

# CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: JANUARY 12, 2012

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 R. Matzke, and Attorney Steve Moulton

**MEMBERS ABSENT:** Scott P. Minaudo and Mark H. Purkey

**OTHER INDIVIDUALS PRESENT:** Twenty-nine (29) other individuals

**APPROVAL OF THE AGENDA: NOECKER MOVED**, seconded by Morford to amend the Agenda by adding under New Business, letter B, "*Approval of the December Monthly Budget*" and under New Business, letter D, **change** the wording from "Appointment of Committee for the Community Development Block Grant (CDBG) for Consultation through Construction of the 2012 CDBG Project" **to** "*Appointment of Group for the Community Development Block Grant (CDBG) for Consultation through Construction of the 2012 CDBG Project*".

## ACTION OF THE MOTION

AYES: 5

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried.

## APPROVAL OF PREVIOUS MINUTES:

**A. DECEMBER 8, 2011: MATZKE MOVED**, seconded by Noecker to approve the Regular Board of Trustee Meeting Minutes of December 8, 2011 as presented.

## ACTION OF THE MOTION

AYES: 5

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried.

**B. DECEMBER 14, 2011: GARDNER MOVED**, seconded by Matzke to approve the Special Board of Trustee Meeting Minutes of December 14, 2011 as presented.

**ACTION OF THE MOTION**

AYES: 5

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried.

- C. DECEMBER 21, 2011: NOECKER MOVED**, seconded by Morford to approve the Special Board of Trustee Meeting Minutes with the amendment of New Business, Letter 1-a, "Committee Appointment – Police Study" **changed** to "Group Appointment – Police Study".

**ACTION OF THE MOTION**

AYES: 5

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried.

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

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

AYES: Matzke, Gardner, Peck, Noecker, and Morford

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried

**UNFINISHED BUSINESS:**

1. **Update of Charter Township of Flushing User Fees**  
Postponed until next month
2. **Flint Area Narcotics Group (FANG) Dues for 2011-2013**  
Postponed until next month
3. **Genesee County G.A.I.N. (Auto Theft) Dues**  
Postponed until next month
4. **Sale of Three (3) Properties Received from the Genesee County Land Bank**
  - a. Parcel No. 08-27-502-021 (AKA the Triangle) located by the railroad tracks on the East side of Seymour Road, across from the Flushing Community Schools Bus Barn

**GARDNER MOVED**, seconded by Noecker to sell the property listed as 08-27-502-021 to the Flushing School Systems for the price of \$1.00 with any legal fees incurred in the transaction of the property, to be paid for by the Flushing School District.

**DISCUSSION:**

Flushing School has been contacted regarding the property; the property would only benefit the School System which could be used to expand the parking lot for the bus drivers' at a cost of \$1.00 to the school district.

Attorney Moulton stated the Township would actually be giving the property away to the Flushing School District; the \$1.00 is just to make clear it is a conveyance for no consideration back from the school. If there are any expenses, fees, or attorney's time required to facilitate the transaction, that should be undertaken by the schools.

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

AYES: Gardner, Matzke, Peck, Morford, and Noecker

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried

- b. Parcel No. 08-09-100-005 located at 10467 Mt. Morris Road, Flushing MI, South side of Mt. Morris Road next to the Consumers Energy Power Station

**GARDNER MOVED**, seconded by Noecker that if a buyer comes into the Township Office with \$10,000, the Township be allowed to consummate the deal. If someone comes into the Township Office and offers less than \$10,000, the issue will be brought back to the Board for re-consideration.

**DISCUSSION:**

The property consists of a house on one (1) acre of land; the house needs some repairs. It was recommended to sell the property for \$10,000. There were some thoughts that perhaps the house should be torn down.

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

AYES: Morford, Noecker, Peck, Gardner, and Matzke

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried

- c. Parcel No. 08-09-300-018, a one (1) acre vacant parcel located at 10272 Stanley Road, West of the Railroad Tracks, North side of Stanley Road

**GARDNER MOVED**, seconded by Matzke to put a price tag of \$8,000 on the vacant property and if someone offers \$8,000, the deal will be consummated. If someone offers less than \$8,000, the issue will be brought back to the Board for re-consideration

**DISCUSSION:**

The property is a one (1) acre, narrow, low, and deep, vacant piece of property. It was recommended to put a price of \$8,000 on the lot and if someone comes in and offers the \$8,000, then consummate the deal. If someone offers less than \$8,000, then the issue will be brought back to the Board for re-consideration.

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

AYES: Matzke, Gardner, Peck, Noecker, and Morford

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried

**5. Update on Kitchen Refrigerator**

Due to the refrigerator properly working, the issue will be postponed indefinitely.

