

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: AUGUST 8, 2013

TIME: 7:00 P.M.

PHONE: 810-659-0800

FAX 810-659-4212

WEB PAGE:

ADMINISTRATION MEMBERS

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

MEETING CALLED TO ORDER at 7:02 p.m. by **SUPERVISOR RIAN R. BIRCHMEIER** with Roll Call and the Pledge of Allegiance to the American Flag.

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) interested individuals

ADOPT THE AGENDA: MINAUDO MOVED, seconded by Matzke to adopt the Agenda as presented.

DISCUSSION:

Several different items were discussed at length including: 1) all the Park Committee items that were discussed at the July Meeting had been placed on the August 8, 2013 Agenda; 2) the time frame for the Board of Trustees to receive information for their packets; 3) the "Mailbox Policy"; 4) what the term "Calling the Question" really means.

MARTINSON MOVED, seconded by Minaudo to amend the Agenda to remove from the Agenda item number IV, number 1, letter b, "*Committee's Role Relative to Administration*" and pick up at the next meeting under "Unfinished Business".

OTHER AMENDMENTS:

Other items up for discussion: 1) Agenda item IX, "Public Comments", change two (2) to three (3) minutes; 2) last page of the Agenda "ATTENTION", All requests for placing. . .Flushing Board of Trustees Meeting **changed to** "All requests for placing items on the agenda must be delivered to the Office of the Township Clerk no later than 9:00 a.m. – one week prior to the Charter Township of Flushing Board of Trustees Meeting; 3) Agenda item V, "New Business", number 1, place the sentence "The following items may be the subject and possible action of the Board" also place the same sentence under Agenda item IV, "Unfinished Business", as number 1; 4) "New Business", number 1, letter f, "Board Member's Non-Emergency Expenditure Policy" **changed to** "Board Member's Expenditure Authorization (Non-Emergency); 5) Under "Unfinished Business", number 1, letters a and c - place the names of the individuals that will be speaking on the subject; 6) Agenda item V, "New Business", letter p, "Closed Session", number 2, "Police Chief" – Discussion of Case Evaluation; 7) "New Business", number 1, letter k, "First Reading of AN ORDINANCE. . .NON-PAVED ROADS OR

TRAILS” changed to “First Reading of AN ORDINANCE TO AMEND SECTION 13.1-30(a) OF THE CODE OF ORDINANCES TO ALLOW THE OPERATION OF MOTOR VEHICLES IN TOWNSHIP PARKS ON THE DESIGNATED NON-PAVED ROADS OR TRAILS.”

MINAUDO MOVED, seconded by Martinson to approve the Agenda with all the corrections that were presented.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Morford

Motion Carried.

APPROVAL OF PREVIOUS MINUTES: LEE MOVED, seconded by Matzke to approve the Regular Scheduled Meeting Minutes from July 11, 2013 as presented.

DISCUSSION:

An additional page 5/6 was included to stress the motion, which was made by Lee and seconded by Gage, regarding the items to be placed on the next Agenda for the Parks Committee. The Supervisor had a correction that he would like to have made: page 3, number 2, “Approval of Bills for May 2013”, last paragraph which states “The Supervisor. . .that wanted a list” **changed to** “The Supervisor stated that each number stood for a different department; Karla could put a list together for you in response to Trustee Martinson if you would like. Trustee Martinson stated at this time, that wouldn’t be necessary.”

MINAUDO MOVED, seconded by Martinson to approve the Minutes with corrections that have been presented.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

APPROVAL OF PAYMENT OF BILLS: MINAUDO MOVED, seconded by Gage Morford to approve the payment of the bills as presented.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

7:38 P.M. – OPEN FOR PUBLIC COMMENTS FOR NON AGENDA ITEMS:

One (1) individual gave a comment.

7: 40 P.M. – CLOSED FOR PUBLIC COMMENTS FOR NON AGENDA ITEMS

UNFINISHED BUSINESS:

1-a Top Three (3) Concerns for the Nature Park (Playground, Boardwalk, and Prescribed)

LEE MOVED, seconded by Morford to go ahead and approve the purchase of the material from Bedrock Express.

