

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD
FLUSHING, MICHIGAN 48433

SPECIAL BOARD OF TRUSTEES MINUTES

DATE: OCTOBER 29, 2013

TIME: 7:00 P.M.

PHONE: 810-659-0800

FAX 810-659-4212

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

ADMINISTRATION MEMBERS

SUPERVISOR: Rian R. Birchmeier

CLERK: Julia A. Morford

TREASURER: Maryion T. Lee

TRUSTEES

Shirley D. Gage

Bonnie Jean Martinson

Scott R. Matzke

Scott P. Minaudo

TOWNSHIP ATTORNEY:

STEVEN W. MOULTON PLLC

6258 W. Pierson Road

Flushing MI 48433

810-407-7658

MEETING CALLED TO ORDER at 7:03 p.m. by **SUPERVISOR RIAN R. BIRCHMEIER** with Roll Call and the Pledge of Allegiance to the American Flag.

ROLL CALL: Rian R. Birchmeier, Julia A. Morford, Maryion T. Lee, Shirley D. Gage, Bonnie Jean Martinson, Scott R. Matzke, and Attorney Steve Moulton

MEMBERS ABSENT: Scott P. Minaudo

OTHER INDIVIDUALS PRESENT: Six (6) other individuals

ADOPT THE AGENDA: GAGE MOVED, seconded by Morford, to adopt the Agenda as presented.

DISCUSSION: some pages in the Board Packet that were not correct so would like to give out the correct copy for the Park Committee and also the Board Rules for Debates.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson, Gage, Lee, Morford, and Birchmeier

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

7:05 P.M. – OPEN FOR PUBLIC COMMENTS FOR NON-AGENDA ITEMS

None

7:06 P.M. - CLOSED FOR PUBLIC COMMENTS FOR NON-AGENDA ITEMS

UNFINISHED BUSINESS:

1-a. Web Site/Web Site Committee

1-a(i) A link has been supplied for the Supervisor, Clerk, and Treasurer to review and make any corrections for the different departments before the web is up for public viewing. Hopefully, the web will be up before the next Board Meeting.

1-a(ii) **MORFORD MOVED**, seconded by Birchmeier, to approve Dynamite Video Productions as the Videographer with Contract No. 316 for a single camera at a cost of \$350.

DISCUSSION: the allotted time for videoing the Board Meetings and the extras which are provided by Dynamite Video Productions; if the Board Meetings extend past two and one-half

(2 ½) hours, the cost will be an extra \$50 per half hour.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson, Gage, Lee, Morford, and Birchmeier

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

1-b. Approval of Bid for Snow Removal Services

MARTINSON MOVED, seconded by Birchmeier, to accept the C.B. Lawn Care Contract No. 163 for the Flushing Township Office and Police Department.

DISCUSSION: contracting with one of the four (4) companies who turned in bids to do snow removal at the Flushing Township Office and Police Department and consider having a volunteer do the snow plowing for the Flushing Township Nature Park. Someone has to be available to do the snow plowing/salting of the parking lot and sidewalks on the days which the Township Hall Board Room is rented for special occasions.

MARTINSON MOVED, seconded by Birchmeier, to amend the motion to accept C.B. Lawn Care to take care of the snow removal at the Township Hall and Police Department and that Volunteer Joe Martin do the snowplowing at the Nature Park.

DISCUSSION: the pros and cons with Volunteer Joe Martin of McKinley Road, Flushing MI doing the snow plowing at the Flushing Township Nature Park; Mr. Martin has been volunteering at the Park for a while; would consider volunteering until the Park Board Committee decided which direction they would like to go.

The Township has a truck, snowplow, salt spreader, small snow blower, and can get a certain amount of salt from the County at no charge; with all the equipment, why couldn't C. B. Lawn Care do around here and Mr. Martin do the plowing and the sidewalks at the Park? the individual has to be flexible so when not plowing, could do "extra" things such as cleaning light fixtures, cleaning the floors, yard work, etc. The gasoline for the vehicles is purchased from the Flushing Bus Barn at a lower cost than at a regular gas station; the lower cost factor should be considered when determining if the Township could afford a part-time maintenance person.

The reason for hiring a part-time maintenance person is that the former maintenance person is no longer with the Township; recommended the Volunteer, Mr. Joe Martin, apply for the Part-Time Maintenance Position; the Volunteer only wants to take care of the Nature Park and doesn't want to get paid. The recommendation from some of the Board Members is to go with the Part-Time Maintenance Person.

