

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: March 12, 2015

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: Eleven (11) other interested individuals

ADOPTION OF THE AGENDA FOR MARCH 12, 2015:

TRUSTEE MINAUDO MOVED, supported by Trustee Matzke, to approve the agenda.

TREASURER LEE amended the motion with support by Trustee Minaudo to allow the three speakers to go first on the agenda.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

Guest Speaker John O'Brien – Director for the Genesee County Water and Waste Services gave a presentation on the Karegnondi Water Authority (KWA) Project.

Guest Speaker John Daly, II, Ph.D – Manager/Director for Genesee County Road Commission gave a presentation on the Sales Tax Millage on the ballot for May 2015 election.

Guest Speaker Robert Slattery - Transportation Planner for the Genesee County Road Commission gave a presentation on the Road Improvement Plan 2016-2018.

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee ~~Minaudo~~ *Martinson* to amend the agenda by placing under Unfinished Business item one, approval of Genesee County Road Commission Agreement with Flushing Township for the resurfacing project of Krystal Creek Subdivision.

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

SUPERVISOR BIRCHMEIER MOVED, to relocate approval of minutes from the Special Meeting of February 12, 2015, the Regular Meeting of February 12, 2015 and the Special Meeting of February 24, 2015 along with the payment of bills to the last items under New Business which would make them items L., M., N., and O.

TREASURER LEE MOVED, supported by Clerk Morford to amend the motion to also include adding as item P. Proposal for Park Map Cards and Park Map Brochures.

ACTION ON THE AMENDED MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

TREASURER LEE MOVED, supported by Trustee Minaudo to add a resolution to approve 80/20 pay for health insurance under item Q. New Business.

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

III. PUBLIC COMMENTS
There were no public comments

IV. UNFINISHED BUSINESS

‡ A. Approval of Genesee County Road Commission Agreement with Flushing Township for the resurfacing project of Krystal Creek Subdivision.

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Minaudo to approve the agreement between the Genesee County Road Commission and Flushing Township for the resurfacing project of Krystal Creek Subdivision.

CHARTER TOWNSHIP OF FLUSHING
GENESEE COUNTY, MICHIGAN

RESOLUTION NO. 15-8

A RESOLUTION TO AUTHORIZE CONTRACTING WITH
THE GENESEE COUNTY ROAD COMMISSION TO REPAIR
AND REPAVE THE ROADS IN KRYSTAL CREEK
SUBDIVISION

WHEREAS, the Township received a petition signed by the record owners of more than 50% of the parcels in Krystal Creek subdivision requesting the Township create a special assessment district to equally allocate among the Krystal Creek properties the cost to repair and repave the subdivision roads in Krystal Creek; and,

WHEREAS, the Township received from the Genesee County Road Commission an estimate for the repair and repaving in the total amount of \$346,250, with \$277,000 to be paid by the Township; and,

WHEREAS, the Township, by its Board of Trustees having approved establishment of the special assessment district at a duly noticed public hearing held on February 12, 2015; and,

WHEREAS, the Board of Trustees having received from the Genesee County Road Commission a proposed contract (the Contract, Exhibit 1) titled Resurfacing Project Agreement with Flushing Charter Township for Krystal Creek Subdivision and the Board of Trustees finding the Contract in accordance with previously received estimate and having determined it would be in the best interest of the Township to proceed with the Contract;

IT IS HEREBY RESOLVED:

1. The Charter Township of Flushing shall enter into the Contract with the Genesee County Road Commission.

2. The Supervisor and Clerk are each authorized to sign the Contract on behalf of the Township and the Clerk shall forthwith deliver the executed original contract to the Genesee County Road Commission together with an executed copy of this Resolution.

YES _____

NO _____

ABSENT _____

THIS RESOLUTION IS DECLARED _____ ADOPTED _____ NOT ADOPTED

I certify that the foregoing is a true and accurate copy of a Resolution adopted by the Charter Township of Flushing Board of Trustees, Genesee County, Michigan, at its regular meeting held on March 12, 2015, at the Charter Township of Flushing Hall, 6524 N. Seymour Road, Flushing MI 48433.

Rian Birchmeier,
Supervisor

Dated _____

Julia Morford
Clerk

Dated _____

**ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY**

2B. Motion to Adopt/Approve Cover Page Through Pages 1-46 of Policies and Procedures Manual – *Each page with changes will be taken separately. Please come prepared to rapidly approve/adopt what was in policies and procedures manual that was presented by Attorney Moulton and adopted February 12, 2015 to what was adopted on August 14, 2014.*

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier to approve the changes on pages 1-4.

**ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY**

TRUSTEE MINAUDO MOVED, supported by Treasurer Lee that on page 8 the last paragraph which starts with Flushing Township Nature Park, be stricken and the ~~new~~ *original* Flushing Township Nature Park Governance Policy effective August 14, 2014 will take its place.

**ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY**

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier on page 9 – Under Introduction of a New Policy or Revision of An Old Policy, *to* change policy to read: “A Board Member may present the new or revised old policy to the Township Board directly for approval without presenting the new or revised policy to a policy committee.”

Attorney Moulton suggested that Trustee Martinson drop “policy” from the last two words of the motion and just have “committee”.

TRUSTEE MARTINSON MOVED, supported by Trustee Minaudo to drop the word “policy” from the last two words of the motion and just have “committee”.

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Minaudo the following changes to ~~pages~~ page 11, ~~12~~ “Change Additions/~~Deletions to~~ Additions to the agenda - other than their own, there shall be no deletions made by a board member.

ACTION ON THE MOTION
ROLL CALL VOTE:
AYES: Birchmeier, Martinson, and Minaudo
NAYS: Morford, Lee, Gage and Matzke
MOTION FAILED

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Minaudo to make the following changes on Page 12, Items on Agenda – The number of *requested* items *to be* placed on the agenda by a board member cannot be limited by another board member and only a board member who ~~places-requests~~ an item *to be placed* on the agenda can remove that item from the agenda. (changes in *italics*)

TREASURER LEE MOVED, supported by Trustee Gage to amend the motion to insert the word *proposed* before the word agenda in the above mentioned motion, i.e. The number of *requested* items *to be* placed on the *proposed* agenda by a board member cannot be limited by another board member and only a board member who ~~places-requests~~ an item *to be placed* on the *proposed* agenda can remove that item from the *proposed* agenda. (amendment changes in ***bold italics***)

ACTION ON THE MOTION
ROLL CALL VOTE:
AYES: Lee, Gage Matzke and Morford
NAYS: Birchmeier, Martinson and Minaudo
AMENDED MOTION CARRIED

SUPERVISORY BIRCHMEIER MOVED, supported by Trustee Martinson to approve the corrections on page 13 (A) Item 1. Minutes for each meeting of the Board shall be prepared by the Clerk or the Clerk’s designee as required by Section 9 of the Open Meetings Act, MCL 15.269. The minutes shall show the date, time, place, members present, each decision made by the Board in the open meeting, including each roll call vote, and the purpose or purposes for each closed session held by the Board *resolutions, hearing notices, reading of ordinances, policies and any corresponding amendments made thereafter to these items*. No other information shall be included in the minutes. (changes in *italics*)

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Martinson, Minaudo and Birchmeier

NAYS: Morford, Lee, Gage and Matzke

MOTION FAILED

Attorney Moulton stated on Page 24 Appendix P should be Appendix O.

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee ~~Martinson~~ *Minaudo* to adopt changing Page 24 Appendix P to Appendix O.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

Steve Moulton suggested changing the first paragraph on page 25 to read: “No person who is or was an elected official of the Township, Supervisor, Treasurer, Clerk or Trustee or any person who is or was the duly appointed deputy of an elected official or any individual who serves or has served at the request of the Township, is a member of the Zoning Board of Appeals, Planning Commission or any other Commission or Committee of the Township shall not be personally liable to the Township, a resident of the Township or any third party for monetary damages or for any claim arising from or related to the performance, improper performance or nonperformance of the person’s fiduciary or other duties related to that person’s elected or appointed position, except for liability arising from the following”:

TREASURER LEE MOVED, supported by Clerk Morford to adopt the aforementioned change to the first paragraph on page 25 as stated above by Attorney Moulton.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier on page 31-second paragraph should read “Financial Institutions shall be selected on the basis....by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund.” Add a third paragraph stating “The following institutions were approved by the Board to receive deposits and investments: 1) Chase Bank, 2) Chemical Bank, 3) Community State Bank, 4) Hantz Bank, 5) The State Bank, 6) Talmer Bank and Trust, 7) West Community State Bank, 8) Dort Federal Credit Union, and 9) Elga Credit Union.”

