

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: NOVEMBER 14, 2013

TIME: 7:00 P.M.

PHONE: 810-659-0800

FAX 810-659-4212

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

ADMINISTRATION:

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 7:02 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, Scott P. Minaudo, and Attorney Steve Moulton

MEMBERS ABSENT: None

OTHER INDIVIDUALS PRESENT: Fourteen (14) interested individuals

APPROVAL OF THE REVISED AGENDA FROM LAST MONTH'S MEETING:

MARTINSON MOVED, seconded by Matzke, to approve the Revised Agenda from Last Month's Meeting.

DISCUSSION: the reason for the "Revised" Agenda

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

ADOPT THE AGENDA: MATZKE MOVED, seconded by Morford, to adopt the Agenda for November 14, 2013 as presented.

DISCUSSION: placing the "Closed Session" after "Public Comments" on the Agenda

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

APPROVAL OF DRAFT MINUTES OF LAST MONTH'S MEETING:

MATZKE MOVED, seconded by Martinson, to approve the draft minutes of Last Month's Meeting (October 10, 2013).

DISCUSSION: the change at the top of page 5, "ACTION OF THE MOTION", *MOTION CARRIED* should read "*MOTION FAILED*".

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

APPROVAL OF PAYMENT OF BILLS: MATZKE MOVED, seconded by Morford, to approve the payment of the bills as presented.

DISCUSSION: the payment of three (3) individual statements for one job; new keys for the locks at the Flushing Township Nature Park; the Board taking authority over the Nature Park; repair work on the eve troughs on the Township Hall; and the changing of the office of the Finance Director and the Supervisor.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED

7:20 P.M. – OPEN FOR PUBLIC COMMENTS FOR NON-AGENDA ITEMS

One (1) individual gave a comment.

7:23 P.M. – CLOSED FOR PUBLIC COMMENTS FOR NON-AGENDA ITEMS

UNFINISHED BUSINESS:

1-a. Update to Policy and Procedure Manual:

- i. *History of Flushing Township, Page 7* – change from Early Education Building to Early Childhood Centers
- ii. *Flushing Township Nature Park Governance Policy, Page 8* – change from Flushing Township Parks to Flushing Park; reformatted page 10
- iii. *Board Meeting Administration, Page 11, No. 5* – change from Approve the Draft Minutes of Previous Meeting to Approve the Draft Minutes of Last Month’s Meeting
- iv. *Board Meeting Administration, Page 11, No. 6* – change from Approve the Corrected Agenda and CORRECTED Minutes of Meeting held two (2) months prior to Approve the Revised Agenda from Last Month’s Meeting
- v. *Additions/Deletions to the Agenda, Page 12 – now shall read:*
Additions/deletions to the proposed agenda shall require approval of a majority of members present.
- vi. *Board Rules of Debate, Page 12 and 13*

No action was taken – only the update of the pages for the Policy and Procedure Manual.

1-b. Update on Part-Time Maintenance Person

MORFORD MOVED, seconded by Matzke, to extend the time frame for the hiring of the Part-Time Maintenance person to December 1, 2013 to give more people an opportunity to apply for the position.

DISCUSSION: a line item will be created in the budget at the time when the hiring is approved; \$12,000 has been set aside in this year’s budget, which will end March 31, 2014; \$16,000 is in next year’s budget to hire a part-time person.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED

NEW BUSINESS:

1-a. Acceptance of Supervisor’s Memo Dated October 30, 2013

MORFORD MOVED, seconded by Matzke, to approve the Memo from the Supervisor dated October 30, 2013 where effective October 30, 2013 the Supervisor will be stepping down from the 1) Building/Grounds/Bids Committee, 2) Contract Negotiating/Grievance Committee, and 3) the Personnel Committee.

DISCUSSION: if the Supervisor steps down from the Committees, especially the Personnel Committee, he will still want to be the Personnel Officer over the office staff, etc?

The Supervisor read his Memo dated October 30, 2013: “Board Members: Effective today, October 30, 2013, I am stepping down from the Building/Grounds/Bids Committee, Contract Negotiating/Grievance Committee and Personnel Committee. It is my belief (experience) that the remaining members on these committees are not serving in the best interest of not only the Board, but the community. I will continue to proudly serve as the Personnel Officer over the staff. I will also proudly continue to do a great job with the responsibility of general maintenance and repairs of the Main Office, Police Department, and the Flushing Township Nature Park.”

