2012. If the proposed millage should be approved, there would be 4.21 mills involved, which would go into the Police Department Fund.
4. Millages have a maximum time frame of twenty (20) years; the proposed millage would be five (5) years.
5. A Millage Committee Meeting will be held on Tuesday, February 19, 2008 for further discussion of the proposed millage.

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED.

2. Jim Grady of Patriotic Ambulance Services – Update of Ambulance Services for Genesee County

JIM GRADY, along with Shirley Burchett of Patriot Ambulance Services; Harry Swartz of Swartz Ambulance Services; and Roger McCarron of C-M Ambulance Services were in attendance to update the township on the recent EMS Ordinance approved by the Genesee County Board of Commissioners. The Ordinance would eliminate all ambulance services in Genesee County and the County would bring in their own ambulance services.

POINTS OF INTEREST:

- The County wanted to run the ambulance services similar to utility companies.
- If the proposed ambulance service that would be chosen by the County should ask for a millage, and with the tax base shrinking, if the new ambulance service didn't get the millage, they would move out of the County.
- Attorney Scott Fraim (Attorney Fraim), who represents the ambulance services, recently outlined the proposed EMS Ordinance in a five (5) page report. Some facts of the report being:
 - a. Genesee County would be split into two (2) zones with Pasadena Avenue being the dividing line.
 - b. The County would contract with a single ambulance service.
 - c. The New Ordinance would create a new County Department.
 - d. A new equipment standard for ambulance providers would be established.
 - e. There would be one Countywide 9-1-1 system.
- There are ten (10) ambulance services in Genesee County.
- **SWARTZ** stated ambulance services needed to get the radios to the ambulances:
 - a. To be able to respond to 9-1-1 calls
 - b. Six (6) to eight (8) hours of training would be needed per person.
 - c. Federally funded.
- Each Township would have to adopt their own ambulance ordinance.
 - a. **TROTOGOT** stated a model ordinance needed to be drafted by Attorney Fraim so that each township would know the correct wording.
 - b. **FOTENAKES** felt there should be a resolution to opt out of the County Ordinance.

LIEPMANN MOVED, seconded by Fotenakes for the Board to agree to disagree with the Genesee County Ordinance, obtain information from other townships, and to opt out of the Genesee County Ordinance.

ITEMS 3, 5, 8, and 9, ON THE AGENDA WERE COMBINED DUE TO THE FOUR (4) ISSUES ALL PERTAINING TO GENESEE COUNTY WATER AND WASTE SERVICES.

3. Review of New Ordinance for Drains (Sewer Use)

ATTORNEY STEVE MOULTON (ATTORNEY MOULTON) reviewed the proposed Ordinance received from the Genesee County Water and Waste Division (Water and Waste) that repeals sections of the Code of Ordinances. In the proposed ordinance, **ATTORNEY MOULTON** compiled the background and a summary of the Ordinance.

The Genesee County Publicly Owned Treatment Works (POTW) currently provides wastewater treatment service for discharges of wastewater originating from within the township pursuant to those contracts. The POTW, in its capacity as the Control Authority and holder of the National Pollutant Discharge Elimination System (NPDES) is required to adopt a sewer use ordinance; implement and enforce an industrial pretreatment program (IPP) and have the same legal authority for all users, existing and future, throughout all areas served by the POTW, regardless of jurisdictional or political boundaries, including discharges from the township.

REED MOVED, seconded by Minaudo to have the first reading of AN ORDINANCE TO REPEAL CERTAIN EXISTING ORDINANCE PROVISIONS REGARDING SEWER USE AND TO ENACT A NEW ORDINANCE TO REGULATE THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, PRIVATE SEWAGE DISPOSAL, SEWER INSTALLATIONS AND CONNECTIONS, AND DISCHARGES OF WASTEWATER AND POLLUTANTS INTO THE GENESEE COUNTY PUBLICLY OWNED TREATMENT WORKS ("POTW"); TO REQUIRE PRETREATMENT OF NONDOMESTIC WASTES BY USERS OF THE POTW, USER PERMITS, AND MONITORING AND REPORTING OF USERS; AND TO PROVIDE FOR ENFORCEMENT, PENALTIES, AND OTHER RELIEF FOR VIOLATIONS. MOTION CARRIED.

4. Discussion Regarding Stormwater Pollution Prevention Initiative (SWPPI) for the Lower Flint River Watershed

TROTOGOT stated the Storm Water Pollution Prevention Initiative (SWPPI) was an unfunded mandated requirement that pertained to Phase II of the Storm Water National Pollutant Discharge Elimination System (NPDES) general permit requirement led by the Genesee County Drain Commissioner's Office of Surface Water Management. The fee would be \$2,000 (Certificate of Coverage Number MIG 610068). **FOTENAKES MOVED**, seconded by Minaudo to approve paying the \$2,000 for the SWPPI for the Lower Flint River Watershed.

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED.

