

CHARTER TOWNSHIP OF FLUSHING

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

DATE: SEPTEMBER 10, 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 7:00 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 Township Hall.

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

OTHER INDIVIDUALS PRESENT: Ninety-four (94) other individuals were present.

SCHWIEMAN recommended placing a time limit on board meetings. A special meeting will be called on September 24, 2009 to complete the items that do not get completed at the current meeting.

APPROVAL OF THE AGENDA: PURKEY MOVED, seconded by Gardner to approve the agenda with the following changes: **No. III.** Public Comments will be eliminated; **No. VI. Unfinished Business**, number 3, "Expenditure Control – Page 11-Charter Township of Flushing Policies and Procedures Manual" and number 4, *Local Road Agreement – Granrich Estates 1 & 2* will be postponed; **VII. New Business:** letter n, *Approval of Attendance at MERS 63rd Annual Meeting* and letter p, *Beck's Lawn Care Service*, will be eliminated; letter k, *MTA Fall Regional Meeting at Bavarian Inn Lodge*, letter l, *MTA 2009 January Conference*, and letter m, *Approval of Attendance at MTA Sponsored Seminar: "Financial Strategies Doing More with Less"* will be combined.

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED.

ABSENT: Morford

APPROVAL OF MINUTES OF AUGUST 13, 2009: GARDNER MOVED, seconded by Purkey to approve the Minutes of August 13, 2009 as submitted.

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED.

ABSENT: Morford

APPROVAL OF BILLS: MINAUDO MOVED, seconded by Gardner to pay the bills as submitted.

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED.

ABSENT: Morford

PRESENTATION BY PLANTE AND MORAN – AUDITORS FOR FLUSHING TOWNSHIP

Tadd Harburn of Plante and Moran stated the annual audit report offered a clean opinion for Flushing Township during his financial presentation. Some of the major highlights of the last fiscal year ending March 31, 2009, for Flushing Township were:

The Fund Balance had a decrease of \$123,000; revenues for the General Fund decreased six (6%) percent; expenses increased eight (8%) percent; there was a transfer of funds to the Building Department of 82,000; there was a fiscal year ending Fund Balance of \$365,000 which represented twenty-nine (29%) percent of General Fund Budget Revenues.

There isn't a rule of thumb for the general fund budget but it is recommended it not be less than twenty-five (25%) percent of the budget. The General Fund is reliant upon State Shared Revenue. There has to be equity in the Fund Balance to get through when the taxes and state shared revenue funds are not received.

The Police Fund Balance was below the twenty-five (25%) budget and is strictly funded by property taxes. By March year end, there should be 9/12 of the property taxes levied sitting in Fund Balance. Things need to be turned around.

The Sewer and Water Fund has cash investments and restricted resources that are not to be used for any other purpose; the fund could be loaned to another fund but has to be paid back. There has to be cash resources (Sewer and Water Fund) for unexpected repairs, maintenance, and future expansions. Flushing Township has no debt in the Sewer and Water Fund; for the last fiscal year, user rates covered the full cost of operations. It was recommended to have a water transfer approval policy in place. Monies have to be paid back to the fund with interest.

A new accounting standard will be in effect in the next fiscal year for the Post Employment Benefit Obligations (**GASB 45**). The township has to have an actuarial in place by March 31, 2010. It normally takes four (4) months to have the actuarial completed and should be done by March 31, 2010.

The Supervisor recommended the Finance Committee check into the GASB 45 Actuarial (for future health care costs) and have it completed as soon as possible. **ATTORNEY MOULTON** inquired if MERS could do the actuarial relative to other post employment benefits; "Yes" MERS can do the actuarial relative to other post employment benefits as they do have the services.

GASB 45 is only an accounting standard and does not require other post employment benefits. Third parties would look as to what extent the post employment benefits would be because if the township was not able to meet the annual required contribution, a liability would be placed on the government wide financial statements.

7:23 P.M. - PUBLIC HEARING – TRUTH IN TAXATION BUDGETING

TREASURER NOECKER read the below “Truth In Budgeting Tax Calculations”

THE CHARTER TOWNSHIP OF FLUSHING WILL HOLD A PUBLIC HEARING TO RETURN ITS GENERAL FUND OPERATING LEVY TO .5000 MILL FROM .5109 MILL, THE RATE ROLLED BY GENESEE COUNTY EQUALIZATION. THE DIFFERENCE IS .0109 MILLS AND RETURNS OUR AUTHORIZED MILL TO .5000 MILL. THE TOWNSHIP IS AUTHORIZED TO LEVY 1.0400 MILLS.

THE TOWNSHIP PROPOSES TO LEVY .8064 MILLS ON THE AUTHORIZED .9085 MILLS APPROVED FOR POLICE OPERATIONS. THE PRESENT RATE OF .8239 MILLS, AS ROLLED BY GENESEE COUNTY EQUALIZATION, IF RETURNED TO .8064 MILLS WILL REPRESENT A CHANGE OF 2.17%. THE TOWNSHIP ALSO PROPOSED TO LEVY 2.1171 MILLS FROM AN APPROVED 2.1692 MILLS OF ADDITIONAL POLICE MILLAGE. THE CURRENT RATE IS 2.1630 AS ROLLED BY GENESEE COUNTY EQUALIZATION. IF RETURNED TO 2.1171 MILL THE CHANGE WILL BE 2.17%.

