

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: JULY 10, 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 7:05 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, Bonnie Jean Martinson, Scott R. Matzke, Scott P. Minaudo, and Attorney Steve Moulton

MEMBERS ABSENT: None

OTHER INDIVIDUALS PRESENT: Fourteen (14) other interested individuals

ADOPT THE AGENDA: **MARTINSON MOVED**, seconded by Minaudo to accept the Agenda for July 10, 2014 as presented.

MORFORD MOVED, seconded by Lee to add as letter b under "New Business", the *Agreement for Operation of Day Camp* for the Girl Scouts.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

MARTINSON MOVED, seconded by Matzke, to approve the Amended Agenda with the addition of letter b under "New Business" with the Girl Scouts.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED.

APPROVAL OF MINUTES:

a. APPROVAL OF CORRECTED MINUTES FROM JUNE 12, 2014: LEE MOVED, seconded by Matzke, to approve the minutes from June 12, 2014 as presented.

BIRCHMEIR MOVED, seconded by Minaudo, to include the corrections made by Trustee Martinson and also to include the corrections made by Supervisor Birchmeier, except for page 3 of the June 12, 2014 Minutes, item b.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Martinson, Minaudo, and Birchmeier

NAYS: Lee, Matzke, and Morford

MOTION FAILED.

LEE MOVED, seconded by Matzke, to approve the minutes from June 12, 2014 without corrections.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Morford, and Lee

NAYS: Martinson, Minaudo, and Birchmeier

MOTION FAILED.

b. DRAFT MINUTES FROM MAY 8, 2014: MARTINSON MOVED, seconded by Minaudo, to approve the corrected Minutes from May 8, 2014 as presented.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

APPROVAL OF PAYMENT OF BILLS: MATZKE MOVED, seconded by Lee, to approve the payment of the bills as presented.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

III. 7:50 P.M. – OPEN FOR PUBLIC COMMENTS

Three (3) individuals gave a comment.

8:00 P.M. – CLOSED FOR PUBLIC COMMENTS

IV. UNFINISHED BUSINESS:

1-a-1. Possible Funding Available for December 2013 Ice Storm Cleanup

Treasurer Lee has collected data for the County for the Ice Storm Cleanup; thought there was a possibility of some funding for trees that were down; more backup information has been requested; due to the Township's Maintenance Person doing the work on regular time and not overtime, his hours cannot be counted. The Township will not receive any funds.

1-a-2. Increase Part Time Maintenance Position Hours

LEE MOVED, seconded by Gage, to increase the regular Part Time Maintenance person's hours from twenty (20) hours to thirty (30) hours per week averaged over a twelve (12) month period.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Gage, Lee, Matzke, and Morford,

NAYS: Martinson, Minaudo, and Birchmeier

MOTION CARRIED.

1-A-3. Flushing Township Nature Park

a. Vision and Mission Statement: LEE MOVED, seconded by Matzke, that the Committee is requesting that the Board approve a motion and support of removing the Vision Statement and approving the Mission Statement as recorded on page 1.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier and Martinson,

MOTION CARRIED.

b. Volunteer Packet: LEE MOVED, seconded by Matzke, to support the Committee in requesting that the Board entertain a motion and support of the Volunteer Packet for use when volunteers are utilized at the Flushing Township Nature Park.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

c. **Set up of a “free” Email Account: LEE MOVED**, seconded by Matzke, to support the Committee in requesting that the Board entertain a motion and support of the set up of a “free” Email Account to be set up and advertised on the Web Site for community members to be able to contact the Park Committee.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED.

d. **Hand out of Park Maps with Corrections: LEE MOVED**, seconded by Matzke, that the Board support using the Park Maps as handouts at the Park with corrections made.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

e. **Purchase of two (2) Small Metal Signs for Entrance of Nature Park Entrance: LEE MOVED**, seconded by Gage, to entertain a motion in support of two (2) small metal signs to be attached on existing poles at the entrance of the Park stating “No Unauthorized Overnight Parking without Permission” and a sign stating that "Dogs Must be on a Leash,” with the ordinance number, with the cost not to exceed \$50.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

D – 1. Taking Fracking Off the Table

MARTINSON MOVED, seconded by Minaudo, to take “Fracking” off the table.
(This issue has already been taken off the table)

D-2. Approving Fracking Educational Town Hall Meeting

MARTINSON MOVED, seconded by Birchmeier, to have Supervisor Birchmeier arrange to have an educational town hall meeting in the Fall regarding “fracking.”

