

CHARTER TOWNSHIP OF FLUSHING

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

DATE: NOVEMBER 13, 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: Seventeen (17) other interested individuals

ADOPTION OF THE AGENDA FOR NOVEMBER 13, 2014:

- A. **BIRCHMEIER MOVED**, seconded by Martinson, to amend the Agenda to move Item D up to Item C and combine the two (2) items.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: (Action was not taken on the motion)

NAYS: 0

MOTION CARRIED.

- B. **BIRCHMEIER requested to pull** from Consent Agenda, the *Proposed Minutes from October 9, 2014*, and place as *Letter J* under "New Business"; and also pull the *Payment of Bills* from Consent Agenda and place as *Letter K* under "New Business". (Per the Consent Agenda that the Board approved - one Board Member can pull from the Consent Agenda to New Business and the issue doesn't have to go for a vote and doesn't need a majority.)

BIRCHMEIER MOVED, seconded by Martinson, to accept the amended Agenda for November 13, 2014, to where we are moving Item D up to Item C and combining the two (2) items.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

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

One (1) person gave a comment.

7:10 P.M. – CLOSED FOR PUBLIC COMMENTS

IV. UNFINISHED BUSINESS:

None

V. NEW BUSINESS:

1-A. Approval of Corrected Minutes from September 11, 2014

BIRCHMEIER MOVED, seconded by Minaudo, for the approval that the Supervisor made for the September 11, 2014 Minutes.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Martinson, Birchmeier, and Minaudo

NAYS: Matzke, Gage, Lee, and Morford

MOTION FAILED.

1-B. First Reading of AN ORDINANCE TO AMEND AND RESTATE CHAPTER 7 OF THE CODE OF ORDINANCES, BEING SECTIONS 7-1 THROUGH 7-42, TO ELIMINATE BURN PERMITS; TO ELIMINATE SECTIONS 7-36 THROUGH 7-42 RELATIVE TO FIRERUN CHARGES; TO MAKE CERTAIN VIOLATIONS MISDEMEANORS, AND TO MAKE OTHER VIOLATIONS CIVIL INFRACTIONS; TO ESTABLISH THE PENAL TIES UPON CONVICTION FOR THE STATED VIOLATIONS; AND, TO AUTHORIZE THE ISSUANCE OF CIVIL INFRACTION CITATIONS

BIRCHMEIER MOVED, seconded by Martinson, to accept the Amendment to the *Code of Ordinances* for burning fire, with the correction on page 5, first paragraph, deleting the word “non.”

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

BIRCHMEIER MOVED, seconded by Minaudo, to re-amend Chapter 7, *Burning Ordinance*, to include the word “non” in the first paragraph on page 5.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

MINAUDO MOVED, seconded by Morford, to accept the first reading of an ordinance to amend Section 7-1 through 7-12 of our existing *Code of Ordinances* as submitted and available to the Board and Public in full printed form with the amendment as previously made and approved to paragraph 7-11 to affirm that the word in the third line of the paragraph on page 5 is “non-exclusive.”

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

- 1-C. **Discussion on Outcome from Board of Determination Hearing held on October 28, 2014 Regarding Sump Pump Issues on Tahquamenon Trail AND Update of the Board of Determination Hearing held on October 21, 2014 regarding the Petition dated August 5, 2014 regarding #1539 Flint River, Granrich Branch for the Cleaning, Deepening, Widening, Straightening, Tiling, Extending, Constructing, and Maintaining the drain**

SUPERVISOR BIRCHMEIER, ATTORNEY MOULTON, AND CHIEF FAIRCHILD gave an update on the Board of Determination Hearings held October 21, 2014 and October 28, 2014 regarding #1539 Flint River, Granrich Branch. It was determined by the Supervisors who made up the Board of Determination, there was definitely a need. The Engineering Department will put together the specifics as to what has to be done. A second hearing will be held to lay out the engineer’s proposal, their estimate of cost, and allocation through the Special Assessment District.

- 1-D. **Motion to approve the 2015 Membership Dues of \$150 for the Genesee County Metropolitan Alliance (GCMA) and for the Representatives to be: Elected Official – Supervisor Rian Birchmeier; Citizen Representative – William (Bill) Bain; and Alternate – Trustee Shirley Gage**

MORFORD MOVED, seconded by Lee, to approve the 2015 Membership Dues of \$150 for the Genesee County Metropolitan Alliance (GCMA) and for the Representatives to be: Elected Official – Supervisor Rian Birchmeier; Citizen Representative – William (Bill) Bain; and Alternate – Trustee Shirley Gage.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

- 1-E. Motion to accept the lowest bid submitted for the repair of the Flushing Township Nature Park Boardwalk on the condition that Rowe Professional Services confirms that the company with the lowest bid can perform the job to specification and meet the qualifications as requested by Rowe Professional Services in the bid proposal**

LEE MOVED, seconded by Gage, to accept the lowest bid submitted for the repair of the Flushing Township Nature Park Boardwalk on the condition that Rowe Professional Services confirms that the company with the lowest bid can perform the job to specification and meet the qualifications as requested by Rowe Professional Services in the bid proposal.