TREASURER LEE MOVED TO AMEND THE MOTION, by taking out the third paragraph listing the institutions.

ACTION ON THE AMENDED MOTION

ROLL CALL VOTE:

AYES: Lee, Morford, Minaudo, Matzke and Gage

NAYS: Birchmeier and Martinson

MOTION CARRIED

CLERK MORFORD MOVED, supported by Treasurer Lee to elevate the directives up to the Policy and Procedures Manual and be part of that and replace the first paragraph on page 46 under Responsibilities for Routine Maintenance.

TREASURER LEE AMENDED THE MOTION, supported by Clerk Morford, stating the directives are the governing policy and wherever any prior policies or procedures are inconsistent with the directives are hereby set aside for the Building/Grounds and Bids and Personnel Committee will be effective.

ACTION ON THE AMENDED MOTION

ROLL CALL VOTE:

AYES: Lee, Gage, Matzke and Morford

NAYS: Martinson, Minaudo and Birchmeier

MOTION CARRIED

V. NEW BUSINESS:

- A. Motion to Approve Supervisor's appointment of Chief Brian Fairchild to the 9-1-1 Consortium Committee

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Matzke to approve appointment of Chief Brian Fairchild to the 9-1-1 Consortium Committee.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

- B. Motion to Approve AN ORDINANCE TO PROTECT THE HEALTH, SAFETY AND WELFARE OF FLUSHING TOWNSHIP THROUGH THE REGULATION OF THE USE OF FIREWORKS, AS PROVIDED BY STATE STATUE AND TO REPEAL CONFLICTING ORDINANCES

TRUSTEE MINAUDO MOVED, supported by Supervisor Birchmeier to approve first reading of an ordinance to protect the health, safety and welfare of Flushing Township through the regulation of the use of fireworks, as provided by state statute and to repeal conflicting ordinances as stated below:

**CHARTER TOWNSHIP OF FLUSHING
GENESEE COUNTY, MICHIGAN
ORDINANCE NO. 15-9**

AN ORDINANCE TO PROTECT THE HEALTH, SAFETY AND WELFARE OF FLUSHING TOWNSHIP THROUGH THE REGULATION OF THE USE OF FIREWORKS, AS PROVIDED BY

STATE STATUTE AND TO REPEAL CONFLICTING
ORDINANCES.

THE CHARTER TOWNSHIP OF FLUSHING ORDAINS:

Section 1. Name

This Ordinance shall be known as the Flushing Township Fireworks Ordinance.

Section 2. Purpose

In the interest of maintaining public health, safety and the general welfare, Flushing Township hereby provides for the regulation and use of fireworks in Flushing Township, as provided in PA 256 of 2011, as may be amended, MCL 28.451, et seq., and repeals all ordinances or parts of ordinances in conflict, including Section 13-16 of the Code of Ordinances.

Section 3. Definitions

For purposes of this Ordinance, the following definitions apply:

A. Articles pyrotechnic: Pyrotechnic devices for professional use that are similar to consumer fireworks in the chemical composition and construction, but not intended for consumer use, that meet the weight limits for consumer fireworks, but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101.

B. APA: American Pyrotechnics Association

C. Consumer fireworks: Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA Standard 87-1, 3.1.2, 3.1.3 or 3.5. Consumer fireworks does not include low-impact fireworks.

D. Department: Department of Licensing and Regulatory Affairs (LARA), for the State of Michigan.

E. Display fireworks: Large fireworks devices that are explosive materials intended for use in fireworks displays and are designed to produce visible or audible effect by combustion, deflagration, or detonation as provided in 27 CFR 555. 11, 49 CFR 162 and APA standard 87-1, 4.1

F. Firework or fireworks: Any composition or device, except for a starting pistol, a flare gun or flare, designed for the purpose of producing a visible or audible effect by combustion, deflagration or detonation. Fireworks consist of consumer fireworks, low-impact fireworks, articles pyrotechnic, display fireworks and special effects.

G. Low-impact fireworks means ground and handheld sparking devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8 and 3.5.

H. Minor: Individual who is less than 18 years old.

I. National holiday: A national holiday is defined in 5 USC 6103 and includes: New Year's Day, Martin Luther King, Jr., Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day and Christmas Day.

