

CORRECTED
CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD
FLUSHING, MICHIGAN 48433
BOARD OF TRUSTEES MINUTES

DATE: MAY 8, 2014

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

I. MEETING CALLED TO ORDER at 7:00 p.m. by **SUPERVISOR RIAN BIRCHMEIER** with Roll Call and the Pledge of Allegiance to the American Flag.

II. 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: Sixteen (16) other interested individuals

ADOPT THE AGENDA: MATZKE MOVED, seconded by Morford, to adopt the Agenda as amended with all the changes.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

APPROVAL OF CORRECTED MINUTES:

- a. MATZKE MOVED**, seconded by Lee, to approve the Corrected Minutes from March 13, 2014 at 6:00 p.m. Special Meeting and 7:00 p.m.; approval of Corrected Minutes from March 26, 2014 at 8:00 p.m., and approval of Draft Minutes from April 10, 2014.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Gage, Lee, and Morford

NAYS: Martinson, Birchmeier, and Minaudo

MOTION CARRIED.

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

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

III. 7:13 P.M. – OPEN FOR PUBLIC COMMENTS

Two (2) individuals gave a comment.

7:15 P.M. – CLOSED FOR PUBLIC COMMENTS

IV. UNFINISHED BUSINESS:

1-a. Open Bids for Repair of Garage Roof

LEE MOVED, seconded by Morford, to accept the bid from B & B Construction for the roof.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Morford, Matzke, Gage, and Lee

NAYS: Birchmeier, Minaudo, and Martinson

MOTION CARRIED.

1-b. Amendment to Dust Control Program

BIRCHMEIER MOVED, seconded by Minaudo to approve the cost of calcium chloride that will be split between the Genesee County Road Commission (Road Commission) and Flushing Township for the first (1st) application which will cost the Township \$6,240; the Township will pay one hundred (100%) percent (\$12,480) of the second (2nd) application; and the third (3rd) application will be paid for by the Road Commission.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-c. Amendment to AT & T Lease Optimization Program

MORFORD MOVED, seconded by Lee, to postpone until we have more information.

MORFORD MOVED, seconded by Matzke, to amend the motion to state that the monthly rent is reduced from \$1,000 to \$800 per month with a guarantee that if the contract is terminated over the next forty-eight (48) months, the Township will receive the lease termination fee of \$38,400; other than that fact, everything remains the same as in the lease. There are two (2) other amendments which Flushing Township has no objections: 1) if AT & T wants to expand the lease site and its practicable, but AT & T can't force the Township to do something that will not work for the Township, they would pay the additional rent at a pro-rated square footage amount; 2) if the Township sells or otherwise assign a portion of the rent stream to a third (3rd) party, AT & T has the right to pay the Township whatever amount agreed to in lieu of rent for whatever period of time the Township agrees to rent stream. There are three (3) amendments in total to the Lease Agreement: 1) the reduction in rent; 2) option to expand at the existing rate; and 3) the provisions with regards to the assignment of all or part of the lease payment stream.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-d. MEMO Regarding Money Transferred from Water Fund to General Fund

Action doesn't have to be taken on the issue because it is for information only.

MORFORD MOVED, seconded by Gage, to have Trustee Martinson come into the office and see how much time is spent on the water.

The Clerk rescinded her motion.

V. NEW BUSINESS:

P.A. 116 Farmland Preservation Request for Release of PART OF AN AGREEMENT Prior to Expiration

MORFORD MOVED, seconded by Lee, to allow Mr. William McCarron to withdraw up to two (2) acres with at least one (1) structure that was present prior to the start date of the Agreement per Public Act 116 of the Farmland Preservation.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-a. Resolution for Approval of the 2013-2033 Flushing Township Master Plan

**FLUSHING TOWNSHIP BOARD
RESOLUTION FOR APPROVAL**

WHEREAS, the Flushing Township Planning Commission was established by the Flushing Township Board under the authority of the Township Planning Act; and

WHEREAS, the authority to prepare and update Master Plans in that Act was superseded by PA 33 of 2008, the Michigan Planning Enabling Act; and

WHEREAS, the Planning Commission is charged under that Act with preparing and updating a Plan “as a guide for the development of the unincorporated portions of the township”; and

WHEREAS, the Planning Commission has prepared an update to the Flushing Township Master Plan adopted in 1992 entitled *Flushing Township Master Plan – 2013-2033*; and

WHEREAS, the Planning Commission has presented this at a public hearing and gather comments on the plan; and

WHEREAS, the Flushing Township Planning Commission adopted the *Flushing Township Master Plan 2013-2033* as the official township plan, and submitted the plan to the Flushing Township Board for its approval, now

THEREFORE BE IT RESOLVED, that the Flushing Township Board approves the *Flushing Township Master Plan 2013-2033* including the maps and descriptive and other matter included in the document presented for its approval as the official township plan.