MOTION AND SECONDED to "Call the Vote", calling for the previous question to end or continue discussion.

ACTION OF THE MOTION TO CALL THE VOTE TO END DISCUSSION.

ROLL CALL VOTE:

AYES: Martinson, Gage, Lee, Morford, Birchmeier, and Matzke

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

ACTION OF THE MOTION TO AMEND THE MOTION TO ACCEPT C.B. LAWN CARE AND A VOLUNTEER.

ROLL CALL VOTE:

AYES: Martinson and Birchmeier

NAYS: Gage, Lee, Morford, and Matzke

ABSENT: Minaudo

MOTION FAILED.

LEE MOVED, seconded by Gage, to return to the order of the day which is the Part-Time Maintenance Person.

BIRCHMEIER MOVED, seconded by Morford, to amend the motion to have the Volunteer do the snow removal for the Nature Park.

DISCUSSION: having the truck, plow, etc stay at the Nature Park; cheaper to pay \$10 per hour for a part-time maintenance person who would be flexible; the published ad mentioned “some snow removal” but reference was made to other duties that needed to be taken care of within the position.

THE SUPERVISOR CONTACTED 9-1-1 REGARDING SOMEONE THAT WAS OUT OF ORDER. . . .AGAINST RECOMMENDATION OF ATTORNEY MOULTON AND BOARD MEMBERS

INTERPRETATION OF THE AMENDED MOTION: Hire a Part-Time Employee and have the Volunteer do the snow plowing at the Park. The Supervisor’s motion was to only have the Volunteer do the snow removal at the Nature Park. Attorney Moulton informed the Board that the continuity of the motion to use the volunteer at the park had been previously made, considered and rejected by Board; cannot bring up same motion at same meeting to consider the same issue that had been considered before, motion to amend to present that same motion cannot be made again.... The Supervisor claimed that motion is a new motion completely separated from Treasurer Lee’s motion but has already been considered and rejected.

LEE MOVED, seconded by Morford, to table the Supervisor’s motion to use a volunteer in the park to be considered subsequent to consideration of the Treasurer’s motion to hire a part-time employee; if a part-time employee was hired, the decision could then be made as to whether the Volunteer should work in the Park on the snow removal or have the part-time employee do all the snow removal.

DISCUSSION: the issue to table the Supervisor’s motion until subsequent consideration of the Treasurer’s motion has been made.

ACTION OF THE MOTION:

ROLL CALL VOTE:

AYES: Morford, Matzke, Martinson, Gage, and Lee

NAYS: Birchmeier

ABSENT: Minaudo

MOTION CARRIED.

1-c. Part-Time Maintenance Person

LEE MOVED, seconded by Gage, to return to the motion made by Treasurer.

DISCUSSION: the matter that the insurance company didn’t know the former maintenance person had left the employment of the Township so would be replacing one (1) employee for another employee; the former maintenance person was very important to the township because he was concerned as to how the building looked, took care of the snow removal, etc.

The definition of part-time is anyone who works on an average of twenty (20) hours per week over a period of one year – some weeks the former maintenance person worked thirty-five (35) hours per week and some weeks it was less; there needs to be a person who can take directions and work with an organized plan; the person would be a W-2 employee; Teamsters have no problem with the part-time maintenance person; the funds for the position will come from various departments but mostly from the Parks Department; money was available for the former maintenance person and still remains in the General Fund; would like the advertisement placed in the newspaper; discussed the qualifications of the proposed part-time maintenance position and list of responsibilities for part-time employee.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson, Gage, Lee, and Morford

NAYS: Birchmeier

ABSENT: Minaudo

MOTION CARRIED.

1-d. Elimination of Current Policy Committee/Appointment of New Committee

MARTINSON MOVED, seconded by Morford, to disband the Policy Committee.

DISCUSSION: not having a huge number of policies at one time; perhaps review the policies every two (2) months to comprehend what is going on; what is the other new committee?

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Birchmeier and Martinson

NAYS: Morford, Lee, Gage, and Matzke

ABSENT: Minaudo

MOTION CARRIED.

