

CHARTER TOWNSHIP OF FLUSHING

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

DATE: December 14, 2017

TIME: 7:00 P.M.

PHONE: 810-659-0800

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

ADMINISTRATION:

SUPERVISOR: Frederick R. Thorsby
CLERK: Wendy D. Meinburg
TREASURER: Terry A. Peck

TRUSTEES:

Jenifer Almassy
Daniel McGrath
Linda Minarik
William L. Westenbarger

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 FREDERICK R. THORSBY** with Roll Call and the Pledge of Allegiance to the American Flag.
- II. ROLL CALL:** Linda Minarik, Fred Thorsby, Dan McGrath, Jenifer Almassy, Wendy Meinburg, William Westenbarger, and, Terry Peck. Attorney Steven Moulton was also present.

MEMBERS ABSENT: None

OTHER INDIVIDUALS PRESENT: Nine (9)

APPROVAL OF AGENDA FOR DECEMBER 14, 2017:

TREASURER PECK MOVED, supported by Trustee Westenbarger to adopt the agenda as submitted.

THE MOTION CARRIED UNANIMOUSLY.

APPROVAL OF DRAFT MINUTES OF REGULAR BOARD MEETING OF NOVEMBER 9, 2017 MEETING.

TRUSTEE ALMASSY, supported by Trustee McGrath to approve the minutes of the November 9, 2017 Board Meeting.

THE MOTION CARRIED UNANIMOUSLY.

APPROVAL OF PAYMENT OF BILLS:

TRUSTEE WESTENBARGER MOVED, supported by Treasurer Peck to approve the payment of bills.

THE MOTION CARRIED UNANIMOUSLY.

III. PUBLIC COMMENTS:

OPEN FOR PUBLIC COMMENTS: 7:05 P.M.

No individuals gave comments

CLOSED FOR PUBLIC COMMENTS: 7:06 P.M.

IV. OLD BUSINESS:

1. Second reading of a motion to adopt an Ordinance 17-3 to amend sections 5-26 through 5-32, inclusive, of the code of ordinances to allow the Township to assume responsibility for the administration and enforcement of the Stille-Derossett-Hale single state construction code Act, 1972 PA 230, MCL 125.1501, et seq., as amended; and to authorize the Township to designate a qualified agent to discharge such responsibility – Supervisor

TREASURER PECK MOVED, supported by Trustee Westenbarger to proceed with the second reading and adopt Ordinance 17-3 to amend sections 5-26 through 5-32, inclusive, of the code of ordinances to allow the Township to assume responsibility for the administration and enforcement of the Stille-Derossett-Hale single state construction code Act, 1972 PA 230, MCL 125.1501, et seq., as amended; and to authorize the Township to designate a qualified agent to discharge such responsibility.

Trustee Almassy questioned whether the resolution that was part of the Board Packet was to be included with the ordinance. Attorney Moulton informed the Board the resolution or a motion was to be approved and included with the ordinance in order for Safe Built to proceed, rather than using a copy of the meeting minutes. Trustee Almassy pointed out it should then be added to the agenda.

ACTION ON THE MOTION:

ROLL CALL VOTE

AYES: Peck, Minarik, Thorsby, McGrath, Almassy, Westenbarger and Meinburg

NAYS: None

MOTION CARRIED UNANIMOUSLY

TRUSTEE ALMASSY MOVED, supported by Trustee McGrath to amend the agenda by adding item 1A. Approval of the Resolution to introduce for publication and subsequent adoption Ordinance No. 17-3 with correction to the date and correction in first “Whereas” to making “administers” and “enforces” singular.

THE MOTION CARRIED UNANIMOUSLY

V: NEW BUSINESS

- 1A. Motion to approve the resolution to introduce for publication and subsequent adoption Ordinance No. 17-3.

RESOLUTION

At the regular meeting of the Charter Township of Flushing, Genesee County, Michigan held at the Flushing Township Municipal Building, in said Township on the _____ day of _____, 2017 at 7:00 P.M.

Present: (Members Present)

Absent: (Members Absent)

The following resolution was offered by Board Member _____ and supported by Board Member_____.

WHEREAS, Flushing Township currently does not administer and enforce the State Construction Code for building; and

WHEREAS, it is the Township’s desire to assume responsibility for the administration and enforcement of the State Construction Code for building, electrical, mechanical and plumbing pursuant to MCL 125.1508b; and

WHEREAS, the proposed amendment will improve the service provided to builders, contractors and home owners as the plan review, permitting and inspections will be conducted by our local governmental unit; and

WHEREAS, it is deemed in the best interest of the public health, safety and welfare of the citizenry of the Charter Township of Flushing to administer and enforce the State Construction Code.