THERE IS ALSO A PROPOSAL TO LEVY .4879 MILL FROM AN APPROVED .5000 ADDITIONAL POLICE MILLAGE. THE CURRENT RATE OF .5109 MILL, AS ROLLED BY GENESEE COUNTY EQUALIZATION, IF RETURNED TO .4879 MILL WILL SHOW A CHANGE OF 4.71%.

THE TRUTH IN TAXATION HEARING WILL BE HELD AT THE REGULAR TOWNSHIP BOARD MEETING ON SEPTEMBER 10, 2009 AT 7:00 P.M. TO BE HELD AT THE FLUSHING TOWNSHIP HALL, LOCATED AT 6524 N. SEYMOUR ROAD.

WILLIAM NOECKER, TREASURER

DENNIS J. JUDSON, ASSESSOR

NOECKER stated Flushing Township operated on .5000 (1/2) mill plus the revenue sharing received from the State. There are no changes to the budget from last year.

NOECKER MOVED, seconded by Purkey to approve the *Truth In Budgeting Notice*.

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED.

ABSENT: Morford

REVIEW OF THE 2010-2011

PURKEY MOVED, seconded by Noecker to adopt the 2010-2011 budget.

DISCUSSION:

- The water clerk’s wages come completely out of the Water Fund.
- Less money has been coming in but the township will stay within the budget.
- The treasurer has more people working under him than the Supervisor or Clerk.
- The Park Committee has developed the Parks & Recreation Fund.
- Recommended the \$23,000 plus funds from the County be reviewed by the Finance Committee (Community Development Block Grant Funds).
- A millage is based on the value of an individual’s home.
- There is a signed School Resource Officer’s Contract with Flushing Community Schools. Flushing Schools completely pays for the Resource Officer.
- The budget starts April 2010.
- The Assessor stated that one year ago the value of homes went down 1.9%.

- The Patrol Officers pay a portion of their pension expense (Police Department Expenditures).
- The Police Department needs a new car every year to run the Police Department.
- The Police Department expense has been cut by \$131,000.
- The Board will have to deal with officers and overtime in the Police Department.
- Some Board Members felt it was too immature to approve the budget at the particular time.”

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Matzke, Purkey, Noecker, and Schwieman

NAYS: Gardner and Minaudo MOTION CARRIED.

ABSENT: Morford

UNFINISHED BUSINESS:

1. Police Chief Employment Resumes

PURKEY MOVED, seconded by Matzke to set up a library system with a signature accountability where checked out and sign for resumes up to five (5) at a time not to be kept for more than three (3) days and returned or someone could come in and review in the office.

DISCUSSION:

There have been thirty-three (33) or thirty-five (35) resumes received.

Different Recommendations:

1. The Procedure was discussed as to how to handle the Ad Hoc Committee.
2. It was recommended to have subcommittees narrow down the resumes to the persons that would actually be invited to come in for an interview. All seven (7) board members would be reviewing the resumes and would be interviewing the applicants at a meeting.
3. The issue of making copies of the resumes was a big concern due to private information. The Board could go into closed session to review the applications if requested by the applicant. It was felt the resumes, if not requested to be private, a freedom of information request could be made.
4. It was recommended to have two (2) committees of three (3) board members and each committee would rely on the other.
5. MCL 15.268(f) addresses a resume and it's privacy. The issue is protecting the privacy of the applicant. The greater number of copies made, the greater possibility of people seeing the resumes.
6. It was recommended to take three (3) resumes home and review and then bring back to the office; no copies would be made.
7. Another idea would be similar to a library system where the board member would check out the resumes and then return with their initials on the bottom of the resumes. It was felt that the board could be rejected from making the copies, but as a citizen off the street, there could be a freedom of information request made.

Per the labor attorney, there is a lot of information that should not get out to the public.

PROCEDURE FOR THE INTERVIEWS:

All seven (7) board members needed to review the resumes. The number of resumes needed to be reduced from 33 (35) to ten (10); then reduced to five (5) and then finally to the top three (3). The top three (3) would need to have background checks which would require three (3) weeks. The contract negotiations would be next and would be followed by the signings of the contract by the Board. The whole procedure could take approximately three (3) months.

The Supervisor inquired from the Interim Chief as to his thoughts on the privacy issue. The privacy issue would be no different than dealing with the Human Resources at each of the board members place of employment because information is not given out from the Human Resources department. Law Enforcement is a different breed of individuals and the members don't want private issues given out.

PURKEY WITHDREW HIS MOTION.

PURKEY MOVED, seconded by Matzke to go to a scan system and if it didn't work out, then take measures that all the resumes would be looked at by everyone.

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: Gardner MOTION CARRIED.

ABSENT: Morford

- 2. **Ad Hoc Committee**
See Number 1 above

- 3. **Sale of Nature Park Home**

PURKEY MOVED, seconded by Minaudo that in order to place the home for sale to allow the Bids Committee to spend up to \$1,500 to put the house in a position of sale.