J. NFPA: National Fire Protection Association.

K. Novelties: As defined under APA Standard 87-1, 3.1, 3.2.1, 3.2.2, 3.2.3, 3.2.4 and 3.2.5 and all of the following:

- (1) Toy or paper caps for toy pistols in sheets, strips, roles or individual caps containing not more than .25 of a grain of explosive content per cap, in packages label to indicate the maximum explosive content per cap.
- (2) Toy pistols, toy cannons, toy canes, toy trick noisemakers and toy guns in which toy caps as described in the above paragraph are used, that are constructed so that the hand cannot come in contact with the cap when in place for the explosion, and that are not designed to break apart or be separated so as to form a missile by the explosion.

(3) Flitter Sparklers and paper tubes not exceeding 1/8 inch in diameter.

L. Person: Individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization or any other legal or commercial entity.

M. Special effects: A combination of chemical elements or chemical compounds capable of burning independently of the oxygen of the atmosphere and designed and intended to produce an audible, visual, mechanical or thermal effect as an integral part of a motion picture, radio, television, theatrical or opera production or live entertainment.

Section 4. Novelties

This ordinance does not apply to and does not regulate the use of Novelties.

Section 5. Consumer Fireworks

A. Consumer fireworks may be used in Flushing Township on the day proceeding, the day of, and the day after a national holiday.

B. At any time other than the day proceeding, the day of and/or the day after a national holiday, consumer fireworks may be used in Flushing Township subject to the following requirements and restrictions:

- (1) On Sundays through Thursdays, consumer fireworks may be used from dusk to 10 PM.
- (2) On Fridays and Saturdays, consumer fireworks may be used from dusk to midnight.
- (3) Use of consumer fireworks must be in compliance with Flushing Townships' nuisance ordinance.
- (4) Consumer fireworks shall not be used if a fire ban, burning ban or other restriction is in place.
- (5) A person shall not ignite, discharge or use consumer fireworks on public property, school property, church property or the property of another person without that person or organization's express permission to use the consumer fireworks on those premises.
- (6) A person shall not use consumer fireworks or low-impact fireworks while under the influence of alcohol, a controlled substance or a combination of alcohol and a controlled substance.
- (7) Consumer fireworks shall only be used in accordance with all applicable local, state and federal laws.

Section 6. Articles Pyrotechnic and Display Fireworks

A. The Township Board may permit articles pyrotechnic, display fireworks and special effects fireworks in Flushing Township, pursuant provisions of MCL 28.451, et seq., and this Ordinance.

B. Any person wishing to conduct an articles pyrotechnic, display fireworks or special effects display shall, at least 45 days prior to any display, submit an application on a form furnished by the Township, pay the required fee and shall secure permission from the Township Board prior to any such fireworks display.

C. A site plan of the area where the articles pyrotechnic, display fireworks and special-effects displays are to be conducted shall be submitted with the application. The site plan shall set forth all structures in the area and within the discharge site fallout area and accurately depict the distance separating any fireworks storage and ignition areas from any spectator viewing areas. The site plan shall be forwarded to the Fire Chief and/or his designated alternate for approval, including any recommended conditions, prior to coming before submission of the application to the Township Board for approval.

D. A copy of any required state or federal permit for the fireworks display shall be submitted with the application.

E. Proof of insurance conforming to the requirements of this Ordinance and 2013 PA 65 shall be submitted with the application.

F. The application shall include information as to the competency and qualifications of the fireworks display operator, as required by NFPA 1123.

G. The Township Board may approve an application for an articles pyrotechnic, display fireworks or special effects display if it finds all of the following standards are satisfied:

- (1) The application and accompanying documentation are complete and conform to the requirements of this Ordinance.
- (2) The operator of the fireworks display is competent and qualified to conduct the display, pursuant to NFPA 1123.
- (3) The Fire Chief and/or his/her designated alternate has approved the application and site plan.
- (4) The fireworks display will not have an adverse effect upon public safety.
- (5) The time, duration, location of the fireworks are special-effects display will not, due to noise and other factors, unreasonably disturb the peace of persons residing within the vicinity or otherwise violate the Township's nuisance ordinance.
- (6) The Township Board, in approving an application, shall have the authority to impose such conditions as it determines reasonably necessary to assure the fireworks display will satisfy the above standards.