**NEW BUSINESS:**

**1-a. Presentation by Genesee County Road Commission Manager Dr. John Daly**

Genesee County Road Commission Manager John Daly (Dr. Daly) was present along with Mr. Robert Slattery (Mr. Slattery), who is the planner/technology individual for the County regarding updates and other changes. Some of those updates are:

- a. There will be no changes in the funding within the next year.
- b. There is a lot of discussion going on in Lansing.
- c. Legislation has been proposed to take a percentage of the “sales tax” and move the funds over to “roads”, but would leave a gap in the State’s General Fund.
- d. Current Administration has two (2) principal transportation problems:

1. The Detroit River International Crossing indirectly affects Genesee County because of the number of jobs involved.
2. Currently in Michigan, the funding for local roads is obtained through the fuel tax and registration fees collected by the State and distributed to the Villages, Cities, Townships, Counties, and Department of Transportation. The problem is that starting in 2013 with current funding levels, the Department of Transportation can't make the federal aid match fund. There is a strategy to decouple local roads from the funding system and make local roads more dependent upon local funding for maintenance and improvements. Dr. Daly is not sure if that is the way to go because the County doesn't have the ability to pass state-wide ordinances which deals individually with each County. The current system in place is unfair to everyone. The Road Commission will continue to monitor the system as to what is going on.
- e. There is legislation being discussed to possibly consolidate the Road Commission into the General County Government. If that should happen, it should not be the unilateral decision of the County Board of Commissioners but rather "due diligence" whereby there are a series of meetings and the determination should be made by the voters.
- f. Dr. Daly discussed 50/50 and 60/40 funding for 2011-2012. The 50/50 program has been in existence for approximately fifteen (15) years in which the township provides for fifty (50%) percent match for road commission dollars and is focused on mainline roads. The 60/40 funds represents a supplemental form of funding to the townships.

**MR. ROBERT SLATTERY – GENESEE COUNTY ROAD COMMISSION  
TRANSPORTATION PLANNER – UPDATES ON FUNDING**

- a. Requirement for use of the 50/50 and 60/40 funds: there has to be a three (3) year road improvement plan in place approved by the Charter Township of Flushing Board of Trustees and the Genesee County Road Commissioners. The Plan would be a continuing rolling document.
- b. Data has been collected for the past eight (8) years on all the roads (Pacer Data) which is a surface evaluation of the roads; regular maintenance on the roads in Genesee County has been decreasing.
- c. Mr. Slattery serves on the Genesee County Asset Management Council which has developed an asset approach to the planning effort which is "the right place", "the right fix", and "the right time". This process applies to the local roads and would involve only the right fix at the right time; in the future, patching roads would not be applied because good money would be wasted. The County can no longer do the worst road first but wants to continue to do the roads that are in good condition.
- d. Software is available for the County to keep track of the roads; the County will sit down with the Supervisor/Board.

**DIRECTOR DR. JOHN DALY SUGGESTED:**

- a. Revise the Road Plan every year which would create a new budget.
- b. There hasn't been any increase in road funding since 1997.
- c. Catch Basin Replacement Program - looking at revising the urban areas; areas where pavement is in good condition and with maintenance, the catch basins could last another ten (10) years.
- d. New Project for 2012 (which is a three (3) year program) would change the street lightings and signalization; the project would be funded by the energy saved going to the different lighting system.

**QUESTIONS/ANSWERS:**

1. **"alternative process to the calcium chloride"** – for years the County purchased brine from a company called Michigan Chloride; three (3) years ago decided to

change product line and sell brine; now selling brine and looking at excluding the thirty-eight (38%) percent calcium solution. County has found that with the second (2<sup>nd</sup>) and third (3<sup>rd</sup>) applications brine serves as a bond that holds the roads together better during spring thaw; Argentine Township has experimented with the solution. As a material, brine is cheaper but there is an application package that goes with brine and/or calcium chloride where the County has to provide a grader and two (2) trucks; looking at labor versus equipment costs. County looking at where some townships have two (2) applications, going to a single application of thirty-eight (38%) percent or greater concentration.