NOW, THEREFORE, BE IT RESOLVED the Flushing Township Board hereby introduces for publication and subsequent adoption Ordinance No. 17-3.

Adopted: Ayes _____ Nays _____

Frederick R. Thorsby
Township Supervisor

Wendy D. Meinburg
Township Clerk

TRUSTEE ALMASSY MOVED, supported by Trustee Westenbarger to approve the above resolution with corrections.

THE MOTION CARRIED UNANIMOUSLY.

1. Motion to approve the resolution of Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2018 – Supervisor

RESOLUTION FOR POVERTY EXEMPTION

WHEREAS, the adoption of guidelines for poverty exemptions is required of the Township Board; and

WHEREAS, the principal residence of persons, who the Supervisor/Assessor and Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 19 94, the Charter Township of Flushing, Genesee County adopts the following guidelines for the Board of Review to implement.

The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year;

To be eligible, a person shall do all the following on an annual basis:

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File a claim with the supervisor/assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the principal residence, including

any property tax credit returns filed in the immediately preceding year or in the current year or a signed State Tax Commission Form 4988, Poverty Exemption Affidavit.

- 3) File a claim reporting that the combined assets of all persons do not exceed the current guidelines. Assets include but are not limited to, real estate other than the principal residence, personal property, motor vehicles, recreational vehicles and equipment, certificates of deposit, savings accounts, checking accounts, stocks, bonds, life insurance, retirement funds, etc.
- 4) Produce a valid driver's license or other form of identification if requested.
- 5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.
- 6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services or alternative guidelines adopted by the governing body providing the alternative guidelines do not provide eligibility requirements less than the federal guidelines.
- 7) The application for an exemption shall be filed after January 1, 2018 but one day prior to the last day of the December, 2018 Board of Review. The filing of this claim constitutes and appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal. The following are the 2018 federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The annual allowable income includes income for all persons residing in the principal residence.

The Current Guidelines to be adopted, are as follows:

STC Bulletin 24 of 2017
Federal Poverty Guidelines Used in the Determination of Poverty Exemptions

<u>Size of Family Unit</u>	<u>2018 Poverty Guidelines</u>
1	\$ 12,060
2	\$ 16,240
3	\$ 20,420
4	\$ 24,600
5	\$ 28,780
6	\$ 32,960
7	\$ 37,140
8	\$ 41,320
For each additional person	\$ 4,160

NOW, THEREFORE, BE IT HEREBY RESOLVED

That the supervisor/assessor and Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these reasons are communicated in writing to the claimant.

The foregoing resolution offered by Township Board Member _____ and supported by Township Board Member _____

Upon roll call vote, the following voted:

AYES: _____

NAYS: _____

The Township Clerk declared the resolution _____

Wendy D. Meinburg, Clerk

Date: _____

TRUSTEE ALMASSY MOVED, supported by Trustee McGrath to approve the resolution of Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2018.

ACTION ON THE MOTION:

ROLL CALL VOTE

AYES: Meinburg, Westenbarger, Minarik, Thorsby, McGrath, Almassy and Peck

NAYS: None

MOTION CARRIED UNANIMOUSLY

- 2. Motion to approve the 2018 Flushing Township Meeting Dates – Clerk

Supervisor Thorsby pointed out two of the Board of Trustee Meeting Dates had been moved due to elections with those being August 16 and November 15 of 2018.

TREASURER PECK MOVED, supported by Trustee Westenbarger to approve the 2018 Flushing Township Meeting Dates.

THE MOTION CARRIED UNANIMOUSLY.

- 3. Re-Appointment of Richard Vaughn to Zoning Board of Appeals and Mark Newman and Robert Gensheimer to Planning Commission – Supervisor

TRUSTEE WESTENBARGER MOVED, supported by Clerk Meinburg to reappoint Richard Vaughn to the Zoning Board of Appeals and Mark Newman and Robert Gensheimer to the Planning Commission.

THE MOTION CARRIED UNANIMOUSLY.

- 4. Motion to approve Verizon as the new phone carrier and phone system for Township and Police Offices – Supervisor

Supervisor Thorsby informed the Board that Verizon, Tri-City Computers and Comcast had been

contacted regarding a new phone system for the Township. After review, Verizon appeared to be the best fit for the Township and also at a reduced cost stated Supervisor Thorsby. After a brief discussion, the following motion was made:

TRUSTEE WESTENBARGER MOVED, supported by Treasurer Peck to approve Verizon as the new phone carrier and phone system for Township and Police Offices.