NEW BUSINESS:

1-a. Policy and Procedure Manual “Work Session”

MARTINSON MOVED, seconded by Birchmeier, to approve the following: “*Welcome to The Charter Township of Flushing*” (page 1); the “*Purpose of This Manual*” (page 2); and “*Administrative Manual for The Charter Township of Flushing – “Table of Contents”*” – (page 3 and page 4) to be placed in the Policy and Procedures Manual.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson, Gage, Lee, Morford, and Birchmeier

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

MARTINSON MOVED, seconded by Birchmeier, to approve the “*History of The Charter Township of Flushing*” (page 5) and the “*Charter Township of Flushing Boards, Commissions, and Committees*” (page 8/9) and to place the pages in our Manual.

DISCUSSION: the policies had previously been approved but wanted to make sure everyone had the same information.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Birchmeier, Morford, Lee, Gage, and Martinson

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

MARTINSON MOVED, seconded by Morford, to approve “*Board Meeting Administration*” and “*Closed Sessions*” and placing them in our Manual.

DISCUSSION: “Board Rules of Order” – reduction of speaking time from ten (10) minutes to five (5) minutes, two (2) times to speak – reference was made to Dale Carnegie.

MARTINSON MOVED, seconded by Morford, to amend the “Board Rules for Debates” from speaking for ten (10) minutes to three (3) minutes, two (2) times each.

ACTION OF THE MOTION ON THE AMENDED MOTION. . . .

ROLL CALL VOTE:

AYES: Birchmeier, Gage, Morford, Lee, Martinson, and Matzke

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

LEE MOVED, seconded by Birchmeier, to amend *Policy and Procedures Manual*, page 12, of “*Additions/Deletions to the Agenda*” to read as follows: “*Additions/deletions to the proposed agenda shall require approval of a majority of the members present.*”

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson, Gage, Lee, Morford, and Birchmeier

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

MARTINSON MOVED, seconded by Birchmeier, to approve “*Ethics Policy for Elected Officials*” (page 20 and 21); “*Indemnification of Elected Officials*” (page 22); and “*Appendix P*”.

DISCUSSION: Attorney Moulton suggested that if this policy is extended to employees, if a conflict exists between the provisions in our Ethics Policy and provisions of the Collective Bargaining Agreement, the Collective Bargaining Agreement provision will control...to be added to Scope. Also Attorney Moulton will look into “*Procedure for Discipline*” and information in Appendix P and get back with Trustee Martinson and Supervisor Birchmeier.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson, Gage, Lee, Morford, and Birchmeier

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

MARTINSON MOVED, seconded by Birchmeier, to accept the “*Expenditure Authorization*”, “*Expenditure Control*”, “*Emergency Spending Policy*”, “*Petty Cash*”, pages 33-35, and for those policies to be placed in our Policy and Procedures Manual.

DISCUSSION: the funds allotted for “*emergency occurrences*” and what should be considered an emergency; the official should notify someone when an emergency occurs - the issue is then brought back to the board at the next meeting; what is the procedure for a “*hand off*” of emergencies if an elected official is not available. A purchasing procedure should be in place so everyone is well informed and funds are in the budget.

LEE MOVED, seconded by Gage, to amend the motion for the “*Expenditure Control*” and the “*Emergency Spending Policy*” to be set aside and voted separately and to vote on the “*Expenditure Authorization*” and “*Petty Cash*” first.

DISCUSSION: bringing back to the November 14, 2013 Board of Trustees Meeting, “*Expenditure Control*” and “*Emergency Spending Policy*” for further review.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Gage, Lee, Morford, and Matzke

NAYS: Martinson and Birchmeier

ABSENT: Minaudo

MOTION CARRIED.

MARTINSON MOVED, seconded by Matzke, to approve “*Seminars/Conventions/Workshops Guidelines*” (page 37 and 38) for those two (2) pages to be placed in our Policy and Procedures Manual.

DISCUSSION: the interpretation of “emergency” (reference was made to page 38, Number 8, “leaving early”); the only entitlement an elected official has is a paycheck; if too many emergencies occur, the Board does not have to pay for an event ahead of time;

ACTION OF THE MOTION TO CALL THE VOTE TO END DEBATE. . . .

ROLL CALL VOTE:

AYES: Gage, Lee, Morford, Birchmeier, Matzke, and Martinson

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

ACTION OF THE MOTION BY TRUSTEE MARTINSON

RE: “SEMINARS/CONVENTIONS/WORKSHOPS GUIDELINES”

ROLL CALL VOTE:

AYES: Morford, Matzke, Martinson, Gage, and Lee

NAYS: Birchmeier

ABSENT: Minaudo

MOTION CARRIED.

