

CHARTER TOWNSHIP OF FLUSHING

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

DATE: SEPTEMBER 8, 2016

TIME: 7:00 P.M.

PHONE: 810-659-0800

FAX 810-659-4212

WEB PAGE: <http://flushingtownship.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 **CLERK JULIA MORFORD** with Roll Call and the Pledge of Allegiance to the American Flag.
- II. ROLL CALL:** Julia A. Morford, Maryion T. Lee, Shirley D. Gage, Scott Matzke, Bonnie Jean Martinson, Scott P. Minaudo, and Attorney Steve Moulton
MEMBERS ABSENT: Rian Birchmeier

OTHER INDIVIDUALS PRESENT: Twelve (12) other individuals present

CLERK MORFORD MOVED, supported by Trustee Gage to appoint Treasurer Lee to chair the meeting.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Minaudo, Matzke, Gage, Lee and Morford

NAYS: Martinson

ABSENT: Rian Birchmeier

MOTION CARRIED

Trustee Martinson requested the approval of minutes be moved to New Business as the last item.

CLERK MORFORD MOVED, supported by Trustee Gage to amend and approve the agenda by removing Items A., B., and C. under New Business because of an issue with the Public Hearing Notice and per the Open Meetings Act, hold a Special Meeting on Thursday, September 22, 2016 at 5:00 P.M. to discuss those items and to move approval of minutes to the end of New Business.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED

ABSENT: Rian Birchmeier

III. PUBLIC COMMENTS

7:12 P.M. OPEN FOR PUBLIC COMMENTS

There were no Public Comments

7:13 P.M. CLOSED FOR PUBLIC COMMENTS

IV. UNFINISHED BUSINESS:

1. Motion to approve A RESOLUTION TO AUTHORIZE THE ANNEXATION BY THE CITY OF FLUSHING OF TWO (2) CONTIGUOUS PARCELS OF REAL PROPERTY LOCATED IN FLUSHING TOWNSHIP. – Treasurer Lee/Attorney Steve Moulton and Mr. Daniel D. Borgerding of Century 21 Real Estate

TREASURER LEE MOVED, supported by Trustee Gage to approve A RESOLUTION TO AUTHORIZE THE ANNEXATION BY THE CITY OF FLUSHING OF TWO (2) CONTIGUOUS PARCELS OF REAL PROPERTY LOCATED IN FLUSHING TOWNSHIP per Resolution 16-9 as stated below.

CHARTER TOWNSHIP OF FLUSHING
GENESEE COUNTY, MICHIGAN

RESOLUTION NO. 16-9

A RESOLUTION TO AUTHORIZE THE ANNEXATION BY THE
CITY OF FLUSHING OF TWO (2) CONTIGUOUS PARCELS OF
REAL PROPERTY LOCATED IN FLUSHING TOWNSHIP

WHEREAS, Daniel Borgerding is the record owner of the following described property located in the Township of Flushing, Genesee County, Michigan, described as:

Part of Lot 11 beginning South 40° 19' East 196.63 feet from Northwest corner of Lot 11, thence North 56° 57' 30" East 183.63 feet, thence South 70° 09' 30" East 9.85 feet, thence on curve to right - chord- South 58° 19' 39" East 871.38 feet, thence South 56° 16' West 169.44 feet, thence on curve to left- chord- North 58° 52' 25" West 766.63 feet, thence North 70° 18' West 88.35 feet, thence North 40°

19' West 37.72 feet to place of beginning, except all that part lying east of City limits, SUPERVISORS PLAT NO. 27.
Flushing Township Parcel No. 08-27-502-020

WHEREAS James G. Plouffe is the record owner of the following described property located in the Township of Flushing, Genesee, Michigan, described as:

Part of Lot 11 beginning South 40° 19' East 136.13 feet from Northwest corner of Lot 11, thence North 56° 57' 30" East 221.10 feet, thence South 70° 09' 30" East 39.68 feet, thence on curve to right-chord - South 54° 37' 55" East 1169.82 feet, thence South 89° 57' 30" West 78 feet, thence Northerly on curve radius of 2125.08 feet and chord North 55° 17' 40" West 1090.27 feet, thence North 70° 09' 30" West 9.85 feet, thence South 56° 57' 30" West 183.63 feet, thence North 40° 19' West 60.50 feet to place of beginning, except all that part lying East of City limits SUPERVISORS PLAT NO. 27
Flushing Township Parcel No. 08-27-502-019

The two (2) described parcels are hereinafter collectively referred to as the Properties; and,

WHEREAS the owners of record of the Properties, by letter (Exhibit 1) dated March 21, 2016, requested the City of Flushing to accept annexation of the Properties; and,

WHEREAS, the City of Flushing, by action of its City Council taken at its regularly scheduled meeting held August 8, 2016, accepted annexation of the Properties to the city, contingent on the appropriate approval of the Charter Township of Flushing; and,