H. An articles pyrotechnic, display fireworks or special effects display shall conform to the following requirements:

- (1) The person conducting the display shall follow NFPA 1123 and/or the Township requirements set forth in this Ordinance or, as a condition to grant of the application, whichever is more restrictive.
- (2) A minimum safe area of 250 feet radius, plus an additional 70 feet radius for each inch by which the fireworks shell exceeds 3 inches in diameter shall be required. The Township Board shall have the authority to grant a variance from this requirement where it determines, in its sole discretion, that, given the nature of the site, the nature of the surrounding area and/or the nature of the proposed fireworks display, that a variance will not have a material adverse impact on public safety. In no event, however, shall the applicant fail to comply with the minimum requirements of NFPA 1123.
- (3) The applicant shall maintain personal injury liability insurance/property damage liability insurance in the amount of \$1 million for each event. The Township shall be named as an additional insured on the insurance policy.
- (4) The Township board shall not issue a permit to a nonresident person until the person has appointed, in writing, a member of the State Bar or a resident agent to be the person's legal representative upon whom all process in an action or proceeding against the person may be served.
- (5) The applicant shall be responsible for all shells being fired. In the event one or more shells does not explode, the applicant shall secure the area until the unexploded shell(s) is found and properly disposed of.
- (6) The consumption of alcohol immediately prior to and during the fireworks display by any person involved in conducting the display is prohibited.
- (7) A fireworks display conducted hereunder shall conform with all specifications set forth in the approved application and site plan, as well as any conditions imposed by the Township Board in granting such approval.
- (8) The applicant shall cause the site of the fireworks display to be cleaned up within 24 hours after the fireworks display is ended.
- (9) A permit is not transferable and shall not be granted to a minor.

Section 7. Sanctions

Any person that violates any provision of this Board shall be deemed responsible for a municipal civil infraction and fine in accordance with the following schedule:

	Minimum Fine	Maximum Fine
1 st offense	\$75	\$500
2 nd offense within three-year period	\$150	\$500
3 rd offense within three-year period	\$325	\$500
4 th offense within three-year period	\$500	\$500

In addition to the fine, the violator shall pay costs which may include all expenses, direct and indirect, which Flushing Township incurs in connection with the municipal civil infraction, including but not limited to reasonable attorneys fees and court costs.

Section 8. Severability

If any section, clause or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such determination shall not affect the validity of the provisions of the ordinance not expressly determined invalid.

Section 9. Repeal of Conflicting Ordinances

All ordinances or part of ordinances in conflict with this Ordinance, including but not limited to Section 13 – 60 of the Code of Ordinances are hereby repealed.

Section 10. Effective Date

This ordinance shall take effect 30 days after publication following its adoption.

Adopted the ____ day of _____, 2015, by vote of the Charter Township of Flushing Board of Trustees.

Rian R. Birchmeier, Township Supervisor

Julia A. Morford, Township Clerk

**ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY**

- C. Motion to Approve the INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF FLUSHING AND THE CHARTER TOWNSHIP OF FLUSHING, to establish the parameters for use of the City of Flushing video recording equipment

TRUSTEE MINAUDO MOVED, supported by Trustee Martinson to approve the “Intergovernmental Agreement among the City of Flushing and the Charter Township of Flushing”, to establish the parameters for use of the City of Flushing video recording equipment.

**ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY**

- D. Motion to Approve the MTA Workshop for “Learn Strategies for Negotiating Contracts and Agreements”

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson to approve attendance for all Board Members who want to attend the MTA Workshop for “Learn Strategies for Negotiating Contracts and Agreements”. Those individuals who sign up for the workshop and do not attend or leave early will be responsible for *reimbursing township* for payment of *registration fee*.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

- E. Motion to Approve \$205,000 to be the set amount in the “Public Service Department” for Road Improvements for Budget Year 2015/2016

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson to Approve \$205,000 to be the set amount in the “Public Service Department” for Road Improvements for Budget Year 2015/2016.

TREASURER LEE MOVED, supported by Trustee Gage to table this item until next meeting.

ACTION ON THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED

- F. Motion to Approve Clerk Julia Morford, Treasurer Maryion Lee, and Supervisor Birchmeier to be the Authorized Signatories for the Genesee County Community Development Block Grant (CDBG) Updates

TRUSTEE MINAUDO MOVED, supported by Treasurer Lee to Approve Clerk Julia Morford, Treasurer Maryion Lee, and Supervisor Birchmeier to be the Authorized Signatories for the Genesee County Community Development Block Grant (CDBG) Updates.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

- G. Motion to Approve Charging \$50 for a Non-Refundable Administrative and Recovery Fee to Resident and Non-Resident to Reserve the Flushing Township Nature Park Pavilion.