2. **“are the roads in Genesee County increasing or decreasing year over year in quality”** – the County is taking three (3) steps back for every two (2) steps forward because it is not a static picture; the roads continue to decline if nothing is done to repair them. A road has a fixed life of twenty-five (25) to thirty (30) years depending upon what has been on the road.
3. **“is there a concern with the funding that in ten (10) to fifteen (15) years there will be a critical mass to where the infrastructure is going to ”** – the County is rapidly approaching the time when some of the roads cannot be fixed.
4. **“wasn’t the brine determined to work better on bank run gravel rather than limestone”** – limestone is used on Flushing Township roads which makes a better foundation; brine cannot be used on limestone but works better on bank run gravel which has been used by Argentine Township.
5. **“days for ditching was reduced”** – two (2) factors are involved: 1) County has reduced the personnel service and 2) County felt they needed to concentrate on areas other than with the emphasis on ditching, such as shoulder work.
6. **“County Commissioners wants to build their own DPW Department with the merger of the Road Commission and the Drain Commission”** – there isn’t a time table for the project; some commissioners think the merger should happen, some don’t. The Genesee County Road Commission and the Genesee County Drain Commission are the only two (2) departments in the County that have a good fund balance. If approved, the County would have control of the funds. If there is a water rate increase, the Commissioners could levy a twenty-five (25) cent tax to fund anything for the County Commissioners. Currently, there are only two (2) counties, Wayne and Macomb, that don’t have an independent Road Commission; the road function is under the Road Commission executives, not the County Board of Commissioners. The only legal standing would be the Michigan Department of Transportation and the Treasury Department in Lansing; there wouldn’t be any local control.
7. **“catch basin replacement project”** - the brick and mortar catch basins would be replaced with cast iron basins. When the County gets into heavy maintenance, there will be a legal requirement to obtain a portion of the funds from outside; the County is trying to set up a similar program like the culverts, whereby the Road Commission borrowed the money and then ask the township to partner with the Road Commission for a period of time in order for the township not to have a huge amount of money to pay up front.
8. **“appreciated the County working with the Township on Coldwater Road”** – the County managed to get three and one-half (3 ½) miles of road which was real bad done for \$130,000; a chip and seal project will have to be done next year on the same three and one-half (3 ½) miles. The County has two (2) types of fund balance: obligated and non-obligated. Currently, there is a \$21,000,000 fund balance with \$17,000,000 of the \$21,000,000 being an obligated fund balance, which is money obligated against projects that are under way that will spill over into the next fiscal year.
9. **“would it be possible to change a secondary road to a primary road based on the usage of the road”** - a primary road carries vehicles over a longer distance of travel to major points; a local road is less traveled; Carpenter Road, in front of the Flushing Middle School, could be changed but the whole system would have to be reviewed. If Carpenter Road was as major road, there would be help having it repaired. Dr. Daly mentioned there was a difference between the city road and County Road Systems: in the city you have major streets and there is flexibility to move around, in the County system, the categories are primarily functional

based upon traffic on the road, what is the purpose of the road, where does the road lead to, etc. It is not uncommon to have the road named after one of the points the road leads to.

**Mr. Daly will review the Carpenter Road issue and get back with Supervisor Peck.**

**1-b. December Monthly Budget**

**NOECKER MOVED**, seconded by Matzke to approve the budget as presented.

**ACTION OF THE MOTION:**

AYES: 5

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried

**1-c. Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2012**

**MORFORD MOVED**, seconded by Gardner to approve the *Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2012*.

**DISCUSSION:**

The guidelines are used by the Board of Review in determining the poverty exemptions.

**ACTION OF THE MOTION:**

AYES: 5

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried

**1-d. 2012 Board of Review Training Seminars**

**MORFORD MOVED**, seconded by Gardner to allow any of the Board of Review Members that would like, to attend the Board of Review training in Frankenmuth MI on Thursday, February 9, 2012. The early bird price is \$79 per person.

**DISCUSSION:**

The Clerk will check on the early bird price since the deadline is tomorrow.

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

AYES: Matzke, Gardner, Peck, Noecker, and Morford

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried

**1-e. Appointment of Group for the Community Development Block Grant (CDBG for Consultation through Construction of the 2012 CDBG Project**

**NOECKER MOVED**, seconded by Matzke to approve the appointment of Orville Yenior, Mark Calvert along with Terry Peck and Julia Morford to be the Group.

**DISCUSSION:**

The group will be reviewing the documents from the beginning of the consultation, for the handicap parking and palm buttons on the entrance doors for the township hall and Flushing Township Nature Park, through the construction of the 2012 CDBG Project.

**ACTION OF THE MOTION:**

AYES: 5

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried

**1-f. Naming of the Township Hall**

**NOECKER MOVED**, seconded by Gardner to approve the following Resolution:

**RESOLUTION TO NAME THE  
FLUSHING TOWNSHIP AUDITORIUM  
THE  
GERALD WOOD AUDITORIUM**

I am asking the Board to pass a Resolution designating the Charter Township of Flushing (Flushing Township) auditorium as the Gerald Wood Auditorium, in recognition of Gerry’s lifelong service to our community.