DISCUSSION:

Lucy Ham Realty of Flushing, Michigan has been selected to sell the Nature Park Home at \$79,000 at six (6%) percent for a time period of six (6) months. There is a sixty (60) day exclusion to sell the home to Mr. Curt Scott if he should decide to purchase the home. It was recommended to paint two (2) front rooms, do some minor repairs, rehang some of the doors, and clean/vacuum the floors at a cost of under \$1,500.00

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED.

ABSENT: Morford

NEW BUSINESS:

- 1-a **Post Employment Benefit Obligations (GASB 45)**
The Finance Committee will be reviewing the issue.

- 1-b **Renewal of Flushing Township's Liability Insurance – Ted Hartleb**

NOECKER MOVED, seconded by Minaudo to approve the renewal of the Township's yearly liability insurance through Ted Hartleb.

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED.

ABSENT: Morford

- 1-c **New Outdoor Service for Three (3) Golf Holes located in Flushing Township in Conjunction with Flushing Valley Golf and Country Club**

Two gentlemen from the East have purchased the Flushing Valley Golf and Country Club; a background check has been completed. Local approval for a Class C

License is being requested from the City. The issue would be taking a glass of liquor consumption at the three (3) holes on the premises. The liability insurance would be covered under the present liability insurance. The point of sale would occur within the City.

Flushing Township has been considered a dry township and if the people wanted to change the status, it would have to come before a vote of the residents.

Since the issue is very important, it was decided to postponed until the next meeting.

1-d Approval of Department of Homeland Security’s Federal Emergency Management Agency (FEMA) Floodplain Management Measures

GARDNER MOVED, seconded by Purkey to approve the FEMA Floodplain Management Measures.

DISCUSSION

The Township is required to approve the Federal Emergency Management Agency (FEMA) program since the Flint River runs through the Township. The new floodplain maps from FEMA are designed in a format to overlay the Genesee County maps. An existing flood control ordinance was enacted in 1981. FEMA is requiring through and in conjunction with the State of Michigan, that every local entity that doesn’t have a current ordinance, adopt and incorporate, by reference, the updated maps. If not current with the ordinance, there would be difficulty with individuals obtaining mortgages, etc.

The resolution could be adopted at the next meeting since the first reading of the proposed ordinance could occur at the next board meeting; the second reading would be the following month. The State of Michigan is the Building Inspector for Flushing Township.

ACTION OF THE MOTION:
MOTION CARRIED.

ITEMS FOR THE NEXT BOARD MEETING

- 1-e Township Outdoor Burn Costs
- 1-f Payment of Election Cost for Township
- 1-g Metro Act Right-of-Way Permit Extension
- 1-j Credit Card for Park Coordinator

- 1-h Bike to the Bricks Resolution

PURKEY MOVED, seconded by Matzke to authorize the township supervisor to sign the *Bike to Bricks Resolution* and to return the completed Resolution to the clerk’s office.

DISCUSSION:

There will be a thirty-five (35) mile motorcycle ride through twenty five (25) different municipalities. The ride will be considered a training program for the police officers. The *Bike to Bricks* would only be driving on one (1) mile of road in Flushing Township. The organization’s insurance would be in effect.

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED

ABSENT: Morford

1-i Annexation of River Road Parcel Owned by City of Flushing

PURKEY MOVED, seconded by Matzke to approve Resolution 08-36 for the Annexation of the City owned property.

The parcel of land is located off River Road and has a pumping station on it. It would be a community asset and used by both the City and the Township.

There hasn't been any annexations in Genesee County for years.

ACTION OF THE MOTION:
MOTION CARRIED.

- 1-k MTA Fall Regional Meeting at Bavarian Inn Lodge – October 14, 2009
- 1-l MTA 2009 January Conference
- 1-m Approval of Attendance at MTA Sponsored Seminar: “Financial Strategies Doing More with Less”

GARDNER MOVED, seconded by Purkey to approve the attendance at the three (3) above seminars/conferences.

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED

ABSENT: Morford

- 1-o Chloride of Dirt Roads

NOECKER MOVED, seconded by Purkey to approve the dirt roads be chlorided .

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: 0 MOTION CARRIED

ABSENT: Morford

COMMITTEE REPORTS:

None

REPORTS:

- 1. Treasurer’s Report:

PUBLIC COMMENTS OPEN:

Eight (8) people gave their Opinions

PUBLIC COMMENTS CLOSED

BOARD COMMENTS:

- **MATZKE** felt the meeting was great
- **PURKEY** thanked everyone for the great meeting
- **MINAUDO** agreed with everyone else

THERE WILL BE A SPECIAL MEETING ON THURSDAY, SEPTEMBER 24, 2009 AT 7:00 P.M.

THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING IS SCHEDULED FOR THURSDAY, OCTOBER 8, 2009 AT 7:00 P.M.

ADJOURNMENT: Due to no further business items, the meeting was adjourned at 9:45 p.m.

JENNIFER FOETHER
In the absence of Julia A. Morford, Clerk

DONALD A SCHWIEMAN, Supervisor

APPROVED DATE: _____

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