

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: APRIL 8, 2010

TIME: 7:00 P.M.

PHONE: 810-659-0800

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

ADMINISTRATION MEMBERS

SUPERVISOR: Terry A. Peck

CLERK: Julia A. Morford

TREASURER: William J. Noecker

TRUSTEES

Michael S. Gardner

Scott R. Matzke

Scott P. Minaudo

Mark H. Purkey

TOWNSHIP ATTORNEY:

STEVEN MOULTON

Cooley Moulton & Smith LLP

727 S. Grand Traverse Street

Flint, Michigan 48502

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

ROLL CALL: Terry A. Peck, Julia A. Morford, William J. Noecker, Michael S. Gardner, Scott R. Matzke, Scott P. Minaudo, Mark H. Purkey, and Attorney Steve Moulton

MEMBERS ABSENT: None

OTHER INDIVIDUALS PRESENT: Thirty-four (34) other individuals

APPROVAL OF THE AGENDA:

GARDNER MOVED, seconded by Purkey to adopt the agenda as presented.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Minaudo, Matzke, Gardner, Purkey, Peck, Noecker and Morford

NAYS: 0 MOTION CARRIED.

APPROVAL OF PREVIOUS MINUTES:

A. **MINUTES OF MARCH 11, 2010: PURKEY MOVED**, seconded by Noecker to approve the Minutes of March 11, 2010.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Purkey, Gardner, Matzke, Minaudo, Peck, Morford, and Noecker

NAYS: 0 MOTION CARRIED.

B. **MINUTES OF MARCH 29, 2010: PURKEY MOVED**, seconded by Matzke to approve the Minutes of March 29, 2010.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Minaudo, Purkey, Morford, Noecker, Peck, Gardner, and Matzke

NAYS: 0 MOTION CARRIED

APPROVAL OF PAYMENT OF BILLS:

MINAUDO MOVED, seconded by Purkey to approve the payment of bills as listed.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Purkey, Morford, Noecker, Peck, Gardner, Matzke, and Minaudo

NAYS: 0 MOTION CARRIED

UNFINISHED BUSINESS:

None

NEW BUSINESS

1. Possible Change in Labor Attorney

MINAUDO MOVED, seconded by Purkey that the Township Board hire the law firm of Fahey Schultz Burzych and Rhodes PLC for all labor and employment matters and that the Supervisor be authorized to sign the April 7, 2010 Engagement Letter prepared by the law firm.

DISCUSSION:

Per the Township Attorney, there are no requirements that the Township put out bids for professional services, and never was, for such as attorneys, auditors, and engineer. It was recommended that the new Attorneys get with Keller Thoma to get the update on the current lawsuits. It was recommended that Attorney Moulton contact Attorney Rick Fanning of Keller Thoma and take care of the Engagement Letter; Attorney Fanning will deal with the issues professionally. If the current grievances are in the early stage, it was recommended to transfer the case to the new law firm. If not, then Keller Thoma would continue with the case. It was felt that if the Township made a mistake in changing attorneys, we could change again.

The new law firm has taught classes at Michigan Township Association Seminars.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Matzke, Minaudo, Purkey, Morford, Noecker, Peck, and Gardner

NAYS: 0 MOTION CARRIED

2. Genesee County Road Commission 2010 Dust Control Program

MINAUDO MOVED, seconded by Purkey to apply two (2) chloride applications which the Genesee County Road Commission (Road Commission) won't pay.

DISCUSSION:

There are normally three (3) applications of chloride, with the Road Commission paying for one (1) application and the Township paying for two (2) applications. Ron Lattimer, Foreman of the Road Commission, stated normally 2,000 gallons of chloride are used per mile; to save money, reduce the amount of chloride down to 1,500 gallons per mile. With each chloride treatment, a new scrape is done. In the past, the Township has only paid for one (1) chloride application. There are only eleven (11) miles of gravel road in Flushing Township. The Supervisor authorizes the work to be done and the foreman puts in the request into the Road Commission.

Most townships throughout Genesee County only get two (2) spreads of chloride.

AMENDED MOTION:

MINAUDO MOVED, seconded by Noecker to apply three (3) chloride applications as follows:

First Application: 2,000 gallons and the Road Commission would pay.

Second Application: 1,500 gallons and the Township would pay.

Third Application: 1,500 gallons and the Township would pay.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Gardner, Matzke, Minaudo, Purkey, Morford, Noecker, and Peck

NAYS: 0 MOTION CARRIED

3. Resurfacing of Morrish Road, Deland Road, and Johnson Road

MINAUTO MOVED, seconded by Purkey to gravel Morrish Road for \$46,000.

DISCUSSION:

The ditching would be done after the gravel is placed on Morrish Road. The request to the Road Commission is as follows:

- a. Gravel Morrish Road from Mt. Morris Road to Frances Road.
- b. There would be four (4) inch loose stone; and three (3) inches compacted stone; it was recommended to go with the four and three inches.
- c. The crown of the road would be elevated more to bring it up.
- d. The cost would be \$46,000 for one (1) mile of gravel.
- e. Each train load hauls fifty (50) to fifty-two (52) ton.
- f. Every time stone is put on a road, chloride is also put down. (2,000 gallons is used at 52 cents per gallon). The chloride will keep the stone in place and the dust down.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Peck, Gardner, Matzke, Minaudo, Purkey, Morford, and Noecker

NAYS: 0 MOTION CARRIED

DELAND ROAD:

MINAUDO MOVED, seconded by Purkey to use 50/50 monies for ditching on Deland Road between Stanley Road and Coldwater Road.

