

# CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: NOVEMBER 10, 2011

TIME: 7:00 P.M.

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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:** Twenty-four (24) other individuals

**APPROVAL OF THE AGENDA: PURKEY**, seconded by Minaudo to approve the Amended Agenda as presented with additions to the Closed Session: 1) review of the Police Chief's new contract and 2) update of Sgt. Fairchilds's new contract.

## ACTION OF THE MOTION

AYES: 6

NAYS: 0

ABSENT: Gardner

Motion Carried.

## APPROVAL OF PREVIOUS MINUTES:

**A. OCTOBER 13, 2011: PURKEY MOVED**, seconded by Matzke to approve the Minutes of October 13, 2011 as presented.

## ACTION OF THE MOTION

AYES: 6

NAYS: 0

ABSENT: Gardner

Motion Carried.

**APPROVAL OF PAYMENT OF BILLS: MINAUDO MOVED**, seconded by Purkey to pay the bills as presented.

## ACTION OF THE MOTION

AYES: 6

NAYS: 0

ABSENT: Gardner

Motion Carried

**UNFINISHED BUSINESS:**

**1. Further Review of 80/20 Health Care Proposal by Governor Snyder**

**NOECKER MOVED**, seconded by Purkey to postpone any action on the health care proposal until the December Board Meeting.

**DISCUSSION:**

Purkey received an explanation of the proposal from the Township Accountant and recommended that the explanation be emailed to all the Trustees for their review. The Treasurer stated action had to be taken in December.

**NEW BUSINESS:**

**1-a. October Monthly Budget**

**PURKEY MOVED**, seconded by Matzke to approve the October Monthly Budget.

**ACTION OF THE MOTION:**

AYES: 6  
NAYS: 0  
ABSENT: Gardner  
Motion Carried

**REVIEW OF AMENDMENTS FOR THE NOVEMBER BUDGET:** The Supervisor reviewed budget amendments that will be listed on the November Budget. (See Attachment).

**PURKEY MOVED**, seconded by Minaudo to approve the amendments.

**DISCUSSION:**

In the future when items are approved to be paid, such as F.A.N.G., the first question asked should be “what line item is the money coming from.” The Board will have to be more careful in the future.

**ACTION OF THE MOTION:**

AYES: 6  
NAYS: 0  
ABSENT: Gardner  
Motion Carried

**1-b. Renewal of Assessment Administration Certification – Dennis Judson**

**MINAUDO MOVED**, seconded by Matzke to approve the renewal of the Assessment Administration Certification for Assessor Dennis Judson.

**ACTION OF THE MOTION:**

AYES: Minaudo, Matzke, Purkey, Peck, Noecker, and Morford  
NAYS: 0  
ABSENT: Gardner  
Motion Carried

**1-c. Additional Cleaning for Opposite Weeks of Regular Hall Cleaning**

**NOECKER MOVED**, seconded by Minaudo to accept the proposal to clean the township hall with a \$10 increase in the hall rental cost; the issue will be revisited in January.

**DISCUSSION:**

The proposal was to raise the hall rental fee in order to cover the additional \$80 per month for the cleaning of the township board room, kitchen, and foyer on the “off

weekends”. It was recommended to have the cleaning service be on a “phone as needed” basis. During the summer and winter months there are some weekends the hall is rented on Friday, Saturday, and Sunday.

**NOECKER MOVED**, seconded by Minaudo to raise the hall rental fee to \$85 and with a \$50 reimbursement.

**MOTIONS WITHDRAWN:**

**MORFORD MOVED**, seconded by Matzke to keep the hall rental the same as it currently is (\$75 for township resident or \$125 for non-township resident), require a \$50 deposit and after the party \$40 will be returned to the person.

**DISCUSSION:**

Attorney Moulton recommended to make it clear to the hall renters that \$10 of the \$50 is non-refundable after the party/event. The matter will also have to be changed in the Township Policies and Procedures Manual.

**ACTION OF THE MOTION:**

AYES: 6  
NAYS: 0  
ABSENT: Gardner  
Motion Carried

**1-d. Review of Charter Township of Flushing User Fees**

**PECK** appointed **NOECKER, MORFORD, AND PURKEY**, with **NOECKER** being the Chair, to be on the User Fee Committee and to bring back recommendations to the December Board Meeting. **PECK** recommended thoroughly reviewing the user fees because the fee has to be the amount recommended in the ordinances.

