

CHARTER TOWNSHIP OF FLUSHING

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

DATE: NOVEMBER 4, 2010 TIME: 7:00 P.M.

PHONE: 810-659-0800 FAX 810-659-4212

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, Michael S. Gardner, Scott P. Minaudo, Mark H. Purkey, and Attorney Steve Moulton

MEMBERS ABSENT: Scott R. Matzke

OTHER INDIVIDUALS PRESENT: Thirty (30) other individuals

APPROVAL OF THE AGENDA: PURKEY MOVED, seconded by Minaudo to approve the Agenda for the November 4, 2010 Board of Trustees Meeting with the following amendments to be listed under "New Business":

- a. Authorize the Police Chief to Re-Hire One (1) Officer to Work Part-Time at their Regular Pay.
- b. Change Greetings for Office Telephone
- c. Closing River Walks and Observation Tower at Flushing Township Nature Park from December 1, 2010 through March 31, 2011
- d. Change Policy and Procedures Manual regarding Bonding
- e. New Contract for Waste Services
- f. Resolution to Appoint Supervisor Terry Peck as the Storm-Water Representative
- g. Closed Session - Griffin Grievance and Baughman Lawsuit

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

APPROVAL OF PREVIOUS MINUTES: MINAUDO MOVED, seconded by Noecker to approve the Minutes of October 14, 2010 as presented.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

APPROVAL OF PAYMENT OF BILLS: PURKEY MOVED, seconded by Minaudo to approve the bills as listed.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

UNFINISHED BUSINESS:

1. **Community Development Block Grant**

Three (3) projects were selected to ask permission from the County for the use of the Community Development Block Grants (CDBG) were: **a)** bring the Flushing Township Nature Park up to ADA accessible; **b)** HOME Program (bring homes up to code); and **c)** paving of Frances Road from Morrish to Elms Road if Flushing Township can get Montrose Township to go in half with the cost.

GARDNER MOVED, seconded by (none) to accept item "A" and item "C". (Died from lack of a second)

PURKEY MOVED, seconded by Noecker to accept all three (3) projects.

DISCUSSION:

There had been a lot of recommendations for the CDBG funds mentioned at the October 14, 2010 Board Meeting, but Flushing Township was told by the County that some of the recommendations could not be used due to the grants being aimed at low to moderate income and special needs residents. A meeting is scheduled in a few days with the County to finalize the paperwork. There are two (2) years remaining on the Contract (2011 and 2012).

The Senior Center will be receiving a little over \$3,000.00 per year for 2010, 2011 and 2012; the Center project will not be revisited until the end of 2012.

There is \$61,000.00 remaining in the CDBG funds to be used within the next two (2) years. The Supervisor mentioned the County is very strict on issues as to who can and who cannot get the funds. All the money could be spent on one (1) project for one (1) particular year or it can be divided and used in several different areas for the next two (2) years.

If the funds are to be used for roads, sixty (60%) percent of the residents have to fall within the low to moderate income status. The Flushing Township Supervisor met with the Montrose Township Supervisor to see if there could be a joint effort to pave Frances Road since the North side of Frances Road is in Montrose Township and the South side of Frances Road is Flushing Township. Montrose Township will not pave a whole road. The procedure for paving a road in Montrose Township is where a petition is taken and if a majority of the residents is willing to have an assessment, the Montrose Township will pay seventy-five (75%) percent and the residents will pay twenty-five (25%) percent of the cost. It was felt the Montrose Township residents would not want to pay the twenty-five (25%) percent to have Frances Road paved.

It was felt by a Flushing Township Board Member the Board should not be putting their hands into fixing homes for individuals. In the Genesee County HOME Program, individuals have to apply on their own; the township does not get involved with anything other than supplying the CDBG funds for the program.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: Gardner

ABSENT: Matzke MOTION CARRIED.

NEW BUSINESS:

1-a. Authorize the Police Chief to Re-Hire One (1) Officer to Work Part-Time at Their Regular Pay

MINAUDO MOVED, seconded by Purkey to authorize the Police Chief to send a letter to the Union Steward and offer all laid-off full time officers to come back and work part time; the wage for the part timers will be that in which they left at. There will not be any benefits.

DISCUSSION:

A question was asked as to what would happen if one of the officers came back to work and the officer who was on medical leave wanted to come back at a later date. The issue has to go before the Union for approval before anything can be done. Currently, the Union contract does not approve of part time employment with officers being laid off. The shift that is being filled would be offered to the highest seniority laid off person at the time.