WHEREAS Section 34 of the Charter Township Act, MCL 42.34(4) provides:

“... if a qualified elector does not reside in the territory proposed to be annexed that is contiguous to the city or village, other than the 1 or more persons petitioning, or if a petition signed by 1 or more persons... that collectively hold... recorded legal title to more than one half of the area of the land in the territory to be annexed is filed with the city or village and with the township board of the charter township in which the territory is situated, the annexation may be accomplished by the affirmative majority vote of the city council... of the city... and the approval of the charter township board of the township.”; and,

WHEREAS the Properties are eligible for annexation as each is zoned commercial, each is vacant, no one resides or otherwise occupies either parcel and the Properties are contiguous to the City of Flushing; and,

WHEREAS the Properties may be more efficiently developed or otherwise used if administered in conjunction with property located in the City of Flushing; therefore,

IT IS HEREBY RESOLVED the Properties described herein are approved and authorized for annexation by the City of Flushing.

IT IS HEREBY FURTHER RESOLVED upon submission to the Charter Township of Flushing of a certified copy of a resolution of the Council for the City of Flushing accepting annexation of the Properties, the Properties shall be annexed to the City of Flushing and thereafter governed and administered as part of the City of Flushing.

YES _6_____

NO _0_____

ABSENT: _1_____

The resolution is declared ADOPTED.

I certify 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 the 11th day of August, 2016, at the Charter Township of Flushing Hall, 6524 N. Seymour Road, Flushing, MI 48433.

Maryion Lee,
Treasurer and Superintendent

Dated: _____

Julia Morford, Clerk

Dated: _____

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED

ABSENT: Rian Birchmeier

V. NEW BUSINESS:

1. The following items may be the subject and possible action of the Board:

- A. Motion to have the Flushing Township Board pay attorney fees of \$6,515.84 to Attorney Davison; he represented Supervisor Birchmeier in “Charter Township of Flushing vs. Birchmeier” in March 2016.” - Trustee Martinson

TRUSTEE MARTINSON MOVED, supported by Trustee Minaudo to have the Flushing Township Board pay attorney fees of \$6,515.84 to Attorney Davison; who represented Supervisor Birchmeier in “Charter Township of Flushing vs. Birchmeier” in March 2016.”

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Martinson and Minaudo

NAYS: Gage, Lee, Matzke and Morford

MOTION FAILED

ABSENT: Rian Birchmeier

- B. Motion to add the following policy to our Policies and Procedures Manual, page 8, between “Board of Trustees” and “Planning Commission”: “All members of Flushing Township Boards, Commissions and Committees must be tax-paying Flushing Township residents and registered voters in Flushing Township at the time of their appointment and the member must be replaced if either of the aforementioned change.” – Trustee Martinson

TRUSTEE MARTINSON MOVED, supported by Trustee Minaudo to add the following policy to our Policies and Procedures Manual, page 8, between “Board of Trustees” and “Planning Commission”: “All members of Flushing Township Boards, Commissions and Committees must be Flushing Township residents and registered voters in Flushing Township at the time of their appointment and the member must be replaced if either of the aforementioned change.”

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Martinson

NAYS: Lee, Minaudo, Matzke, Gage and Morford

MOTION FAILED

ABSENT: Rian Birchmeier

- C. Approval of Minutes of August 11, 2016 Board Meeting

Trustee Martinson corrected the minutes stating a motion was missing, near the bottom, on page one and should be inserted as follows above motion made by Trustee Martinson:

***TREASURER LEE MOVED**, supported by Trustee Gage to accept the amended agenda.*

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED

***ABSENT:** Rian Birchmeier*

TRUSTEE MINAUDO MOVED, supported by Clerk Morford to approve the corrected minutes of the August 11, 2016 meeting.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED

ABSENT: Rian Birchmeier

VI. REPORTS:

1. Supervisor’s Report – No report given
2. Flushing Township Police Department – Chief Fairchild
3. Flushing Fire Department – Clerk Morford

4. Flushing Area Senior Center – Clerk Morford
5. Superintendent’s Report – Superintendent/Treasurer Lee

VII. COMMITTEE REPORTS: No Reports

VIII. PUBLIC COMMENTS:

8:00 PM – OPEN FOR PUBLIC COMMENTS

There were no Public Comments

8:01 PM – CLOSED FOR PUBLIC COMMENTS

IX. BOARD COMMENTS:

Clerk Morford and Trustee Martinson gave comments

X. NEXT SPECIAL MEETING: THURSDAY, SEPTEMBER 22, 2016 at 5:00 P.M.

XI. ADJOURNMENT: Meeting adjourned at 8:15 PM

JOYCE A. WILSON, Deputy Clerk

RIAN R. BIRCHMEIER, Supervisor

APPROVED DATE _____

09/08/2016 Regular Min