

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: MAY 13, 2010

TIME: 7:00 P.M.

PHONE: 810-659-0800

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

ADMINISTRATION MEMBERS

SUPERVISOR: Terry A. Peck

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 TERRY A. PECK** with Roll Call and the Pledge of Allegiance to the American Flag.

ROLL CALL: Terry A. Peck, Julia A. Morford, William J. Noecker, Scott R. Matzke, Scott P. Minaudo, Mark H. Purkey, and Attorney Steve Moulton

MEMBERS ABSENT: Michael S. Gardner

OTHER INDIVIDUALS PRESENT: Thirty-two (32) other individuals

APPROVAL OF THE AGENDA:

PURKEY MOVED, seconded by Minaudo to adopt the agenda with the following amendments:

Removal of:

Letter "b" City of Flushing Fire Department Fire Runs Invoice

Letter "d" Ordinance Code Enforcement

Additions/Changes:

Letter "m" Larry Birchmeier

Letter "i" Deputy Clerk's Wage Bonus (one time only at \$200 in the next quarterly pay check)

Freedom of Information Revisions

REVISED AGENDA WITH AMENDMENTS TO NEW BUSINESS SECTION:

- a. Waste Management Leaf Pick-Up Invoice
- b. Bid for Police Chief's Office
- c. Ambulance Service Contract
- d. Misty Morning Drive – Drainage – Attorney Moulton
- e. Frances Road Purchase Agreement
- f. Budget Amendments
- g. Genesee Regional Chamber of Commerce 2010 Summer Youth Initiative Grant
- h. Recommendation of Parks & Recreation Committee: Wage Increase for Recording Secretary
- i. Deputy Clerk's Wage Increase
- j. Mid-Michigan Wheels Motorcycle Ride for Cancer
- k. Flushing Area Senior Center Board of Directors Vacancy
- l. First Reading of AN ORDINANCE TO AMEND SECTIONS 13.5-28, 13.5-36, 13.5-60, AND 13.5-63 OF THE CODE OF ORDINANCES, TO INCLUDE A DEFINITION FOR "ELECTRONIC SIGN"; TO REQUIRE A

PERMIT TO CONSTRUCT OR MODIFY CERTAIN SIGNS; AND, TO REGULATE THE PLACEMENT AND OPERATION OF ELECTRONIC SIGNS.

m. Freedom of Information Act Revisions – Attorney Moulton

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED.

APPROVAL OF PREVIOUS MINUTES OF APRIL 8, 2010: MINAUDO MOVED, seconded by Matzke to approve the Minutes of April 8, 2010 as presented.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED.

APPROVAL OF PAYMENT OF BILLS:

PURKEY MOVED, seconded by Minaudo to pay the bills as presented.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED

UNFINISHED BUSINESS:

1. Road Paving:

- a. Johnson Road: at a cost of \$102,093.96
- b. Deland Road: at a cost of \$101,488.25

NOECKER MOVED, seconded by Minaudo to pave Johnson Road first and then schedule Deland Road with the County.

DISCUSSION:

The shoulders of the road will be paved similar to Deland Road, per the Road Commission Foreman. With the Budget Amendments, there will be enough money to pay for the paving of both Deland Road and Johnson Road.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED

2. Status on Remaining Pick Up Truck and Plow

NOECKER MOVED, seconded by Morford to not attempt to sell the pick up at this time due to having to supply a vehicle for the assessor; the park coordinator, supervisor, treasurer and clerk also use the truck.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED

NEW BUSINESS:

1-a Waste Management Leaf Pick-Up Invoice

NOECKER MOVED, seconded by Matzke to pay the leaf pick up invoice of \$17,724.00 and then move forward. (Waste Management).

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED

1-b. Remodeling Bid for Police Chief's Office

MINAUDO MOVED, seconded by Noecker to proceed with the office remodeling project for the Police Chief at a cost of \$2,652.00.

DISCUSSION:

The Chief's office would be moved closer to the main office, Police Secretary and the general public. Three (3) bids were received for the remodeling with the lowest bid being \$2,652.00. The money would come out of the Police Budget. It had been felt there would be more security with the Chief's office being closer to the main flow of traffic. The cost will not be more than \$2,652.00. It was asked if the money could come out of the general fund.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED

1-c. Ambulance Service Contract

The President and Vice President of Twin Township Ambulance Service, New Lothrop, Michigan, gave a presentation regarding their ambulance services. Some facts provided were:

1. Everyone is treated like family.
2. Twin Township is a non-profit organization (501C3) based in New Lothrop, Michigan
3. There is prompt 24/7 services
4. The ambulance service started July 4, 1978
5. A seven (7) member board of directors runs the company
6. The employees consist of: a business manager, assistant, scheduler, eleven (11) paramedics; eleven (11) emergency medical technicians (emts); and one (1) medical first responder (mfr)
7. All other attendants are volunteers
8. Twin Township Ambulance services all of Hazelton, Maple Grove, and soon all of Montrose Township; portions of Albee, Flushing, New Haven and Venice Townships are also serviced by Twin Township
9. There are two (2) EMT, two (2) MFR, and twelve (12) CPR instructors.
10. Billing is done from the home base in New Lothrop
11. The equipment is in top condition with ALS
12. Currently special tax assessments are received from Hazelton, New Haven, and Venice Townships; there will be no charge for Flushing Township residents if the township went with Twin Township Ambulance Service
13. One VSL ambulance would be dedicated to the residents of Flushing Township
14. There are monthly public board meetings.