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Martinson and Birchmeier

NAYS: Minaudo, Morford, Matzke, Gage, and Lee

MOTION FAILED.

D-3. Limiting Number of Items on Agenda

MARTINSON MOVED, seconded by Minaudo, to adopt a policy to be placed in the *Policy and Procedure Manual* on page 13, which states that the number of items placed on the Agenda by a Board Member cannot be limited by another Board Member, and only a Board Member who places that item on the Agenda, can remove that item from the Agenda.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Birchmeier, Minaudo, Matzke, and Martinson

NAYS: Gage, Lee, and Morford

MOTION CARRIED.

D-4. Legality of Paying Out-of-Pocket or Under the Table

MARTINSON MOVED, seconded by Birchmeier, to adopt a policy to be placed in our *Policy and Procedures Manual*, which would be on page 32, under "Payroll" that states that the Flushing Township Board of Trustees reserves all authority to hire, supervise, provide direction, discipline and terminate employees as collectively determined by the Board of Trustees. The Supervisor or Personnel Officer will implement all personnel related policies within the perimeters established by the Township Board. The Supervisor shall supervise by direction to and discipline employees and shall make recommendations to the Township Board on hiring and terminating employees. All persons working for the Township must be in compliance with the Fair Labor Standards Act and the Internal Revenue Service including volunteers.

The issue is postponed for further review by Attorney Moulton and will be placed on the Agenda for next month.

MARTINSON RECINDED HER MOTION.

D-5. Limiting Duties and Responsibilities of Board Members

MARTINSON MOVED, seconded by Minaudo, when there is a unanimous decision, the Township Official shall not make any directive, policy, or procedure that would prevent any township official from performing the duties and responsibilities of his or her office as established by MCL, MTA, and policies and procedures previously adopted by the Flushing Board. The policy would be placed in the *Policy and Procedures Manual* on page 9.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Martinson and Birchmeier

NAYS: Minaudo, Matzke, Gage, Lee, and Morford

MOTION FAILED.

D-6. Superseding Laws, Guidelines, Rules, Policies, and Procedures by Township Written Directives

MARTINSON MOVED, seconded by Birchmeier, to adopt a policy to be placed in the *Policy and Procedures Manual* on page 9, without a unanimous decision to address a Policy and Procedures issue that would supersede Michigan Compiled Laws, Michigan Townships Association Guidelines, Robert's Rules of Order, or the Policies and Procedures previously adopted by the Board and shall not be generated by any Flushing Township Board Member.

MARTIN RESCINDED HER MOTION.

D-7. Rescinding Policy of Having a Timekeeper

MARTINSON MOVED, seconded by Birchmeier to rescind the policy of having Treasurer Lee as the Timekeeper and not to replace her with anyone else.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Minaudo, Birchmeier, and Martinson

NAYS: Morford, Lee, Gage, and Matzke

MOTION FAILED.

V. NEW BUSINESS:

1-a. Genesee County Home Improvement Program – Guest Speaker Kim Stowell, Rehabilitation Intake Coordinator

Ms. Stowell gave a presentation on the *Genesee County Home Improvement Program* which is funded through the U.S. Department of Housing and Urban Development (HUD). The goal of the Home Improvement Program is to offer homeowners a Deferred Payment loan to make needed improvements to their homes. The Program is available for low to moderate income families.

1-b. Agreement for Operation of Day Camp for the Girl Scouts

MINAUDO MOVED, seconded by Matzke that in the future the *Agreement for Operation of Day Camp for the Girl Scouts* not come to the Board for approval but have the Supervisor, Clerk, or Treasurer sign the Agreement.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

ADJOURNED FOR BREAK – 8:50 P.M.

RECONVENED - BACK TO THE REGULAR MEETING – 9:10 A.M.

(Supervisor Birchmeier was absent from the Board Room; Trustee Minaudo led the Meeting in the Supervisor’s absence).

1-c. Advertise for “Letters of Interest” to Serve on Flushing Township Nature Park Advisory Committee

“Letters of Interest” are being solicited for anyone that would like to serve on the *Flushing Township Nature Park Advisory Committee*. Advertising will consist of: the Web Site, Facebook, a sign in the office, posted by the front door of the office, etc; the notice will not be posted in the newspaper. The “Letters of Interest” received will be placed in the Board Members packet for the next regular Board Meeting.