The Treasurer mentioned the two (2) laid-off officers have been asked if they would consider working part time but now it would be going before the Union. The full-time salary would be given minus benefits , which has been offered from day one. There could be 24/7 if the officers would cooperate. It could be a win-win situation for the township.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

1-b. Change Greetings for Office Telephone

NOECKER MOVED, seconded by Morford that on a six (6) month trial basis, Flushing Township try the automated greetings.

DISCUSSION:

By changing the greeting for the telephone, it would free up time for the office employees and not be redundant so the employees could be taking care of other issues. There will also be caller identification so that phone calls will not be lost.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Gardner, Minaudo, Purkey, Morford, Noecker, Peck

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

1-c. Closing River Walks and Observation Tower at Flushing Township Nature Park from December 1, 2010 through March 31, 2011

NOECKER MOVED, seconded by Gardner put up signs at the river walks and observation tower at the Flushing Township Nature Park to close the area from December 1, 2010 to March 31, 2011.

DISCUSSION:

A letter of recommendation has been received from the Township Insurance Company regarding the closing of the river walks and observation tower; a “Statement of Action” has to be sent back to the insurance company telling of the actions Flushing Township has taken regarding the results of closing of the river walks and tower. The Township is paying the insurance company to take a risk. This is the second year the insurance company has recommended the closing of the sections.

It was asked what would happen to the people that liked to cross country ski? The people would have to proceed at their own risk as the steps and observation tower will not be cleared of ice, etc.

A chain will be placed wherever there is a closing so that no one could say “it was dark and they missed the sign”.

It was mentioned that November 11, 2010 would be the last day the two (2) part-time gentlemen would be working at the Nature Park/Township Hall.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

1-d. Changing Policy and Procedures Manual Regarding Bonding

NOECKER MOVED, seconded by Purkey to change the bonding per the letter from Geoffrey Lansky of Ted Hartleb Insurance to \$100,000 limits on the Treasurer and Deputy Treasurer; that limits of \$10,000 be place on the Clerk and Deputy Clerk and add the Supervisor at \$10,000; all other bonds are ceased.

DISCUSSION:

The insurance company has recommended that the Treasurer and Deputy Treasurer have a \$100,000 bond; the Clerk, Deputy Clerk, and Supervisor have a \$10,000 positional bond and no one else be bonded as everyone else is already covered by a \$100,000 theft insurance policy. It would be an additional plus so the residents would know the elected officials are credible people.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

1-e. New Contract for Waste Services

The Treasurer gave an update to new information pertaining to the new waste services carrier, Richfield Equities: 1) an additional ten (10) cent reduction will be forthcoming due to the waiving of the bond and 2) an additional ten (10) cent reduction will be given if the township agrees to pay the Township’s statement by the first Monday of each month. A spreadsheet was given to the Board by the Treasurer which based the figures and facts on 3,650 residents. Six (6) additional six (6) yard dumpsters will also be supplied free; Flushing Estates will be getting two (2) of the dumpsters. A trash assessment of \$112 per year will be placed on the property tax bill.

The Township Attorney has reviewed the proposed draft which has been approved by the Board.

MINAUDO MOVED, seconded by Purkey to authorize the Supervisor and Clerk to sign the contract with Richfield Equities as the waste hauler for the next five (5) years.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

1-f. Resolution to Appoint Supervisor Terry Peck as the Storm-Water Representative

GARDNER MOVED, seconded by Purkey to approve the Resolution appointing Supervisor Terry Peck as the storm water representative.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

1-g. 7:45 P.M. ADJOURNED TO GO INTO CLOSED SESSION

PURKEY MOVED, seconded by Minaudo to go into Closed Session with regard to the grievance regarding Heather Griffin.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

PURKEY MOVED, seconded by Minaudo to go into Closed Session with regard to the pending lawsuit regarding Officer Baughman.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

NOTE: The motions are being made pursuant to Section 8(e) of the Open Meetings Act to allow the Board to consult with the Attorney regarding the pending possible settlement with regards to the two (2) matters.

8:00 P.M. RECONVENED TO REGULAR SESSION

PURKEY MOVED, seconded by Minaudo to reconvene to regular session.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

MINAUDO MOVED, seconded by Purkey to send a letter to the Union for which the Board discussed in Closed Session.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Matzke MOTION CARRIED.