It was determined to postpone the issue until the Township Attorney reviewed the issue with both Genesee County and the local statutes.

1-d. Misty Morning Drive – Drainage

PURKEY MOVED, seconded by Matzke to postpone the Misty Morning Drive issue until Attorney Moulton has researched the issue further.

DISCUSSION:

There are three (3) properties involved: 1) recently acquired by the present owner which is the problem because an excavator dug the low area (creek) leaving rocks on the back of the property; the sprinkling system was also damaged by cuts in the line. The project was never completed due to the weather. There was also a conflict as to what to do with a fence that was moved on the back of the property. There was never a written contract with the excavator. It was recommended by the property owner’s attorney, to Attorney Moulton (Flushing Township Attorney) to let the township take care of the issue. 2) one of the three (3) properties involved is bank owned.

Flushing Township received bids for the repair of the low area (creek) ranging from \$5,000.00 to \$14,000.00. It was recommended to offer the homeowner the undertaking of the project and the township pay the resident the money. The property owner would then waive any further action on the issue.

Attorney Moulton will contact the property owner’s attorney to see how to resolve the issue since there is a good working relationship between the property owner and the township. The amount offered the property owner would be kept under \$5,000.00. If the property owner would like to fix the damage, he would be reimbursed by Flushing Township or the township could contract with someone to get the issue resolved. Per the Township Attorney, it was not the responsibility of the township to get involved.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner

MOTION CARRIED

1-e. Frances Road Purchase Agreement

NOECKER MOVED, seconded by Purkey to accept the cash offer of \$12,500.00; the township would clear \$8,650.00

DISCUSSION:

There were questions as to how someone would handle the buildings on the property in question. The decision would be left up to the new purchaser.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner

MOTION CARRIED

1-f. Budget Amendments

NOECKER MOVED, seconded by Matzke to approve the proposed Budget Amendments dated May 13, 2010.

DISCUSSION:

All budgets can be amended throughout the year; the proposed budget is amending issues that need to be cleaned up. The Comcast Cablevision, Cell Tower Rental, and the Park Home funds will be put into the General Fund. Out of the General Fund, \$195,000.00 will be put into Road Maintenance, \$4,000.00 into Ditching Maintenance, and \$30,000.00 into the Park Fund. The General Fund will transfer the funds into the Park every year to run the Park.

If at anytime the Park needs more than the \$30,000.00 allocated, the funds will be transferred out of the General Fund (similar to the Building Department).

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED

1-g. Genesee Regional Chamber of Commerce 2010 Summer Youth Initiative Grant

MORFORD MOVED, seconded by Purkey to approve the 2010 Summer Youth Initiative Proposal submitted to the Genesee Regional Chamber of Commerce in support of the Flushing Township’s Nature Park “Bringing a Community Together” Program with the following requirements: The award amount of \$18,214.38 is for three (3) line items in the proposed budget: (1) \$1,294.38 for other employment costs consisting of FICA and Workman’s Comp for the ten (10) teen staff; \$3,600 for two (2) teen supervisors; and \$13,320 for eight (8) teen staff four (4) students ages 14 to 15 and four (4) students ages 16 to 18. The attached Proposal will be reviewed for other requirements. The program is for nine (9) weeks starting June 21, 2010 through August 27, 2010. Heather Griffin will be the supervisor in charge of the program.

DISCUSSION:

It was recommended to change, if possible, some of the names/dates in the original proposal due to changes in the Board of Trustees.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED

1-h. Recommendation of Parks & Recreation Committee: Wage Increase for Recording Secretary

NOECKER MOVED, seconded by Morford, on behalf of the Parks and Recreation Committee, to increase the Committee Clerk’s wages for the Park to \$75.00 per meeting for her services.

DISCUSSION:

Since other committees do not take minutes, why does the Parks and Recreation Committee need to take minutes? The issue will be discussed in the future as to having someone on the Parks and Recreation Committee taking the minutes. The Parks and Recreation Committee will be run like a Committee.

Per the township attorney, the Parks and Recreation is not a Commission, but a sub section of the Board of Trustees. The only Committee that needs formal minutes taken is the Board of Trustees, Planning Commission, and the Zoning Board of Appeals.

PURKEY MOVED, seconded by Minaudo to postpone the issue until the Committee and Supervisor decided how to handle the issue.

DISCUSSION:

Will the current clerk take the minutes at the next Parks and Recreation Committee Meeting? Since the Park receives grants, would the minutes be required for that purpose? The Park doesn't have the legal status to receive grants.