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Minaudo

MOTION CARRIED

- 1) **MORFORD MOVED**, seconded by Gage, to appoint Trustee Martinson to the vacant *Personnel Committee* position.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Minaudo

MOTION CARRIED

- 2) **LEE MOVED**, seconded by Morford, to appoint Scott Matzke be approved to serve on the *Building/Grounds/Bids Committee* position.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED

- 3) **LEE MOVED**, seconded by Matzke, to appoint Trustee Shirley Gage to the vacant *Contract Negotiating/Grievance Committee*.

DISCUSSION: the amount of time the position would require Trustee Gage to spend on the matter.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED

1-b. Discussion on Possible Hiring of Mediator for the Board of Trustees

MARTINSON MOVED, seconded by Matzke, with the assistance of the Michigan Townships Association (MTA), she will look into possible mediation with the seven (7) members of this Board.

DISCUSSION: the possibilities of resolving the problem: 1) do nothing, 2) hire a manager/superintendent, 3) recall (which we don't really want) or 4) hire a mediator to work with the Board to bridge the gap so the Board could work together in order to have a completely different atmosphere in the office and on this Board. All seven (7) Board Members will have to agree to work together with a Mediator; Attorney Moulton suggested that Trustee Martinson get the names and addresses of mediators from MTA and see what their recommendations are as to how to conduct the Mediation; there could be a cost to retain a mediator.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED

1-c. Flushing Township Park Report

Heather Griffin presented her report.

LEE MOVED, seconded by Morford, to approve the concept of repairing the swingset and the purchasing of six (6) dog waste stations up to a total amount of \$2,600.

DISCUSSION: the six (6) dog waste stations and the swing set that needs to be repaired now; money is in the budget for next year; Marketing Committee has been working on different events- one such event will be held on December 13, 2013 at the Flushing Township Hall. The Committee will be collecting donations of hats, coats, and gloves which will be returned back to the community for persons in need. After the *Flushing Candlewalk*, boxes will be displayed at the Flushing Township Hall and other merchants in the community to collect the items.

Word has not been received from the DNR regarding the two (2) proposals which were sent in to the DNR. Approval is needed for one time in order to get several things done at at the particular time due to the coming of winter.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED

LEE MOVED, seconded by Minaudo, to approve the Facebook page for the Nature Park.

DISCUSSION: who has the rights to the *Facebook Page*? who will administer the page? will there be a link to the page? could the Park be a sub-section of the Township's web page?

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED

1-d. Resolution Authorizing a Consortium Comprised of the City of Flushing, the Charter Township of Flushing, and the Charter Township of Clayton

Attorney Moulton read his resolution.

MORFORD MOVED, seconded by Lee:

1. That the Charter Township of Flushing shall work with representatives of the Center, the City of Flushing and Clayton Township to develop a specific plan as to the location,

acquisition, and construction (to include detailed estimates of costs and allocation of costs) of a facility to be operated by the Center; and
 2. That the Board of Trustees, following review of a proposed plan acceptable to the Board, shall consider submission to the voters of the Charter Township of Flushing in the general November, 2014, election, a millage request to fund Flushing Township’s share of the cost to acquire and/or construct the planned facility, to be submitted in conjunction with identical millage requests to be submitted to the voters of the City of Flushing and Clayton Township.

DISCUSSION: the purpose and need of the Consortium; the reason McLaren Hospital is no longer interested in the joint venture. The Flushing Area Senior Center has 3,000 plus members; in order to become a member, one has to be fifty (50) years of age; goal is to keep the membership fee low. The VFW property on McKinley Road is owned by the City of Flushing and is the only property of its size that is available which would serve the three (3) municipalities – City of Flushing, the Charter Township of Flushing, and Clayton Township; very good price for the VFW property; at this time no one has committed to anything.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED

1-e. Michigan Townships Association (MTA) Workshop entitled “Policy Matters! Using Board & Administrative Policies to Manage Your Township” on December 5, 2013 in Lansing MI

MORFORD MOVED, seconded by Lee, that any Board Member that would like to attend the “*Policy Matters! Using Board & Administrative Policies to Manage Your Township*” workshop on December 5, 2013, in Lansing, at an early-bird price of \$99 be allowed to do so. If the person doesn’t go or only stays part of the time period of the Workshop (leaves early), the Township will be reimbursed. If the Township pays for the workshop for someone and that person doesn’t attend, he/she will reimburse the Township.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED

1-f. Michigan Townships Association (MTA) Conference Registration Form

The Clerk reminded the Board Members to turn in the MTA Conference Registration Form to her as soon as possible since there is an early bird fee for the Conference; also the attendees’ names have to be turned in to MTA to confirm the hotel rooms.