DISCUSSION:

The cost will be \$2,153.25 for the purchase of the wood chips. The Supervisor and one Trustee will help level the chips.

The issue had been voted on by the Sub-Committee. It was suggested to go back to the Regular Committee and then come before the Board for approval. All members of the Committee are in favor of the chips except for possibly two (2) members. The Committee wasn't going to meet again until the "Committee's Role" had been approved by the Board. It was asked if the wood chip issue is so important why hasn't the committee had more meetings. The Park Committee stated that as concerns have come up, there were meetings; most Committee members work or are professionals in some way but the Committee meets as much as they can. There are six (6) Park Committee Members; two (2) of the Park Committee Members are on the Sub-Committee and are in favor of the recommendation. It was ask by the Attorney if Ms. Griffin could contact the remaining four (4) Park Committee Members and have them respond in writing if they are in favor of the recommendation. The Attorney stated the Sub-Committee could designate the Committee to deal directly with the Board.

The Attorney reviewed with Ms. Griffin on issues such as the reputation of Bedrock Express, the method of delivery of the chips, and how the chips would be placed in the playground area, etc.

The Board of Trustees approved Bedrock Express in 2010 to place chips in the playground area at the Flushing Township Nature Park.

It was Ms. Griffin's opinion that the playground issue was a major concern and in her opinion would be taken care of at the current meeting.

There were two (2) quotes obtained: \$2,153.25 for the wood chips only; the second quote of \$4,050.00 for wood chips and installation.

LEE MOVED, seconded by Matzke to approve \$2,153.25 to purchase the materials from Bedrock Express to be installed by volunteers, conditional on the concurrence of the majority of the Park Committee; within the next week and authorize the Supervisor to go ahead and get the project started.

DISCUSSION:

The funds for the chips would come out of line item "Maintenance" in the Park Fund.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-c. Discuss Amending the Budget for the Park in Order to Allocate Funds Needed for the Top 3 Concerns

The issue was discussed with 1-a.

NEW BUSINESS:

1-a. Board Member's Conduct at Meetings

The Supervisor requested that each Board Member address one another with respect and have all earned the title and need to address each other as such. When a motion is made, address the Supervisor first as Chair, Supervisor, or Supervisor Birchmeier – the same method applies to all: Trustee Minaudo, Trustee Gage, Treasurer Lee, Trustee Matzke, Trustee Martinson, and Clerk Morford.

1-b. Explanation on "Call To Question"

The issue was addressed earlier.

1-c. Discussion Binder for Board Member’s Mailbox

A white notebook binder is placed next to the Mailboxes in the Main Office which has sheets where documentation has been recorded when documents are placed in the mailboxes. Each sheet contains a line where the date, what the information consists of, and the person delivering the information is recorded.

It is a good checks and balance system. .

1-d. Discussion Policy Committee

MINAUDO MOVED, seconded by Matzke that the Supervisor constitute a Policy Committee and make recommendations who should be on the Committee.

DISCUSSION:

The motion is only for a Policy Committee. Any of the seven (7) Board Members can at anytime present a policy recommendation. The current Committee consists of volunteers.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

RECOMMENDATIONS FOR THE POLICY COMMITTEE:

Trustee Minaudo, Trustee Martinson, and Treasurer Lee

MORFORD MOVED, seconded by Gage to appoint Trustee Minaudo, Trustee Martinson, and Treasurer Lee to be on the Policy Committee.

DISCUSSION:

A Chairperson could be appointed by the Committee.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-e. Board Member’s Packet Checklist

MINAUDO MOVED, seconded by Matzke to approve the Supervisor’s Board Member’s Meeting Packet Checklist as submitted.

DISCUSSION:

The problem in getting the packet together is the Clerk cannot get all the documentation to go with the items on the agenda. The majority of the Agenda is supplied by the Supervisor. It was felt that cooperation was needed. It was recommended that for each issue on the Agenda to have back up documentation.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Lee and Morford

Motion Carried.