YEAS: _____ **NAYS:** _____

RIAN BIRCHMEIER, Supervisor

JULIA A. MORFORD, Clerk

Dated: May 8, 2014

GAGE MOVED, seconded by Minaudo, that the Flushing Township Board approves the *Flushing Township Master Plan 2013-2033* including the maps and descriptive and other matter included in the document presented for its approval as the official township plan.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-b. Robert's Rules

LEE MOVED, seconded by Morford that the Flushing Township Board commit to following Roberts Rule's of Order and other adopted rules of conducting business, which we have adopted, and to assist the Board in obtaining this goal, approve the Treasurer keeping track of times speaking and number of minutes each Board Member speaks.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Gage, Lee, Morford, and Matzke

NAYS: Martinson, Birchmeier, and Minaudo

MOTION CARRIED.

1-c. MTA On the Road 2014 Regional Meetings

MORFORD MOVED, seconded by Minaudo, to approve anyone on the Board, Planning Commission, or the Zoning Board of Appeals (ZBA) be allowed to attend the *MTA On the Road 2014 Regional Meetings* to be held in Frankenmuth (MI) on June 16, 2014; if anyone leaves the meeting early or does not show up for the workshop, they will reimburse the Township in full.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-d. Promotional Postcard for Township Board/Videos Available from Dynamic Video Productions

MARTINSON MOVED, seconded by Birchmeier, to have Curtis Printing print 4,000 post cards, address, mail, and deliver to the post office the post cards to reach all of Flushing Township households; the cost for printing, etc. not to exceed \$1,600 and to be taken from the Township Board either the "Miscellaneous Expenses" or "Printing and Publications."

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Minaudo, Martinson, and Birchmeier

NAYS: Matzke, Gage, Lee, and Morford

MOTION FAILED.

1-e. Ditching for Primary and Local Roads

BIRCHMEIER MOVED, seconded by Lee to approve the proposed 2014 Ditching Project for the four (4) days of local and six (6) days for primary.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-f. Suggestion that Meeting Minutes be Printed on 8 ½” x 11” paper instead of 8 ½” x 14” Paper

MARTINSON MOVED, seconded by Minaudo to approve from this day forward to have the minutes printed on 8 ½” x 11” size paper instead of the 8 ½” x 14” for various reasons.

MARTINSON rescinded her motion. (The Clerk will continue to use the legal paper for the Minute Book).

1-g. Fire Hydrant Replacement, SW Corner of Seymour and Frances Road

BIRCHMEIER MOVED, seconded by Minaudo to have the Genesee County Drain Commission replace the fire hydrant located at the Southwest corner of Seymour and Frances Road for a total cost of \$3,263.

BIRCHMEIER rescinded his motion.

1-h. Invoice for Fire Hydrant Repair

BIRCHMEIER MOVED, seconded by Minaudo, to approve paying the bill to Glaser Dawes in the amount of \$639.50.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-i. Unclaimed Property: www.Michigan.gov/treasury

It was recommended to put a link on the Flushing Township Web Site in order for the residents to check on unclaimed property. The Treasury Web Site is www.Michigan.gov/treasury; the phone number is 517-636-5320.

1-j. Police Issues

1. Charter Township of Flushing Police Department Civilian Personnel Policies and Procedures Manual

MINAUDO MOVED, seconded by Lee, to approve the Charter Township of Flushing Police Department Civilian Personnel Policies and Procedures Manual.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

2. Part-Time Secretary Position for the Police Department

BIRCHMEIER MOVED, seconded by Lee, to approve the establishment of a second (2nd) part-time secretary position for the Flushing Township Police Department.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

3. Letter to Subdivision in Township regarding Speed

BIRCHMEIER MOVED, seconded by Minaudo, to approve the letter and to have the letter sent out to the appropriate subdivisions and to take the cost of the mailing out of the Township “*Postage*” line item.

LEE MOVED, seconded by Gage, to amend the motion that the Personnel Committee look into the issue and to discover which is the cheaper venue to send a letter or post card which is made of card stock.