1-d. Flushing Township Nature Park Pole Barn Roof

Two (2) bids were received:

1. *Sweers Eavestrough and Roofing Co. Inc.* – Shingle Roofing
 - Pole Barn - \$5,360/plus wood
 - Bathroom Building - \$1,300/plus wood
 - Option for Metal Roofing
 - Pole Barn - \$15,600/plus wood
 - Bathroom Building - \$4,000/plus wood
2. *B & B Construction* – Shingle Roofing
 - Pole Barn - \$3,700/ plus \$100 – fascia and gutter wash
 - Bathroom Building - \$600
 - Option for Metal Roofing
 - \$13,500

LEE requested to table the issue and more information will be forthcoming for the August Board Meeting.

1-e. Building/Grounds/Bid Committee – Search for Township Concurrent Insurance Coverage

LEE MOVED, seconded by Matzke, that the Board authorizes the Building/Grounds/Bid Committee to solicit concurrent insurance coverage for the Charter Township of Flushing. Recognizing that insuring Township Government is a specialized field the Board authorizes the search to be qualification based. Quotes will be solicited from one Michigan Township Participating Plan Insurance Company, Michigan Municipal Risk Authority, the Ted Hartleb

Agency, and other insurance companies favorably recommended by insurers of other townships and municipalities.

ACTION OF THE MOTION

ROLL CALL VOTE:

(Supervisor Birchmeier was out of the room)

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

NAYS: 0

MOTION CARRIED.

1-f. Addendum to Cooperative Agreement (CDBG)

MORFORD MOVED, seconded by Lee, to approve the *Addendum to the Cooperative Agreement* with regards to the Community Development Block Grant.

ACTION OF THE MOTION

ROLL CALL VOTE:

(Supervisor Birchmeier was out of the room)

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

NAYS: 0

MOTION CARRIED.

1-g. MTA Hot Topics in Planning and Zoning

GAGE MOVED, seconded by Morford, to approve any member of the Board of Trustees, Planning Commission, or Zoning Board of Appeals that would like to attend the MTA sponsored “*Hot Topics in Planning and Zoning*” be allowed to attend on Tuesday, July 22, 2014, in Frankenmuth at a cost of \$99 each. If you are unable to attend, you will reimburse the Township for the cost.

ACTION OF THE MOTION

ROLL CALL VOTE:

(Supervisor Birchmeier was out of the room)

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

NAYS: 0

MOTION CARRIED.

1-h. Update on Sign Ordinance for the Planning Commission

The Planning Commission is in the process of updating the Sign Ordinance for Flushing Township. Different recommendations have been suggested as to how to proceed and keep the cost to a minimum. A letter from Doug Piggott of Rowe Professional Services detailing the price and time frame to have the Sign Ordinance approved. There is money in the budget to handle nine (9) meetings for a comparable price.

No action was required.

1-i. Budget Amendment to Continue Funding for Deputy Clerk

LEE MOVED, seconded by Morford, to pay the working Deputy Clerk an hourly rate of \$10 and amending the fiscal year budget for the fiscal year 2014-2015, line item “Deputy Clerk” to \$3,700, adding line item “FICA” at \$300 in the Clerk’s Department and reduce the “Elections” budget line to \$16,000.

ACTION OF THE MOTION

ROLL CALL VOTE:

(Supervisor Birchmeier was out of the room)

AYES: Gage, Lee, Morford, and Matzke

NAYS: Martinson and Minaudo

MOTION CARRIED.

1-j. Approval for no more than Two (2) Election Workers to help with Preparation of the August and November 2014 Election

MORFORD MOVED, seconded by Matzke, to approve to pay two (2) Election Inspectors to help with the preparation of the August 2014 and November 2014 Elections, at a rate of pay to be \$8.50 per hour not to exceed six (6) hours per week; the money is in the budget.

ACTION OF THE MOTION

ROLL CALL VOTE:

(Supervisor Birchmeier was out of the room)

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

NAYS: 0

MOTION CARRIED.