For those few of you who may not know Gerry, he is one of the finest people you will ever meet - - honest, understanding, and always willing to take on more responsibility of doing what is right for his family, friends, and community.

Gerry is a lifelong farmer. His family came to Flushing Township in 1842 and Gerry is the fourth (4<sup>th</sup>) generation farming the family farm on Mt. Morris and Duffield Roads where Gerry and his wife Iola raised two (2) sons, Tom and Tim and their daughter, Toni. Today, they have five (5) grandchildren and five (5) great-grandchildren. For nearly ten (10) years, from February 1975 through November 1985, Gerry served as Flushing Township Supervisor. The township offices moved from the old James Graham School to the present offices.

In addition to his service as Township Supervisor, Gerry served on the Board of the Montrose State Bank for fifty-one (51) years and as Chairman of the Flushing Board of Education.

Even at this stage of his long life, Gerry remains interested and very active in community affairs. His down-to-earth common sense, dedication and hard work continue to be appreciated by our community.

In recognition of Gerald Wood and his life long service, I ask the Board to name the Flushing Township auditorium, “The Gerald Wood Auditorium” and that a plaque be placed to that effect. I also ask that a copy of this Resolution be prepared by the Clerk to be given to Gerry as a small gesture of our appreciation.

**DISCUSSION:**

The Clerk stated the Woods have given her so much history of Flushing Township and she felt that with such a high honor, the whole township should have been invited to the event. One Board Member hadn’t received any type of notification of the naming of the hall. It was asked if other Supervisors had been recommended as there are four (4) other Supervisors.

The Supervisor would like to name the Flushing Township Nature Park Pavilion after one of the prior Supervisors; perhaps the event could take place this summer.

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

AYES: Noecker, Peck, and Gardner

NAYS: Matzke and Morford

ABSENT: Minaudo and Purkey

Motion Carried

**COMMITTEE REPORTS:**

None

**REPORTS:**

1. **Treasurer's Report: GARDNER MOVED**, seconded by Matzke to approve the Treasurer's Report as presented.
  - a. Three (3) properties have been received from the Genesee County Land Bank; in the past, some of the properties that Flushing Township has received back have been pretty good.

**ACTION OF THE MOTION:**

AYES: 5

NAYS: 0

ABSENT: Minaudo and Purkey

Motion Carried

**7:50 P.M. – OPEN FOR PUBLIC COMMENTS**

Two (2) individuals gave their comments.

**8:00 P.M. - CLOSED FOR PUBLIC COMMENTS**

**BOARD COMMENTS:**

1. **NOECKER** invited everyone to stay after the meeting for cake, coffee, and punch in honor of the township hall being named for Gerry Wood.
2. **GARDNER** made reference to last month's regular Board Meeting regarding the "oversized" check that was presented to the Township by the Michigan Department of Natural Resources, concerning the cost for making the check. The Mackinaw for Public Policy, a free market think tank in Midland MI, did some research and found over \$1,000 was spent last year on "oversized" checks. Copies of the article are available from **GARDNER**.
3. **MORFORD** congratulated Gerry and Iola Wood on their accomplishments and felt very sorry that more of the community had not been invited to the special occasion. **MORFORD** made reference to the former Flushing City Hall which has been renamed the "*Tom and Jean Parrish Community Center*" in honor of their \$200,000 donation for the renovation of the Community Center. **MORFORD** encouraged everyone to stop by the Community Center, which houses the Flushing Chamber of Commerce, and see the great renovation.
4. **SUPERVISOR PECK'S COMMENTS:**
  - a. Ditching: **PECK** and the Foreman for the Montrose Road Commission recently drove Flushing Township to view the ditches in need of repair. A list was made for which the Road Commission will do some and others the Road Commission will not ditch. An estimate of \$8,250 was received to dig and seed a mile of ditches. The County will do five (5) days of ditching on both the primary and secondary roads. The primary roads are: M-13 (Sheridan Road), Seymour Road, McKinley Road, Elms Road, Coldwater Road, Pierson Road and Mt. Morris Road; the secondary roads are: Duffield Road, Stanley Road, Coldwater Road, etc. In the past, 50/50 money was used in conjunction with County money.
  - b. Employee of the Year: Karla Carpenter, Accountant for Flushing Township, has been selected as the "*Township Employee of the Year*"; Karla will be honored when the Flushing Chamber of Commerce holds their *Annual Banquet* on Thursday, January 19, 2012.

**THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, FEBRUARY 9, 2012 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.**



**ADJOURNMENT: NOECKER MOVED**, seconded by Morford to adjourn the meeting at 8:10 p.m.

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JULIA A. MORFORD, Clerk

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TERRY A. PECK , Supervisor

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

01/12/2012 Regular Min