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

AYES: Purkey, Matzke, Minaudo, Peck, Morford, and Noecker  
NAYS: 0  
ABSENT: Gardner  
Motion Carried

**1-e. Roof Repair**

**PURKEY MOVED**, seconded by Minaudo to accept the bid of Calrick Builders for \$9,800 provided they provide Workman’s Compensation and General Liability Insurance.

**DISCUSSION:**

Three (3) bids have been received (Gene Boyer Roofing, Tri-County Roofing, Inc, and Calrick Builders) to replace the roof on the police department and the Flushing Township Nature Park pavilion. Attorney Moulton stressed that if the company was using employees, make sure the company provided Workman’s Compensation and had a general liability insurance policy so that if something went wrong, money is available to recover from the damage. (Policy along with the Declarations Page). Since the bid cost is less than \$50,000, a bond is not required. It was recommended to have the insurance company fax the information to Flushing Township.

The Clerk mentioned that the township hall had been re-roofed in 2005, 2006, or 2007 but wasn’t sure if the police department had been roofed.

It was felt that even though the shingles on the Flushing Township Nature Park Pavilion are curled, there isn’t any danger of damage.

It was decided to postpone the issue until more information could be obtained.

**1-f. Resolution in Support of the Genesee County Drain Commissioner’s Lawsuit**

**NOECKER MOVED**, seconded by Matzke to sign the Resolution in Support of the Genesee County Drain Commissioner’s Lawsuit.

**DISCUSSION:**

The Genesee County Board of Commissioners obtains bids and pays for health care. Each entity of the County has to pay the general fund a certain amount of money to pay for the health care for their employees.

The Water Department recently found out that Blue Cross/Blue Shield has been giving back to the County a rebate based on a cost savings formula. The Water Department’s cut would be over \$2 million which would go back into the Water Fund.

The Townships pay their money which in turn would go back through the Water Department and then to the County. The County was not interested in giving back any money to the Water Department.

Every township that has water was asked to sign the Resolution. The advantage to signing the Resolution would be that the money would be kept in the township. It was felt by some Board Members that Flushing Township should not get involved in the County’s business.

Attorney Moulton wanted to know if the Drain Commissioner had attended a Township Board Meeting and explained the situation. The issue could be politically and economically that would not do the township any good. The Drain Office should put together a presentation so all the townships would know the facts. The Supervisor asked Attorney Moulton if he would check into the issue because it could end up being similar to the Misteguay Creek Issue.

**NOECKER MOVED**, seconded by Minaudo to postpone the issue until next month.

**ACTION OF THE MOTION:**

AYES: 6  
NAYS: 0  
ABSENT: Gardner  
Motion Carried

**1-g. Closed Session**

**7:37 P.M. - MINAUDO MOVED**, seconded by Purkey to go into Closed Session pursuant to MCL 15.268(h) to consider material exempt from discussion pursuant to one attorney client privilege with regards to a lawsuit grievance and regards to the employment contracts as well.

**ACTION OF THE MOTION:**

**ROLL CALL VOTE:**

AYES: Purkey, Matzke, Minaudo, Peck, Morford, and Noecker  
NAYS: 0  
ABSENT: Gardner  
Motion Carried.

**8:16 P.M. PURKEY MOVED**, seconded by Morford to re-convene to regular session.

**ACTION OF THE MOTION:**

**ROLL CALL VOTE:**

AYES: Minaudo, Purkey, Morford, Noecker, Peck, and Matzke  
NAYS: 0  
ABSENT: Gardner  
Motion Carried.

**COMMITTEE REPORTS:**

None

**REPORTS:**

1. **Treasurer's Report:** As presented.

**8:17 P.M. – OPEN FOR PUBLIC COMMENTS**

Three (3) individuals gave their comments.