1-k. Flushing Township Nature Park Governance and Expenditure Policy

MARTINSON MOVED, seconded by Minaudo, to adopt a policy to place in the *Policy and Procedures Manual* that states the Flushing Township Board of Trustees authorizes the “Park and Recreation Committee” expenditures up to \$2,000 for a Fiscal Year without prior approval from the Board. The expenditures must be a line item in the Park’s current budget and must stay within the perimeters of a specific line item. The expenditure cannot be used to expand the wages or hours for the part-time maintenance person or to hire additional employees. However, the Committee can spend monies in different line items that would add up to \$2,000 in one fiscal budget year.

MARTINSON RECINDED HER MOTION

1-l. Rescinding Policy of Continuing Meeting with Unanimous Vote at 9:30 p.m.

MARTINSON MOVED, seconded by Minaudo, to rescind the policy that states the meetings will adjourn at 9:30 p.m. unless, by unanimous vote, the Board votes to extend the meeting.

ACTION OF THE MOTION

ROLL CALL VOTE:

(Supervisor Birchmeier was out of the room)

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

NAYS: Gage

MOTION CARRIED.

1-m. Approving Agenda and Adjourning a Meeting

MARTINSON MOVED, seconded by Minaudo, to adopt a policy to be placed in the *Policy and Procedures Manual* that states when an Agenda is approved at a Regular Scheduled Flushing Township Board of Trustees Meeting, the meeting cannot be adjourned before the Approved Agenda is complete without a majority vote of the Board.

ACTION OF THE MOTION

ROLL CALL VOTE:

(Supervisor Birchmeier was out of the room)

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

NAYS: 0

MOTION CARRIED.

1-n. Extending the Board Meeting Only for July 10, 2014

LEE MOVED, seconded by Gage, to extend the meeting until the end of the Agenda because it has been a very unusual night with people coming and going; recommended continuing until the Budget has ended.

ACTION OF THE MOTION

ROLL CALL VOTE:

(Supervisor Birchmeier was out of the room)

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

NAYS: 0

MOTION CARRIED.

**Supervisor Birchmeier's items will be placed under "Unfinished Business" on the August 14, 2014 Agenda.

1-u. Resolution for Sump Pumping

MINAUDO MOVED, seconded by Lee, the Charter Township of Flushing, Genesee County, Michigan, Resolution No. 14-4, a Resolution authorizing a petition on behalf of the Charter Township of Flushing requesting the Genesee County Drain Commission determine the necessity to extend, expand, or improve the drains in proximity to Tahquamenon Road, between Carpenter Road and Pine Bluff to effectively remove surface runoff; to identify the properties

benefitted by such improvements; to obtain estimates for the costs of such improvements; and, to allocate such costs among the properties benefitted to be specially assessed.

ACTION OF THE MOTION

ROLL CALL VOTE:

(Supervisor Birchmeier was out of the room)

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

NAYS: 0

MOTION CARRIED.

VI. REPORTS:

1. Flushing Township Police Department (June and July) Chief Fairchild
2. Flushing Fire Department (May and June) – Report Chief Michaels
3. Flushing Township Park and Recreation Committee Report for July 20, 2014 – Treasurer Lee
4. Flushing Area Senior Center – Clerk Morford

VII. COMMITTEE REPORTS:

1. Policy and Procedure Committee
2. CTE Meeting (June 26, 2014)
3. Distribution of Draft Manual to 8 Individuals, 2 Office Staff, and Police Department (July 10, 2014)
4. There will be a Special Meeting on Friday, July 25, 2014 – 8 a.m. and 10 a.m. were mentioned for the time; three (3) items to be on the Agenda.
 - a. Update on Policies
 - b. Update on the Pole Barn Roof
 - c. Update on the Insurance

VIII. FINANCIAL REPORT: Read and accepted.

IX. BOARD COMMENTS:

Comments were given by Trustee Martinson, Treasurer Lee, Trustee Gage, and Clerk Morford

**Supervisor Birchmeier's items will be placed under "Unfinished Business" on the Agenda for August 14, 2014. ("Unfinished Business" – numbers 5-7; "New Business" – letters N-T)

X. 11:00 P.M. – OPEN FOR PUBLIC COMMENTS

One (1) person gave their comment.

11:02 P.M. – CLOSED FOR PUBLIC COMMENTS

XI. THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, AUGUST 14, 2014 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

XII. ADJOURNMENT: Supervisor Birchmeier adjourned the meeting at 11:10 p.m.

JULIA A. MORFORD, Clerk

RIAN R. BIRCHMEIER, Supervisor

APPROVED DATE: _____

07 10 2014 Regular Min