LEE rescinded her motion.

MINAUDO MOVED, seconded by Birchmeier, to amend the motion that the *Speed Letter to the Subdivisions* (Chief Fairchild) and the *Post Cards to the Residents* (Trustee Martinson) be combined and color copied for an approximate total of 300 pieces of mail.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-k. Policies

1. Amendment of Meeting Agenda

LEE MOVED, seconded by Gage, to insert “**Business items intended for board action shall be accompanied by a copy of the motion or resolution along with background information helpful to board members for understanding the issue. Board members who wish to bring an issue to the board’s attention, but are not seeking board action, shall bring up such**

issues under one of the report sections or during individual comment sections of the meeting.” (This would be included under “Meeting Agenda”).

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Gage, Lee, and Morford

NAYS: Minaudo, Matzke, Martinson, and Birchmeier

MOTION FAILED.

LEE MOVED, seconded by Gage, to move to strike Number 6, under the listing of the Proposed Agenda items: **“Approve the Corrected Agenda and CORRECTED Minutes of Meeting held two (2) months prior.”**

SUBSTITUTE MOTION:

LEE MOVED, seconded by Morford, the person seeking corrections to the minutes should submit the corrections to the Clerk, by 9:00 a.m. on the Thursday before the meeting, to go into the packet.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Gage, Lee, and Morford

NAYS: Martinson, Birchmeier, and Minaudo

MOTION CARRIED.

LEE MOVED, seconded by Gage, that because the Board is committed to effective and productive meetings by following an agenda which will not require more than two and a half (2 1/2) hours to accomplish the township’s business. The meetings will adjourn at 9:30 p.m. unless by unanimous vote the board votes to extend the meeting.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Gage, Lee, Matzke, and Morford

NAYS: Martinson, Minaudo, and Birchmeier

MOTION CARRIED.

LEE MOVED, seconded by Matzke, that for tonight continue the meeting until its completion and begin the new policy at the next meeting.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Minaudo

MOTION CARRIED.

LEE MOVED, seconded by Gage, to rescind the motion that was passed and substitute with the motion that the Board is committed to effective and productive meetings by following an agenda

which will not require more than two and a half (2 1/2) hours to accomplish the township's business. The meetings will adjourn at 9:30 p.m. unless by unanimous vote the board votes to extend the meeting and this policy will go in place at the next meeting in June; this evening we will continue until the adopted Agenda is completed.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Birchmeier, Morford, Lee, Gage, Matzke

NAYS: Martinson and Minaudo

MOTION CARRIED.

1-l. Building/Grounds/Bids Committee

1. Advisory Committee for Sump Pumping Issues

BIRCHMEIER MOVED, seconded by Lee, to form an Advisory Committee for Sump Pumping issues in Flushing Township appointing Supervisor Rian Birchmeier, Trustee Scott Minaudo, Trustee Bonnie Jean Martinson, Chief Brian Fairchild, and Township Attorney Steve Moulton.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

2. Public Hearing for Hydraulic Fracturing "Fracking"

MATZKE MOVED, seconded by Minaudo, to table the issue indefinitely.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Martinson and Birchmeier

MOTION CARRIED.

3. Flushing Township Nature Park

a. Boardwalk Repair(s)

LEE MOVED, seconded by Matzke, that per the recommendation of the Park and Recreation Committee to approve the hiring of a local builder, Tom Staley, for labor and material cost not to exceed \$2,400 for the leveling of the Boardwalk.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: 0

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

MOTION FAILED.

MINAUDO MOVED, seconded by Birchmeier, put the issue out for bids as to what has to be done, so there will not be ten (10) different ways to do the boardwalk, do the bidding like the Board would like to do, put out the specs and get the bids back and go from there.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

b. Authorization for Park Committee to Design a “Maintenance Plan”

LEE MOVED, seconded by Minaudo, that the Board of Trustees support the Park Committee providing a *Maintenance Plan* for the Township’s part-time employee.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED.

1-m. Personnel Committee

1. Exchange of Supervisor’s Office with Finance Director

GAGE MOVED, seconded by Lee, that the Supervisor and Finance Director move back to their former offices; the Finance Director helps out with the Water Clerk, Tax Clerk, anything that comes up at the counter, and answering phones. Where her (Finance Director) office is located now, she cannot see the activity going on in the Office and does not know when she is needed. When she is needed, she has to leave her job and sit at one of the desks, especially during lunch time. Lately, the Township has been shorthanded so it really has been a hardship for those that are working. Trustee Gage has worked in the Office and has firsthand knowledge of how the Office is run and the Finance Director is a great help to the people that are working.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED.