MINAUDO MOVED, seconded by Morford, to amend the motion that both bids will go to Rowe Professional Services (Rowe) to be evaluated; if the lowest one meets their specifications, then there is no need to bring them back to the Board; they will be awarded the contract. If the lowest one doesn't meet the needs, the second one will be evaluated by Rowe and if that meets their needs it will be sent back to the Board for further review.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED.

- 1-F. Motion to accept the Draft Copy of the 2015/2016 Budget as the Working Budget**

MORFORD MOVED, seconded by Gage, to accept the Draft Copy of the 2015/2016 Budget as the Working Budget.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Martinson

MOTION CARRIED.

- 1-G. Motion to approve the 2015 Application for Renewal of Assessor Certification for the Assessor at a cost of \$175**

MORFORD MOVED, seconded by Gage, to approve the 2015 Application for Renewal of Assessor Certification for the Assessor at a cost of \$175.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-H. Review of Lighting System for the Flagpole, Township Nature Park, and Roadside

MINAUDO MOVED, seconded by Gage, to accept the three (3) bids for the lighting system and move on.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-I. Motion to approve the 2015 MTA Conference Registration for any Board Member that would like to attend, at an early-bird cost of \$309; if you sign up to go and then don't, you will reimburse the Township for the expenses

MORFORD MOVED, seconded by Minaudo, to approve the 2015 MTA Conference Registration for any Board Member that would like to attend, at an early-bird cost of \$309. If you sign up to go and then don't, you will reimburse the Township for the expenses. If you do not want to go the full time, January 27-30, 2015, you can go either Wednesday or Thursday, at an early-bird price of \$160.

ACTION OF THE MOTION

ROLL CALL VOTE

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

NAYS: 0

MOTION CARRIED.

1-J. Approval of the Proposed Minutes from October 9, 2014

LEE MOVED, seconded by Matzke, to accept the Proposed Minutes from October 9, 2014 as presented.

LEE MOVED THE PREVIOUS QUESTION (TO END DISCUSSION)

ACTION OF THE MOTION

ROLL CALL VOTE

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

NAYS: Birchmeier

MOTION CARRIED.

ORIGINAL MOTION:

LEE MOVED, seconded by Matzke, to accept the Proposed Minutes from October 9, 2014 as presented. (Clerk's Note: the minutes that were used had the wording on the back page - "Please Note: The corrections from Bonnie are in bold italic.")

ACTION OF THE MOTION

ROLL CALL VOTE

AYES: Gage, Lee, Morford, and Matzke

NAYS: Martinson, Birchmeier, and Minaudo

MOTION CARRIED.

1-K. Payment of Bills

LEE MOVED, seconded by Morford, to approve the payment of the bills as presented.

ACTION OF THE MOTION

ROLL CALL VOTE

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

NAYS: 0

MOTION CARRIED.

VI. REPORTS WERE GIVEN BY:

1. Flushing Township Police Department - Chief Brian Fairchild
2. Flushing Fire Department Report from Chief Michaels – Supervisor Birchmeier
3. Michigan Townships Association – Supervisor Birchmeier
4. Flushing Township Park and Recreation Committee – Treasurer Lee
5. Flushing Area Senior Center – Clerk Morford
6. Financial Report – Treasurer Lee - Reviewed and Accepted.

VII. COMMITTEE REPORTS GIVEN BY:

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

VIII. PUBLIC COMMENTS:

9:03 P.M. - OPEN FOR PUBLIC COMMENTS:

One (1) individual gave a comment.

9:07 P.M. - CLOSED FOR PUBLIC COMMENTS

IX. BOARD COMMENTS:

Board Comments were given by: Trustee Gage, Trustee Martinson, Clerk Morford, Trustee Matzke, Treasurer Lee, Trustee Minaudo, and Supervisor Birchmeier.

X. THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, DECEMBER 11, 2014 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

XI. ADJOURNMENT: Supervisor Birchmeier adjourned the meeting at 9:22 p.m.

JULIA A. MORFORD, Clerk

RIAN R. BIRCHMEIER, Supervisor

APPROVED DATE: _____

11/13/2014 Regular Min