TREASURER LEE MOVED, supported by Trustee Gage to Approve Charging \$50 for a Non-Refundable Administrative and Recovery Fee to Residents and Non-Residents to Reserve the Flushing Township Nature Park Pavilion.

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

- H. Motion to Approve a Public Hearing on the 2015-2020 Flushing Area Recreation Master Plan at the Regular Scheduled Board of Trustees Meeting on April 9, 2015

TREASURER LEE MOVED, supported by Trustee Minaudo to Approve a Public Hearing on the 2015-2020 Flushing Area Recreation Master Plan at the Regular Scheduled Board of Trustees Meeting on April 9, 2015.

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

- I. Motion to Approve the Meeting Agenda Amendment as presented

TREASURER LEE MOVED, supported by Clerk Morford to Approve the Meeting Agenda Amendment as stated: Any board member who desires to have an item placed on the agenda will notify the clerk, in writing, by 9:00 a.m. on the Thursday prior to the meeting. Sufficient copies of documentation will be made available to the clerk at that time.

In addition, any board member who desires to invite a special guest or guests to confer with board members at a board meeting, must have written approval of two officers before inviting the guest or guests a week before the agenda items are due. In an emergency, the time requirement will be waived.

An emergency is defined as when an immediate decision is required by the board and the information of the guest or guests is critical to the decision.

The Township Clerk shall prepare the agenda by the Monday prior to every Township Board Meeting. (changes in italics)

ACTION ON THE MOTION
ROLL CALL VOTE:
AYES: Lee, Gage and Morford
NAYS: Martinson, Matzke, Minaudo and Birchmeier
MOTION FAILED

- J. Motion to Approve the 2014/2015 Budget Amendments as presented

TREASURER LEE MOVED, supported by Trustee Matzke to approve the 2014/2015 Budget Amendments as presented.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Minaudo, Matzke, Gage, Lee and Morford

NAYS: Birchmeier and Martinson

MOTION CARRIED

- K. Motion to Approve the Hazard Mitigation Grant Program (HMGP) Funding Announcement-DR-4195-MI for four (4) Sirens in Flushing Township

TREASURER LEE MOVED, supported by Trustee Gage to Approve the Hazard Mitigation Grant Program (HMGP) Funding Announcement-DR-4195-MI for four (4) Sirens in Flushing Township.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

- L. Approval of February 12, 2015 Minutes of Board of Trustee Special Meeting

TRUSTEE GAGE MOVED, supported by Treasurer Lee to approve the minutes of the Board of Trustees Special Meeting.

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier, to change the title of the meeting to ~~Special Meeting of the Board of Trustees~~ *from Special Board of Trustees Minutes to Minutes from Special Meeting of the Board of Trustees.*

ACTION ON THE MOTION

ROLL CALL VOTE:

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

NAYS: Gage

MOTION CARRIED

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson to approve the highlighted corrections on pages 1, 2 and 3 *as presented.*

ACTION ON THE MOTION

ROLL CALL VOTE:

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

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

~~MOTION CARRIED~~ MOTION FAILED

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier under IT IS HEREBY RESOLVED: 1. The Krystal Creek Special Assessment District is hereby established

for the purpose of paying for the repair and *repaving* of the above described roads in Krystal Creek. (Correction in *Italics*)

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson to add the word “fixed” under 4.,with *fixed* interest of 3 percent (Correction in *Italics*)

ACTION ON THE MOTION
ROLL CALL VOTE:
AYES: Birchmeier, Minaudo, Matzke and Martinson
NAYS: Lee, Gage and Morford
MOTION CARRIED

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson to delete the paragraph on page two starting with, “Mr. Richard Hill.....ending with.....Special Assessment District stating only motions should be in the minutes”.

ACTION ON THE MOTION
ROLL CALL VOTE:
AYES: Martinson, Birchmeier and Minaudo
NAYS: Morford, Gage, Lee and Matzke
MOTION FAILED

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson to delete on page one the paragraph beginning with “Ms. Juanita Wells.....to the end of page one and starting on page two with Mr. Jeff Morganand all the language after that”.