MARTINSON MOVED, seconded by Birchmeier, to amend the motion to have the Supervisor stay in his office, the Clerk be put into the Finance Director’s Office, the Finance Director take the Clerk’s Office, that would give the Treasurer and the Clerk the opportunity to get their work done and not have to keep an eye on the counter; that way, the Finance Director could, and also the Supervisor. It would alleviate some of the problems of people being overworked.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Birchmeier and Martinson

NAYS: Morford, Lee, Gage, Matzke, and Minaudo

MOTION FAILED.

VOTE ON THE ORIGINAL MOTION:

GAGE MOVED, seconded by Lee, that the Supervisor and Finance Director move back to their former offices; the Finance Director helps out with the Water Clerk, Tax Clerk, anything that comes up at the counter, and answering phones. Where her (Finance Director) office is located now, she cannot see the activity going on in the Office and does not know when she is needed. When she is needed, she has to leave her job and sit at one of the desks, especially during lunch time. Lately, the Township has been shorthanded so it really has been a hardship for those that are working. Trustee Gage has worked in the Office and has firsthand knowledge of how the Office is run and the Finance Director is a great help to the people that are working.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Morford, Lee, Gage, and Matzke

NAYS: Minaudo, Birchmeier, and Martinson

MOTION CARRIED.

2. Attorney Contract

LEE MOVED, seconded by Morford to table the issue indefinitely.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED.

3. Videographer Contract

No action was taken.

4. Flushing Township Elected Official Wages

No action was taken only trying to be transparent.

5. Policies – Trustee Martinson

“Draft” copies of the Policy and Procedures Manual was given to Supervisor Birchmeier, Treasurer Lee, Clerk Morford, and Trustee Minaudo. The selected involved the top three (3) Administrative Members and the Policy Committee. It was recommended to review the Draft as

some of the items were re-arranged. Everyone should write down the corrections and place in Trustee Martinson's mailbox – example page 6, etc.

The Policy Committee will review the Draft and everyone will receive a copy. Anything that is not marked "Draft" should be thrown away. Hopefully, everything will be completed within the next few months.

Directives: The "Directives" will be placed in *Appendix Q* in the back of the Manual and at the end of the Term of the Current Board Members,

6. Policies – Supervisor Birchmeier

The Supervisor stated he was willing to remove the below listed items as long as the Clerk and Treasurer will work with him to resolve the issues:

Agenda item 6- a. Routine Maintenance; **b.** Use of Township Equipment, Labor, Attorney and Premises; **c.** Board Meeting Administration; **d.** Township Hall and Police Department Inner-Office Area; and **e.** Township Records, Keys to Office Doors.

a/k/a

(Per the Supervisor – "New Business", **No. 6:** Township Records; **No. 7:** Keys to Office Doors; **No. 8:** Routine Maintenance Policy; **No. 9:** Use of Township Equipment, Labor, Attorney and Premises Policy; and **No. 10:** Office Issues, Board Meeting Administration Policy, Township Hall, and Police Department Inner Office Area Policy, Use of Township Equipment, Labor, Attorney and Premises Policy, Policies/Policy Committee)

VI. REPORTS:

1. Flushing Township Police Department
2. Flushing Fire Department
3. Flushing Area Senior Center
4. Roads and Bridges
5. Water and Drain
6. Township Emergency Manager

VII. COMMITTEE REPORTS WERE GIVEN BY THE FOLLOWING:

1. Flushing Township Nature Park
2. Policy Committee
3. Web Site Committee
4. Compensation Commission

VIII. FINANCIAL REPORT: Accepted as Presented.

IX. BOARD COMMENTS:

Comments were given by Clerk Morford, Trustee Minaudo, Trustee Gage, Trustee Martinson, Trustee Matzke, and Treasurer Lee

X. 11:37 P.M. OPEN FOR PUBLIC COMMENTS

Three (3) individuals gave a comment.

11:43 P.M. - CLOSED FOR PUBLIC COMMENTS

XI. THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, JUNE 12, 2014 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

XII. ADJOURNMENT: Due to lack of further business issues, **SUPERVISOR BIRCHMEIER** adjourned the meeting at 11:59 p.m.

JULIA A. MORFORD, Clerk

RIAN R. BIRCHMEIER, Supervisor

APPROVED DATE: _____

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