COMMITTEE REPORTS:

None

REPORTS:**1. Treasurer's Report:**

- a. **State Shared Revenue:** Flushing Township recently received a State Shared Revenue check in the amount of \$116,137.00. Ford and Chrysler sales are up so when sales tax is up, the township gets their revenue which is the majority of operating money for the township.
- b. **Bank Reconciliation:** At the end of September 2010, the Police Fund was a negative \$390,000.00; one month later it was a negative \$473,000.00 which answered the question of why there wasn't 24/7 Police coverage. On February 28, 2011, when the property taxes are paid, the funds will be paid back to the township.
- c. **Water Fund:** The Water Fund has CD's in the amount of \$1,433,000.00, and of that amount, \$600,000.00 is in restricted accounts to be used only for water and sewer emergencies. The last two (2) times when Genesee County or Detroit has raised their water rates, Flushing Township only had a "pass through" without the Township raising the cost. The Treasurer recommended when there is another minimal water rate increase from Genesee County or Detroit, that Flushing Township consider not raising the rate and absorb the charge.

The Treasurer will take out one quarter million dollars within the next month or so and put into CD's rather than having the money sitting in the check book. The money can be used for roads but it has to be paid back.

- d. **Paving of Grass Islands in the Front Parking Lot:** due to being so late in the season, it was recommended to wait until next spring to tear out the islands and pave. The project is being paid for by donations.

8:10 P.M. – OPEN FOR PUBLIC COMMENTS

Six (6) people gave their opinions.

8:22 P.M. – CLOSED FOR PUBLIC COMMENTS**BOARD COMMENTS:**

1. **PURKEY** stated the Board gave Shirley Gage a one-time bonus of \$200.00 because she deserved it; every time he (Purkey) has dwelt with a newspaper reporter nothing has ever been published correctly or in the order in which it was stated; the community should not take the newspaper article too serious.
2. **NOECHER** made reference to the opinion of the Police Chief and stated that everyone in the room had their own opinion; if the Chief sees the economy as the rich people are getting poor, he is not out of line; the Pontiac Police Department was recently desolved and the contract was awarded to the Oakland County Sheriff Department; Fenton Township recently renewed their Police contract for five (5) officers with the Genesee County Sheriff Department; there is a desire for 24/7 coverage in the community.
3. **MINAUDO** wanted to know if the "heating bill was not paid for the month" due to the Board Room being chilly.
4. **GARDNER** stated the quote that was referred to during Public Comments was when he was first elected in 2000 as a Trustee at the age of 21 years of age he could not do any damage and was given a pat on his head.
5. **MORFORD** thanked everyone for not putting signs along the drive way at the polling locations.
6. **SUPERVISOR'S COMMENTS:**
 - a. **Genesee County Planning Commission Forum:** Friday, May 5, 2010, from 8:00 a.m. to 12:00 Noon at the Mass Transit Authority Building, I-69 and Dort Hwy; several hot topics will be discussed including medical marijuana.
 - b. **Committee Appointments:** the Supervisor will be working on the Committee Appointments for 2011; recommended the Board Members review the Committees and get back with the Supervisor as to who they would recommend for the positions.
 - c. **Homeland Security Equipment:** the equipment will be distributed to the cities, townships, and villages to keep in working order and in case of an emergency the equipment will be re-assembled for use in the emergency area; Attorney Moulton will review the contract and get back with the Supervisor.

- d. Carpenter Road (between McKinley Road and the River):** a recent updated price of \$210,000 was received for repairing .8 of a mile of Carpenter Road between McKinley Road and the Flint River which included the repair and replacement of curbs and a culvert, picking up old and laying new blacktop; the Genesee County Drain Commission (Drain Commission) was going to pay ten (10%) percent; 7th District County Commissioner Bailey contacted Mr. Tom Reel (“Citizens Committee”) and was told the Genesee County Road Commission (Road Commission) had committed twenty (20%) percent instead of ten (10%) percent; the Road Commission will also fund more than originally stated; the Supervisor thanked Commissioner Bailey for his input.
- e. Supervisor’s Thank You:** the Supervisor thanked the Clerk and Deputy Clerk for the work load; sometimes the work load is unbearable; improvements have been made and the Assessor will be moving his desk to one of the front offices and will be helping at the front counter; other improvements will be made in the near future.
- f. Clerk’s Thank You:** the Clerk thanked everyone for all the work that went into the Election, especially the Office Employees who were super; there were over eight hundred (800) absentee ballots that went out to the township residents.

THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, DECEMBER 9, 2010 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

ADJOURNMENT: NOEC KER MOVED, seconded by Purkey to adjourn the meeting at 8:35 p.m. MOTION CARRIED.

JULIA A. MORFORD, Clerk

TERRY A. PECK , Supervisor

APPROVED DATE: _____
11/04/ 2010 Regular Min