ACTION ON THE MOTION
ROLL CALL VOTE:
AYES: Martinson and Birchmeier
NAYS: Lee, Gage, Minaudo, Morford and Matzke
MOTION FAILED

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier to add language after the second paragraph on page two in response to Ms. Juanita Wells question. “*Attorney Moulton stated a petition signed by 20% of the affected property owners would be sufficient to trigger the initial consideration by the Board of a Special Assessment District*”

ACTION ON THE MOTION
ROLL CALL VOTE:
AYES: Lee, Gage, Minaudo, Morford, Matzke and Martinson
NAYS: Birchmeier
MOTION CARRIED

- M. Approval of Minutes of ~~Regular~~ *Regularly Scheduled* Board Meeting of February 12, 2015 at 7:00 PM

TRUSTEE MINAUDO MOVED, supported by Trustee Martinson to approve the minutes of the Regular Board Meeting of February 12, 2015.

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier to correct the corrections of the January 8, 2015 meeting on page 11 of the February 12, 2015 meeting second paragraph, last sentence starting with “to increase under.....ending with \$10,000 to \$5,000”...it should read “\$10,000 *from* \$5,000 (Change in Italics)

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson to accept the corrections he made on pages 1, 3, 6, 8 and 12 on the regular meeting minutes of February 12, 2015.

~~Supervisor Birchmeier moved, supported by Trustee Martinson to correct the December 11, 2014 Board of Trustee Minutes by removing the “y” from the word “Supervisory”. It should have read “Supervisor” on pages 6, 7 & 8.~~

Should have read:

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson to approve the corrections made by the Supervisor, Pages 6-8 of the Corrected Minutes for the Regularly Scheduled Meeting held on December 11, 2014. (Corrections in Italics)

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

- N. Approval of February 24, 2015 Minutes, Board of Trustee Special Meeting

TRUSTEE MINAUDO MOVED, supported by Trustee Matzke to approve the minutes of the February 24, 2015 Board of ~~Trustee~~ *Trustees* Special Meeting at 6:15 PM.

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier to change the title of the meeting at the top of the page from “SPECIAL MEETING FOR THE BOARD OF TRUSTEES”, to SPECIAL MEETING *OF* THE BOARD OF TRUSTEES” (Correction in Italics)

ACTION ON THE MOTION
ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

O. Payment of Bills

TRUSTEE MATZKE MOVED, supported by Trustee Minaudo to approve the payment of bills.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

P. Approval of Proposed Park Map Cards and Park Map Brochures

TREASURER LEE MOVED, supported by Trustee Gage to follow the recommendation to purchase 5,000 cards (with description to come later) for a cost of \$549.00 plus \$60.00 set up fee and \$60.00 design fee for a total of \$669.00 and 2,500 brochures for \$494.00 plus \$60.00 set up fee and \$60.00 design fee for a total of \$614.00 and a grand total of \$1,283.00.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Morford, Lee, Gage, Minaudo and Matzke

NAYS: Birchmeier and Martinson

MOTION CARRIED

Q. Resolution to approve pay for 80/20 Insurance

TREASURER LEE MOVED, supported by Trustee Minaudo, to adopt the resolution to approve the 80%/20% employee/employer health caps.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

VI. REPORTS WERE GIVEN BY:

Flushing Township Police Department – Chief Brian Fairchild
Flushing Fire Department – Supervisor Birchmeier
Michigan Township Association – Supervisor Birchmeier
Flushing Area Senior Center – Clerk Morford
Financial Report – Treasurer Lee

VII. COMMITTEE REPORTS WERE GIVEN BY:

1. Roads, Bridges and Ditches – Supervisor Birchmeier
2. Sewer and Water – Supervisor Birchmeier
3. Township Emergency Manager – Supervisor Birchmeier
4. Planning Commission – Supervisor Birchmeier

5. Community Development – Supervisor Birchmeier
6. Flushing Township Parks and Recreation Committee – Treasurer Lee

VIII. PUBLIC COMMENTS

12:10 a.m. - OPEN FOR PUBLIC COMMENTS

One person gave a comment

12:13 a.m. – CLOSED FOR PUBLIC COMMENTS

IX. BOARD COMMENTS

X. THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, APRIL 9, 2015

XI. ADJOURNMENT: Supervisor Birchmeier adjourned the meeting at 12:15 a.m.

JOYCE A. WILSON, Deputy Clerk

RIAN R. BIRCHMEIER, Supervisor

APPROVED DATE _____

03/12/2015 Regular Min