1-g. Public Hearing: 2014 Federal Community Development Block Grant Program

8:35 P.M. – 2014 Community Development Block Grant Public Needs Hearing

The Public Hearing is being held to determine the public needs of the community, which includes the low to moderate income community. The funds for the public needs come from the Community Development Block Grant Funds (CDBG).

One important issue had been mentioned at a Hazardous Mitigation Meeting. Montrose Township and the City of Flushing have emergency/disaster sirens, but Flushing Township has none. The sirens could be placed at different locations such as school property, the Flushing Township Nature Park, the Flushing Township Hall, etc. Although, there are pros and cons, perhaps the sirens could save lives in the case of a disaster.

One of the requirements for the Public Hearing is to have everyone in attendance sign the “Charter Township of Flushing 2014 Community Development Block Grant Public Needs Hearing”. A Public Notice also has to be placed in the newspaper announcing the time and date the public hearing will be held.

DISCUSSION: exactly how were funds previously used? how were CDBG funds issued?

COMMENTS FROM THE PUBLIC:

1. **Mt. Morris Township Supervisor Larry Green** – “what is the estimated 2014 Allocation”. Answer: it will be \$61,120.
2. **Mary Mossman**-questioned how funds can be used.
3. **Mt. Morris Township Supervisor Larry Green** – “explained that the CDBG funds could be used for blight elimination; stop lights, roads, sewer and water, demolition of structures; hire a code enforcement officer; parks and recreation if in the low to moderate area; a lot of things can be asked for but not all things are approved.”
4. **Michael Glover** – “fix the roads.”
5. **Heather Griffin** – “there are very limited blight areas in the township; there are individual blight areas such as individual homes; Flushing Township had a case like this and individual Board Members went to the home trying to get the individual to apply for the money; the two (2) mobile home parks are considered low to moderate income areas; if approved to get the sirens the decibels might be too loud; if don’t use the money that we don’t use, could lose the funds.”
6. **Mt. Morris Township Clerk Brenda Ashley** – “make sure everyone turns in their request tonight as the Clerk has to turn in all the paper work by November 27, 2013; all the requests may not be approved but your idea was put on paper; Mt. Morris Township has turned in a request to do 5 1/2 miles of gravel roads.”
7. **Carol LeBrecque** – “take care of the (gas station) eye sore at Mt Morris and McKinley Road.”
8. **Scott Minaudo** - “fix the burned homes specifically next door to 5272 Chickasaw Trail”.
9. **Scott Minaudo**- “could the 50/50 Road Money that Flushing Township has agreed to pay Montrose Township for the next five (5) years be considered for the CDBG funds?”
10. **Steve Moulton** - “donate funds to the Flushing Area Senior Center as the seniors are considered low to moderate income.”
11. **Scott Minaudo**-“mowing of abandoned homes in the summer time.”
12. **Julia Morford** - “Installation of one (1) or two (2) emergency/disaster sirens in the community (after attending a Hazardous Mitigation Meeting).”
13. **Heather Griffin** - “Repair/Fix the roof/windows/doors of homes that need to be repaired.”
14. **Mary Mossman** - “Provide jobs at the Flushing Township Nature Park for low to moderate income families – Flushing Township has had the privilege of having youth work in the Nature Park in the past.”
15. **Julia Morford** - “Street lights need to be installed on the south side of the Flushing Township Hall Parking Lot.”
16. **Scott Minaudo** - “Donate or help the low to moderate youth/families in the Elementary/Middle/High Schools – Superintendent’s Discretion.”
17. **David Pajtas** - “Hazardous Pickups of such items as tires, automobiles, etc.”
18. “help the elderly with their chores such as lawn mowing, every day general duties.”
19. **Scott Minaudo** - “fix the water drainage problem on Tahquamenon Trail because the water drains and freezes in the winter.”