MARTINSON MOVED, seconded by Matzke, to approve the “*Use of Township Equipment, Labor, Attorney, and Premises*” (page 41-42)-Inter-Office Areas, to be placed in the Policy and Procedures Manual.

DISSCUSSION: None

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Birchmeier, Matzke, Martinson, Gage, Lee, and Morford

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

**USE OF TOWNSHIP EQUIPMENT, LABOR, ATTORNEY AND PREMISES (con’d)–
“Personal Use”, page 41**

LEE MOVED, seconded by Gage, that “the personal use of township premises, vehicles, equipment, machines, tools, supplies, postage, or personal use of township labor shall be prohibited. Township vehicles shall be used by authorized personnel only. The Supervisor shall approve the use of township vehicles and the documents of authorization shall be recorded and filed with the Clerk.”

DISCUSSION: the preparation of the Authorization Form as to what information it would contain and who would take care of the form ; the form would be similar to a “Sign In/Sign Out” Sheet; Chief Fairchild will prepare three (3) clip boards: 1) for the gator at the Nature Park, 2) for the tractor, and 3) for the truck; the Supervisor’s signature will not be needed; a draft of the Authorization Form will be reviewed by the Board before finalization of the form.

LEE MOVED, seconded by Morford, to amend the “Personal Use” division (Use of Township Equipment, Labor, Attorney and Premises), of the Policy on page 41 to approve the following language in paragraph 2: “a sign-up sheet shall be used for each vehicle documenting identity of user, date, and time of use, and administrative authorization.”

LEE MOVED, seconded by Morford, to amend the previous amended motion to read as follows:

“The personal use of township premises, vehicles, equipment, machines, tools, supplies, postage, or personal use of township labor shall be prohibited. Township vehicles shall be used by authorized personnel only. The Supervisor shall approve the use of township vehicles and a sign-up sheet shall be used for each vehicle documenting identity of user, date and time of use, and administrative authorization.”

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson, Gage, Lee, Morford, and Birchmeier

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

MARTINSON MOVED, seconded by Matzke, to approve “Appendix P” “Ethics” From MTA’s Policy Matters”, page 126 to pages to follow to be placed in the Policy and Procedures Manual.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Birchmeier, Morford, Lee, Gage, Martinson, and Matzke

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

MARTINSON MOVED, seconded by Morford, to accept “Property Management” page 40, as written and to be placed in the Policy and Procedures Manual; also “Introduction of a New Policy or Revision of an Old Policy”, page 10 will be reviewed for the clarity of the sentence and then brought back to the Board.

DISCUSSION: Attorney Moulton asked Trustee Martinson, “the pages that you did not specifically identify that were interspersed through the ones that you did, am I correct those are your determination as to the current versions of those pages?”; after the holidays, the Policy and Procedures Manual will be reviewed systematically. Clerk Morford informed the Board that a copy of our Policy and Procedure Manual will be sent to our Attorney, Rowe (Engineering), Genesee County and Plante Moran. The Manual must be correct.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Martinson, Gage, Lee, Morford, Birchmeier, and Matzke

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

1-b. Submission of Policies to Board by Individual Members: Discussed in a previous issue.

1-c. Closed Session

9:50 P.M. - LEE MOVED, seconded by Birchmeier, to meet in Closed Session to consider the Tentative Agreement for Teamsters Local 214 meeting in a Closed Session for this purpose is permitted by Section 8c of the Open Meetings Act.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Birchmeier, Morford, Lee, Gage, Martinson, and Matzke

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

10:21 P.M. – MORFORD MOVED, seconded by Matzke, to re-convene to Regular Session.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson, Gage, Lee, Morford, and Birchmeier

NAYS: 0

ABSENT: Minaudo

MOTION CARRIED.

BOARD COMMENTS:

None

10:21 P.M. - OPEN FOR PUBLIC COMMENTS

Two (2) individuals gave their comments.

10:30 P.M. - CLOSED FOR PUBLIC COMMENTS

THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, NOVEMBER 14, 2013 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

ADJOURNMENT: Due to lack of business issues, **SUPERVISOR BIRCHMEIER** adjourned the meeting at 10:35 p.m.

JULIA A. MORFORD, Clerk

RIAN R. BIRCHMEIER, Supervisor

APPROVED DATE: _____

10/29/2013 SPEC Regular Min