**8:23 P.M. - CLOSED FOR PUBLIC COMMENTS****BOARD COMMENTS:**

1. **PURKEY** made reference to a comment made during Public Comments regarding specific medical information; per the HIPPA law, the township is unable to give out some specific information; the township does have a certain amount of self insurance which the township picks up the co-pays. On Election Day, a township resident was sitting in his truck at North Flushing Baptist Church; another individual who does not live in the township was harassing the individual; later the non-resident brought back two (2) other people to harass the resident. **PURKEY** would like to the people prosecuted that harass individuals at the polls. Perhaps people could be placed outside the polling areas with cameras and cell phones making notes and being witnesses.
2. **NOECKER** stated the incident with the township resident happened shortly after the Clerk left the North Flushing Baptist Church; there were two (2) instances that happened at the 2008 Election: one was with a police officer and the other was a red light to stop traffic; it was recommended to have a Committee established to help the Clerk with Elections so everyone could vote in peace and harmony.
3. **MINAUDO** stated "Congratulations" to Bill and Mike on their win because recalls are ridiculous; not sure how the police millage was going to go, but it passed, which was a good decision; the deductibles for health care for the officers were raised where they could turn in their co-pays because the township saved so much money regarding the deductible raise to offset the costs. (Believes this was in the Police Contract). Other medical information pertains to the HIPPA Laws.
4. **MORFORD** explained:
  - a. Police Secretary Pay Raise: (a comment from a resident during Public Comments:  
The Secretary was hired September 2010, March 2011, the Secretary was given a \$1.00 raise which was retro back to December 31, 2010; recently the Secretary was given another 50 cent raise. The Police Department cannot afford raises; the Clerk pays back her vacations and cost of living in order to save the township money and cannot see giving pay increases at this time.
  - b. Problems at the Polling Locations:  
November 2011: Mr. Badder was legal with his signs at the Polling location; the Clerk had just checked the area and was leaving the area.  
May 2010: the Clerk recently found out an individual ran into the Nazarene Church causing a scene disturbing individuals voting rights.
  - c. Right to Vote:  
The Clerk stressed no one should interfere with the right of an individual to vote. It is a privilege to be able to vote.
  - d. 100' Mark:  
When campaigning stay in front of the 100' mark which includes but not limited to political signs, driving of cars and trucks; an example is the entrance to the Flushing Nazarene Church.
  - e. Congratulations to the Police Department for the passing of the millage, and to Bill and Mike.
5. **SUPERVISOR PECK'S COMMENTS:**
  - a. Canoe Signs:  
Gary Palansky, of the Flint Paddlers, wanted to know if Flushing Township would accept four (4) signs for the proposed Canoe Launch. The association had extra money and wanted to donate the signs to areas where there would be canoeing. The signs are green with white canoes. Thanks Gary and the Flint Paddlers!

Directions to the proposed launch area: once you enter into the Nature Park, but before the pavilion, there is a road to the left with a gate, follow the road to the square in the prairie and then jog back left to the main path and continue straight to the river.

- b. Chip and Seal Jobs:
  - 1. Coldwater Road will be done this year.
  - 2. Carpenter Road will be done next year; cost will be approximately \$18,000 a mile when contracted out. (The County will start doing their own chip and seal).
- c. Emergency Management Warning Systems:  
Yesterday, everything was coordinated so that all the warning systems all over the country went on at the same time; this included televisions, cable, etc. More of the testings will take place in the future.
- d. F.A.N.G. (Flint Area Narcotics Group)  
Peck recently attended the annual F.A.N.G. Meeting; it is amazing how much F.A.N.G does with the amount of money they have; received the 2012 statement for Flushing Township which is based on population and should be between \$11,000 and \$12,000; the funds will come from the Police Department; F.A.N.G. is similar to an insurance policy
- e. Leaf Pickup:  
Leaf pickup takes about a week at a time but residents are very pleased because the machine is similar to a vacuum; no leaves remain on the top of curbs. The trucks continue to circulate throughout the township.
- f. Flushing Township Nature Park Grant:  
Flushing Township has received an \$18,000 Nature Park Grant which comes from the Recreation Passport fees when an individual renews their License Plates; Flushing Township requested \$24,000 but received \$18,000; a Rowe Representative will be at the December 2011 meeting to present the grant.

**THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, DECEMBER 8, 2011 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.**

**ADJOURNMENT: PURKEY MOVED**, seconded by Noecker to adjourn the meeting at 8:47 p.m.

\_\_\_\_\_  
JULIA A. MORFORD, Clerk

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TERRY A. PECK, Supervisor

APPROVED DATE: \_\_\_\_\_

11/10/2011 Regular Min