The Clerk read a list of the “General Projects” as given from the Genesee County Planning Commission:

- Sidewalk improvements
- Street improvements
- Water/sewer improvements
- Code enforcement activities
- Improvements to lighting in public places
- Improvements/additions to neighborhood parks/recreational facilities

- Acquisition of real property
- Special Assessment Assistance
- Construction/Rehabilitation of publicly owned buildings (not used for general government)
- Streetscape improvements in neighborhoods/commercial districts
- Purchase firefighting equipment
- Demolition and clearance activities
- Boarding, securing and weed and trash abatement
- Construction of affordable single-family homes
- Single family housing rehabilitation/improvements
- Removal of architectural barriers and impediments to persons with disabilities at publically owned facilities
- Provide housing to individuals and families with special needs
- Business incubator building rental
- Financial and Technical assistance to businesses and microenterprises

Everyone had the opportunity to speak their peace. . . .

9:10 P.M. – PUBLIC HEARING CLOSED

1-h. Closed Session – Contracts for Teamsters and POLC; MERS Resolution

9:10 P.M. - Adjourned to Closed Session

MINAUDO MOVED, seconded by Morford, to meet in Closed Session for the purposes of considering proposals submitted on behalf of the Teamsters and the Patrol Officers with regard to their existing Collective Bargaining Agreements and to consider their possible adjustment to the Retirement Plan through MERS with regard to each of the contracts by meeting in Closed Session is permitted per MCL 15.268c.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTON CARRIED

9:50 P.M. – Reconvene to Regular Session

MINAUDO MOVED, seconded by Lee, to reconvene to Regular Session.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MINAUDO MOVED, seconded by Matzke, for MERS three (3) different areas will be affected: the Command, Patrol, and Teamsters Unions; the amendments will conform to the existing contract; MERS and the Finance Director will work together to conform the proposed amendments to the existing Agreements which Attorney Moulton has reviewed. The amendments will be retro-active to when the Patrol Officers resolved their legal issues such as going from a 3.0 multiplier down to a 2.5 multiplier which needed to be updated and made retro-active for the Command, Patrol, and Teamsters Unions.”

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

LEE MOVED, seconded by Gage, to approve the Tentative Agreement Between Teamsters State, County, & Municipal Workers Local 214 and Charter Township of Flushing.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

REPORTS:

COMMITTEE REPORTS:

1. Flushing Township Police Department: The Police Department Report was given by Flushing Township Police Chief Brian Fairchild.
2. Flushing Fire Department: No reports available.
3. Flushing Area Senior Center: The Strategic Planning Committee met and discussed the site plan for the proposed Senior Center. There will be a meeting on Thursday, November 21, 2013 with the attorneys to discuss the Resolution for the three (3) municipalities to work with representatives to develop a specific plan as to the location, acquisition, and construction of a facility to be operated by the Senior Center.

FINANCIAL REPORT: Treasurer Lee reviewed the Financial Report.

BOARD COMMENTS:

1. **MARTINSON:** in last month’s “payment of bills”, copier should have been co-pay; even though the Terminix Company out all the small creatures, there are still bugs in the hall.
2. **GAGE:** asked Supervisor “where are the keys?”
3. **LEE:** needs discussion every day; budget hearing when? cost of gutters? when will keys be given to Clerk?
4. **MINAUDO:** mediator going to have a “heck of a time”; good thing it’s a little after 10
5. **MATZKE:** Have a Happy Thanksgiving--spending time with family and friends.
6. **MORFORD:** requests Supervisor turn in one bill for one job—not 3 invoices, 3 statements; sad to see someone who wants pay come in after bills have been paid for that week and need 3 checks written (on a Friday) right away.
7. **BIRCHMEIER:** prefers not to answer comments/questions in meeting but prefers to meet in his office with an individual who is professional, respectful, ethical; “you respect me, I’ll respect you.”

10:08 P.M.--OPEN FOR PUBLIC COMMENTS: Four (4) individuals gave their comments.

10:15 P.M. --CLOSED FOR PUBLIC COMMENTS

THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, DECEMBER 12, 2013 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

ADJOURNMENT: Due to lack of business issues, **SUPERVISOR BIRCHMEIER** adjourned the meeting at 10:20 p.m.

JULIA A. MORFORD, Clerk

RIAN R. BIRCHMEIER, Supervisor

APPROVED DATE: _____