5. Approval for Township Supervisor and Clerk to sign the Interjurisdictional Agreement (Sewer Use)

FOTENAKES MOVED, seconded by Morford to approve for the Supervisor and Clerk to sign the *Interjurisdictional Agreement (Sewer Use)* with the Genesee County Water and Waste Division. MOTION CARRIED.

6. Approval for Continuation of Genesee County Act 342 as Storm Water Management Agency

TROTOGOT stated Act 342 had to be renewed with Genesee County because the Storm Water Management Agency contract would expire on May 1, 2008. The purpose of the contract would provide for the joint effort of Genesee County Municipalities to comply with the EPA and MDEQ requirements for the clean water act Phase II storm water regulations. The joint efforts would be for Public Education Plan (PEP); Illicit Discharge Elimination Plan (IDEP); and Watershed Management Plans (WMP). **FOTENAKES MOVED**, seconded by Minaudo to approve the Genesee County Act 342 Storm Water Management Agency Contract. MOTION CARRIED.

7. Approval for Flushing Township to Continue the Services of Rick Fanning of Keller Toma as Labor Attorney

TROTOGOT stated Flushing Township had retained Rick Fanning (Fanning) of Keller Toma as the labor attorney last year and would like to continue the services for 2008; Fanning has worked on the negotiating contracts. **FOTENAKES MOVED**, seconded by Pratt to approve the continued services of Rick Fanning of Keller Toma.

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED.

8. New Status of Building Inspector

TROTOGOT stated Building Inspector **JERRY FITCH (FITCH)** would now have a new job title to add to his current position as Building Inspector. From now on **FITCH** will be the Building Inspector/Maintenance Supervisor. Congratulations, Jerry!

9. Law Day Proclamation

TROTOGOT stated each year May 1 is designated as “*Law Day*”. Flushing Township has been asked to urge citizens, schools, businesses, legal professionals, and media to use the occasion to preserve and strengthen the rule of law. **FOTENAKES MOVED**, seconded by Liepmann to approve May 1, 2008 as “*Law Day*”. MOTION CARRIED.

10. Mary Wilson – Flushing Historical Society

President **MARY WILSON** and Vice President **DAN ANDERSON**, of the *Flushing Historical Society (Historical Society)*, gave a detailed presentation as to how items are collected and preserved by the *Historical Society*. Such items as newspaper articles detailing organizations that are one-hundred (100) years, articles that had been in the *Flushing Observer* from 1882 to 1982, three (3) file cabinets of old school articles, and so many more artifacts are found at the *Historical Society*. **WILSON** gave an updated report on the Mabel Stout house located on Seymour Road, which had been donated to the *Historical Society*. **WILSON** encouraged everyone to visit the *Historical Society* and see “progress in motion”.

11. Approval of the Charter Township of Flushing Policies and Procedures Administrative Manual

After a complete review of the Charter Township of Flushing Administrative and Personnel Policies and Procedures Manual the Manual was approved with a few changes. **LIEPMANN MOVED**, seconded by Minaudo to approve the Policies and Procedures Manual with changes. MOTION CARRIED.

COMMITTEE REPORTS:

None

REPORTS:

1. **Treasurers Report** – **PRATT MOVED**, seconded by Fotenakes to accept the Treasurer’s Report. MOTION CARRIED.

2. **Building Inspector’s Report**: **PRATT MOVED**, seconded by Fotenakes to accept the Building Inspector’s Report. MOTION CARRIED.

BUILDING PERMITS ISSUED:

NEW HOMES	0
ACCESSORY BUILDINGS	0
DECKS	0
REMODELING	2
ADDITIONS	0
GARAGES	0

FENCE PERMITS		0
ROOF REPAIR		0
POOL		0
COMMERCIAL		0
SIGN		0
TOTAL PERMITS ISSUED		2
PERMIT VALUATION FOR JANUARY 2007	\$	155,120
PERMIT VALUATION FOR JANUARY 2008		29,000
PERMIT FEES COLLECTED FOR JANUARY 2008		\$ 175
TRAILER INSPECTIONS		0
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		\$ 275
CONSTRUCTION TO DATE JANUARY 2007		155,120
CONSTRUCTION TO DATE JANUARY 2008		29,000
FOR A DECREASE OF		\$ 126,120

9:22 P.M. FOR PUBLIC COMMENTS:

9:23 P.M. CLOSED FOR PUBLIC COMMENTS

BOARD COMMENTS:

1. **MINAUDO** inquired about:
 - a. the situation with Mr. & Mrs. Kreutzfeld
 - b. the trench on McKinley Road
 - c. the motor home in Brentwood Farms Subdivision
2. **REED** inquired about:
 - a. The cleaning/maintenance of the Flushing Library.
 - b. The gas expense for the van for the Flushing Senior Center.

THE NEXT BOARD OF TRUSTEES MEETING IS SCHEDULED FOR THURSDAY, MARCH 13, 2008 AT 7:00 P.M.

ADJOURNMENT: Due to lack of further business, **TROTOGOT** adjourned the meeting at 9:34 p.m.

JULIA A. MORFORD, Clerk

ANDREW TROTOGOT, Supervisor

APPROVED DATE: _____