The Township Attorney stated there wasn't anything in the Policies and Procedures Manual regarding the Parks and Recreation Committee other than three (3) lines indicating who would be on the Committee. It was recommended to get proposed language in line and then decide if there should be a recording secretary for the Parks and Recreation Committee.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner

MOTION CARRIED

1-i. Deputy Clerk's One-Time Bonus

NOECKER MOVED, seconded by Matzke to give a one-time bonus to the Deputy Clerk for \$200.00.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner

MOTION CARRIED

1-j. Mid-Michigan Wheels Motorcycle Ride for Cancer

PURKEY MOVED, seconded by Noecker that the Mid Michigan Fundraiser for Cancer have permission to pass through the township on May 22, 2010.

DISCUSSION:

The Police Chief recommended the motorcycle group coordinate the ride through the Police Department in the future and they would supply resources so the bikers wouldn't have to stop at the intersections.

PURKEY MOVED, seconded by Matzke that the Mid Michigan Fundraiser for Cancer have permission to pass through the township on May 22, 2010 and for the next five (5) years ending in 2015; the event should be coordinated with the Police Department thirty (30) days in advance.

DISCUSSION:

In the past in other municipalities, a cruiser has been supplied at the stop signs/lights so the bikers wouldn't have to put their foot down and stop.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner

MOTION CARRIED

1-k. Flushing Area Senior Center Board of Directors Vacancy

MINAUDO MOVED, seconded by Noecker to replace the Supervisor's name on the 2010 Committee Appointments list where the former Supervisor's name had been placed.

DISCUSSION:

The Flushing Senior Citizen Director had recommended the Clerk, but the current Supervisor felt that in the past the Supervisor had been the representative from Flushing Township and he would like to be the representative from Flushing Township. The Supervisor signs the Community Development Block Grant.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED

1-l. First Reading of AN ORDINANCE TO AMEND SECTIONS 13.5-28, 13.5-36, 13.5-60, AND 13.5-63 OF THE CODE OF ORDINANCES, TO INCLUDE A DEFINITION FOR “ELECTRONIC SIGN”; TO REQUIRE A PERMIT TO CONSTRUCT OR MODIFY CERTAIN SIGNS; AND, TO REGULATE THE PLACEMENT AND OPERATION OF ELECTRONIC SIGNS.

PURKEY MOVED, seconded by Morford to adopt an ordinance to amend sections 13.5-28, 13.5-36, 13.5-60, and 13.5-63 of the Code of Ordinances, to include a definition for “Electronic Sign”; to require a permit to construct or modify certain signs; and, to regulate the placement and operation of electronic signs. (First Reading)

DISCUSSION:

Per the Township Attorney, the sign ordinance is not an amendment to the zoning ordinance; but a part of the administration ordinances (Code of Ordinances – Black Book).

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED

1-m. Freedom of Information Revision

MINAUDO MOVED, seconded by Noecker to allow the Township Attorney to update a number of situations and then place the revisions in the Policies and Procedures Manual.

DISCUSSION:

Attorney Moulton took the statutes of several Freedom of Information Act (FOIA) policies and combined into as short of a policy as possible but which still addresses all the Freedom of Information Requests.

ACTION OF THE MOTION:

MOTION CARRIED.

COMMITTEE REPORTS:

None

REPORTS:

1. Treasurer’s Report:

Per the Township Attorney, it is what it is.

8:26 P.M. – OPEN FOR PUBLIC COMMENTS

Four (4) people gave their comments.

8:35P.M. – CLOSED FOR PUBLIC COMMENTS

BOARD COMMENTS:

1. **MINAUDO** felt having Morrish Road redone was great.
2. **MATZKE** felt that Heather Griffin did a great job obtaining the grant money for the Park; also thanked Shirley Gage for her work.
3. **PURKEY** thanked Shirley Gage for a great job and the bonus was just a little token of appreciation.
4. **NOECKER** stated ditto's but he has not received the blueberry pie yet.
5. **MORFORD** read an email that had been received from Genesee Regional Chamber of Commerce regarding the grant money that had been received.
 "The board should know that it is a rare situation that an agency submitting a proposal for the first time gets full funding. Heather put together a well written proposal that gave the reviewers great confidence for moving ahead."
6. **PECK** felt it was wonderful to get the \$18,000.00 and the proposal was very well written; hopefully we can be responsible as to how the money is spent at the Park;

PAVING:

Deland Road will be paved between Coldwater Road and Stanley Road;
Johnson Road will be paved between Stanley Road and Mt. Morris Road;
Morrish Road residents are "tickled pink".

The Police Department Budget is being worked on, no definitive answers are available at present. Every Community is facing the same problems; we have to live within the budgets.

7. **PECK** stated he was very sorry to see Mr. Eric Swanson resign from the Planning Commission after a long time with great experience. The Planning Commission represents a wide range of walks of life; good sound decisions have to be made on each and every case that comes before the Planning Commission.

THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING IS THURSDAY, JUNE 10, 2010 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

ADJOURNMENT: Due to lack of further business matters, the Supervisor adjourned the meeting at 8:40 p.m.

JULIA A. MORFORD, Clerk

TERRY A. PECK , Supervisor

APPROVED DATE: _____