1-f. Board Member’s Expenditure Authorization (Non Emergency)

MORFORD MOVED, seconded by Martinson to approve the Expenditure Authorization as prepared by Attorney Moulton.

LEE MOVED, seconded by Morford to amend the motion to include the “Draft” portion of the “Expenditure Control” presented by Treasurer Lee.

DISCUSSION:

The Treasurer requested to have the term “emergency” defined that is in the current “Expenditure Control” Policy which states: “The township supervisor is authorized, in an emergency, to order expenditures of up to \$1,000.” The Treasurer ask at what point does she decide that expenditures have been made that she has to say “no”. The Clerk and Treasurer review the expenditures when they sign the checks. The Treasurer’s interpretation of the proposed “Expenditure Authorization” is that the issue goes direct to the Board.

The Attorney explained that when one of the three (3) officers were out on the road and had to purchase something, within the normal course of business, with the credit card, how was the purchase approved.

At some point in time, the officers will have to make decisions; the main purpose of the Trustees is to oversee the township money. There is a statutory duty for spending.

The motion to amend is not simply to add the Draft proposed by Treasurer Lee (Expenditure Control) to what was proposed by Attorney Moulton (Expenditure Authorization). The Treasurer felt the issues were conflicting with each other; the emergency portion was of importance.

LEE WITHDREW HER MOTION.

MORFORD MOVED, seconded by Martinson to approve the revised Expenditure Authorization as prepared by Attorney Moulton.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Lee

Motion Carried.

MINAUDO MOVED, seconded by Gage to ask the Policy and Procedures Committee to consider and report back to the Board a possible amendment based on Treasurer Lee’s proposal.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-g. Expenditure Control

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-h. Discussion Use of Township Board Attorney

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-i. Discussion Board Member and Staff Availability of Records

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-j. Mutual Release of Claim for Aaron Grace

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-k. First Reading of AN ORDINANCE TO AMEND SECTION 13.1-30(a) OF THE CODE OF ORDINANCES TO ALLOW THE OPERATION OF MOTOR VEHICLES IN TOWNSHIP PARKS ON THE DESIGNATED NON-PAVED ROADS OR TRAILS

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-l. Safety Signage for the Flushing Township Nature Park

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-m. 2013 Michigan Assessors Association Continuing Education Registration for Classes and Hotel

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-n. Possible Employment of Two (2) Part Time Police Officers

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-o. Water and Waste Rate Increase Affective September 2, 2013

MORFORD MOVED, seconded by Gage to include the pass through for both the consumption which is \$.35 per cubic feet as well as the five (5) year structure increase on the readiness to serve fees based on meter size which would be \$2.42 by-monthly; eighty-five (85%) of the township has 5/8 inch water lines.

DISCUSSION:

This is a pass through for Genesee County and the last one was a pass through for Detroit. The water comes from Detroit to Genesee County and then spins off to the local subsidies.

This is a five (5) year structural plan that increases the readiness to serve fee.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried.

1-p. 10:20 P.M. CONVENED TO CLOSED SESSION:

MINUADO MOVED, seconded by Martinson to go into Closed Session to review MCL 15.261(f)

1. **Litigation of Police Officer's Health Insurance**
2. **Police Chief – Discussion of Case Evaluation**

10:40 P.M. – RE-CONVENE TO REGULAR SESSION:

COMMITTEE REPORTS:

FINANCIAL REPORT:

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

Motion Carried

BOARD COMMENTS:

11:00 P.M. OPEN FOR PUBLIC COMMENTS

None

11:01 P.M. - CLOSED FOR PUBLIC COMMENTS

THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, SEPTEMBER 12, 2013 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

ADJOURNMENT: Due to lack of business issues, **SUPERVISOR BIRCHMEIER** adjourned the meeting at 11:05 p.m.

JULIA A. MORFORD, Clerk

RIAN R. BIRCHMEIER, Supervisor

APPROVED DATE: _____

08/08 2013 Regular Min