DISCUSSION:

The township's 50/50 money is used first and then the ten (10) days of free ditching is used. Is there some type of program to get both sides of the ditches cleaned out and at the same time kill the saplings, cattails, etc along the sides of the ditches to make the water flow better. Would the process work out or would it be useless.

The Road Commission has a mowing system where, on the local roads, they make one (1) pass down the road one (1) time a year; the primary roads, two passes are made two times a year; the State roads have the same system as the primary roads. The ditches are for the water from the road to flow. A list of ditching jobs will be given to the foreman.

Deadlines go through the Construction Department as they have to let bids out; maintenance schedules the event and it is put on the calendar. If the township decided to use the 50/50 money for paving for Deland Road, the money has to be used up by September 30, 2010. The signed contracts have to go to the Road Board.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Noecker, Peck, Gardner, Matzke, Minaudo, Purkey, and Morford

NAYS: 0 MOTION CARRIED

PAVING:

NOECKER MOVED, seconded by Purkey to table any paving until the next meeting.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Morford, Noecker, Peck, Gardner, Matzke, Minaudo, and Purkey

NAYS: 0 MOTION CARRIED

4. Mid Michigan Maintenance – Manhole Contract and Pumping Station Located Behind Flushing County Park

GARDNER MOVED, seconded by Purkey to approve an auto dialer at pumping station number 103 (Flushing County Park – Carpenter Road).

DISCUSSION:

Mid-Michigan Manufacturing Inc. is in the fourth of a five year contract. They take care of the manholes and the pumping stations in Flushing Township. The pumping station by the Flushing County Park (Carpenter Road) does not have an alarm on it so when the power goes the neighbors call when they see water running down the street or basements. An auto dialer is needed at pumping station number 103.

It was also requested by Mid-Michigan to place limestone inside the chain link fence to keep the area dry. The limestone will be donated.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Peck, Morford, Noecker, Gardner, Matzke, Minaudo, and Purkey

NAYS: 0 MOTION CARRIED

5. Motion to Sell Wench, Roller, Lawn Sweeper, One (1) Lawn Mower, and One (1) Cycle Bar Mower

NOECKER MOVED, seconded by Minaudo to sell the wench, roller, lawn sweeper, one lawn mower and one cycle bar mower. A minimum bid should be placed on the wench.

DISCUSSION:

The government (Road Commission) puts items on a government web listing. It was advised to check with John Bennett of the Road Commission. The specific items are no longer being used by the Township. It was recommended to try E-Bay or Craig’s List but recommended by Michigan Townships Association (MTA) to not put the item on E-Bay. The issue will be checked into and then referred to board members.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Minaudo, Matzke, Gardner, Purkey, Peck, Noecker and Morford

NAYS: 0 MOTION CARRIED

6. Opening of Bids for 1998 GMC Sierra Pick Up

One bid of \$3,758.00 was received for the 1998 GMC Sierra Pick up; the price was below the minimum \$6,000 bid requested. The township could put the item up for bid again in the future but it was decided to put the item on the list with the wench. As a courtesy, it was recommended to contact the person that bid on the truck.

7. Opening of Bids for 2010 Lawn Care Service

PURKEY MOVED, seconded by Matzke to go with Elite Lawn Care at \$50 per week for the lawn mowing at the township hall.

DISCUSSION:

Four (4) bids were received: Donaldson & Son at \$60; Elite Lawn Care at \$50; Becks Lawn Care Service at \$55; and J & M Tree Service at \$70

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Purkey, Gardner, Matzke, Minaudo, Peck, Morford, and Noecker

NAYS: 0 MOTION CARRIED

COMMITTEE REPORTS:

None

REPORTS:

1. Treasurer’s Report:

- 1. Person adjacent to the Frances Road property felt there was an error made because the township could not make a profit on the 8315 Frances Road property.
MCL.

8:35 P.M. – OPEN FOR PUBLIC COMMENTS

Three (3) people gave their comments.

8:40P.M. – CLOSED FOR PUBLIC COMMENTS

BOARD COMMENTS:

- 1. **PURKEY**- the Johnson Road issue is not the fault of the Road Commission
- 2. **NOECKER** - the gift cards that were purchased by Flushing Township to give to the three (3) police chiefs who did the interviewing for a police chief were purchased by Supervisor Peck and Treasurer Noecker.
- 2. **MORFORD** – get out and vote May 4, 2010; rest assured that if you vote absentee, your vote will be counted.
- 3. **PECK** – there have been changes with such issues as approvals for fences and other issues. The Zoning Administrator’s signature has to be on the fence form before it goes to the State.

THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING IS THURSDAY, MAY 13, 2010 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

ADJOURNMENT: PURKEY MOVED, seconded by Minaudo to adjourn at 8:45 p.m.

JULIA A. MORFORD, Clerk

TERRY A. PECK , Supervisor

APPROVED DATE: _____