THE MOTION CARRIED UNANIMOUSLY.

5. Resolution to accept John Hancock for Flushing Township's 457 Deferred Comp to replace Lord Abbett and approve a one-time payment of \$850.00 for a TPA (3rd Party Administrator) – Treasurer

Treasurer Peck explained Lord Abbett had declined to follow the new federal guidelines that were recently instituted in regards to deferred comp and was getting out of the business. He further stated John Hancock was found to be able to take over for the Township but there was the \$850.00 fee. A discussion ensued regarding whether other avenues should be explored i.e. dissolving the deferred program and going back with social security. It was pointed out all the previous Board Members were members of the deferred comp program and there could be confusion following a switch.

TRUSTEE WESTENBARGER MOVED, supported by Trustee McGrath to accept John Hancock for Flushing Township's 457 Deferred Comp to replace Lord Abbett and approve a one-time payment of \$850.00 for a TPA (3rd Party Administrator).

THE MOTION CARRIED WITH TRUSTEE ALMASSY DISSENTING.

6. Motion to approve Goyette Mechanical to make the following repairs to the township heating system: Remove failed compressed air drier and install new air drier, reconnect all electrical and piping connections and test operation in the amount of \$1,439.00 – Supervisor

Supervisory Thorsby explained the problem with the heating system, pointing out he had discussed with Goyette the overall condition of the Township heating system and they had indicated it was still a very good system. There was discussion as to the cost of replacing the system and it was indicated a Capital Improvement Plan was being looked into for this type of purchase.

TRUSTEE ALMASSY MOVED, supported by Clerk Meinburg to approve Goyette Mechanical to make the following repairs to the Township heating system: Remove failed compressed air drier and install new air drier, reconnect all electrical and piping connections and test operation not to exceed \$1,439.00.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Westenbarger, Almassy, Thorsby, Meinburg, McGrath, Peck and Minarik

NAYS: None

MOTION CARRIED UNANIMOUSLY

7. Motion to accept tax reverted property from Genesee County Treasurer's Office as follows: Permanent Parcels 08-10-100-032, 08-21-526-015, 08-22-200-015, 08-36-676-218 and 08-36-676-219 - Treasurer

Treasurer Peck informed the Board the Township would be receiving five pieces of tax reverted property which included property on Gillette Rd., Coldwater Rd., Buffalo Ct., and two small parcels in Hyde Park. He stated he had already received inquiries on some of the properties and had inquired into getting a CDBG grant to tear down one of the houses on some of the property.

It was pointed out a motion was not needed on this item.

VI. REPORTS:

1. Supervisor's Report – Supervisor Thorsby pointed out it has been a year since this Board took office and he stated it has been an enjoyable experience. He went on to report on the leaf pick up process and care of ditches in the Township.
2. Clerk's Report – Clerk Meinburg gave a brief report of the remapping of precincts in the Township stating new voter registration cards would be sent out.
3. Treasurer's Report – Treasurer Peck informed the Board of C.D.'s being purchased and of others coming due. He also commented that interest rates have been improving slightly.
4. Police Report – Chief Fairchild gave the Police Report. There was a discussion regarding number of traffic stops made versus the amount of tickets issued.
5. Fire Report – Supervisor Thorsby gave Fire Report.

VII. PUBLIC COMMENTS:

OPEN FOR PUBLIC COMMENTS: 8:15 P.M.

One individual gave comments

CLOSED FOR PUBLIC COMMENTS: 8:16 P.M.

VIII. BOARD COMMENTS:

Clerk Meinburg pointed out to the Board the new carts that were set up in the Board Room were for the new tables and chairs that will be coming in January. She also pointed out they were purchased for less than initially anticipated. Trustee Almassy reported the grants would be coming out in February for the Metropolitan Planning Alliance. She also reported on a traffic count program. Trustee Westenbarger wished everyone a Merry Christmas.

IX. NEXT REGULAR MEETING:
JANUARY 11, 2018 at 7:00 P.M.

X. ADJOURNMENT:

TRUSTEE WESTENBARGER MOVED, supported by Trustee Minarik to adjourn the meeting at 8:22 P.M.

THE MOTION CARRIED UNANIMOUSLY.

WENDY D. MEINBURG, Clerk

FREDERICK R. THORSBY, Supervisor

APPROVED DATE _____

RECORDING SECRETARY: Joyce A. Wilson, Deputy Clerk
12/14/2017