

# CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

SPECIAL BOARD OF TRUSTEES MINUTES

DATE: MARCH 29, 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 7:02 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 Scott P. Minaudo,

**MEMBERS ABSENT:** Mark H. Purkey

**OTHER INDIVIDUALS PRESENT:** Two (2) other individuals

**APPROVAL OF THE AGENDA: GARDNER MOVED**, seconded by Minaudo to approve the Agenda as presented.

## ACTION OF THE MOTION

AYES: 6

NAYS: 0

ABSENT: 1

Motion Carried.

## NEW BUSINESS:

### 1-a. Final Budget Amendments for March 2012

**MINAUDO MOVED**, seconded by Morford to accept the Budget as presented.

## ACTION OF THE MOTION:

### ROLL CALL VOTE

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

NAYS: 0

ABSENT: Purkey

Motion Carried

### 1-b. Resolution to Ratify Contract with the Genesee County Sheriff for Police Services

## CHARTER TOWNSHIP OF FLUSHING

### Resolution to Ratify Contract with the Genesee County Sheriff for Police Services

At a Special Regular Meeting of the Board of Trustees of the Charter Township of Flushing, held on the 29<sup>TH</sup> day of March, 2012 at the Township Hall, 6524 N. Seymour Road,

Flushing, MI 48433, the following Resolution was offered by Terry A. Peck and seconded by Michael Gardner:

**WHEREAS**, on February 9, 2012, the Township Board authorized the Township to provide police protection to the Township through a contract with the Genesee County Sheriff at a cost of not more than \$ 550,000 annually, and

**WHEREAS**, the Township Board directed that the other terms and conditions for providing police protection be substantially the same as described by the Supervisor at the February 9, 2012 meeting, and

**WHEREAS**, the Township Board directed that the Flushing Township Police Department be eliminated on the date the Sheriff begins providing services, and

**WHEREAS** the Township Board directed that the then current patrol officers be given notice of layoff and placed on administrative leave with pay effective immediately, and

**WHEREAS**, the Township Board directed that the Supervisor and the Clerk or Treasurer be directed to execute the appropriate contracts with the Sheriff after review and approval by legal counsel as to form and substance, and

**WHEREAS**, on March 7, 2012, the Board of Commissioners for the County of Genesee approved a contract between the County, Sheriff and the Township in the form attached to this Resolution as Appendix A, and

**WHEREAS**, the Township Board finds that the contract attached to this Resolution as Appendix A complies with and is consistent with the approval granted by the Board on February 9, 2012, and

**WHEREAS**, the Sheriff began providing police protection services to the Township as of 12:01 a.m. EST, March 8, 2012.

**NOW, THEREFORE**, the Board of Trustees of the Charter Township of Flushing:

1. Ratifies all prior acts and motions of the Board, each of its members, and any consultants, accountants and attorneys that were taken in connection with the discussions and drafting of the Agreement attached to this Resolution as Appendix A, including but not limited to the motions and acts undertaken by the Board on February 9, 2012, except that for the purpose of enabling Sergeant Fairchild to work as the resource officer for Flushing Community Schools, through the remainder of the 2011-2012 school year only, the effective date for decertification of the Police Department shall be June 15, 2012.

2.To the extent deemed otherwise necessary, approves and accepts the Agreement attached to this Resolution as Appendix A and directs the Supervisor and Clerk or Treasurer to execute the Agreement where so indicated on behalf of the Township.

3.To the extent deemed otherwise necessary, appropriates the sum of \$445,490.00 for the provision of police services through the Agreement attached to this Resolution as Appendix A and directs that any budget amendment necessary to effectuate this appropriation be prepared and submitted to the Board for approval at its next regular meeting.

**DISCUSSION:**

The Resolution was re-affirming the money that will be put out and the affirming the length of Sgt Fairchild's stay. Per the labor attorney the Resolution should have been brought before the board earlier. The Clerk will be voting "no" on the Resolution because other options should have been checked out in order to save money, jobs, and prevented the lawsuits.

YEAS: Michael Gardner, Scott Minaudo, Terry Peck, and William Noecker  
NAYS: Scott Matzke and Julia Morford  
ABSENT: Mark Purkey  
DECLARED ADOPTED.

**CERTIFICATION**

I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Board of Trustees of the Charter Township of Flushing at a meeting held on March 29, 2012.

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Julia A. Morford, Township Clerk

**7:11 P.M. – OPEN FOR PUBLIC COMMENTS**

One (1) individual gave their comments.

**7:13 P.M. - CLOSED FOR PUBLIC COMMENTS**

**BOARD COMMENTS:**

- 1. **MORFORD** stated she had received numerous calls wanting to know if **MINAUDO** would be abstaining from voting on the Sheriff’s Contract; the clerk called the attorney and due to **MINAUDO** not receiving any benefits from casting his vote, he could go ahead and vote.
- 2. **GARDNER** stated that **MINAUDO** was under an obligation to vote unless there was a “conflict of interest”.
- 3. **MINAUDO** stated he had heard rumors he would be promoted – he is not on the promotion list with the Sheriff’s Department and doesn’t care to be on the promotion list.
- 4. **NOECKER** stated the township could not exceed \$450,000 without additional Board approval.

**5. SUPERVISOR PECK’S COMMENTS:**

- a. 24/7 Coverage: there will be a cost if the township elects to cover a shift that is not covered by a deputy; the township will probably have a shift go uncovered; the township will have the option to make the decision. The township will have to pay when a Sheriff Deputy goes to Court just like the township did with the former Flushing Township Police Department. A study of the dates officers have taken off has not been done but there have been very few days. The township has the option to cover or not cover vacation and sick days.
- b. **MINAUDO** has specifically ask not to cover Flushing Township; the Township has also ask Sheriff Pickell not to have **MINAUDO** cover the township.

**THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, APRIL 12, 2012 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.**

**ADJOURNMENT: NOECKER MOVED**, seconded by Matzke to adjourn the meeting at 7:16 p.m.

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JULIA A. MORFORD, Clerk

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TERRY A. PECK , Supervisor

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