

# CHARTER TOWNSHIP OF FLUSHING

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## REGULAR BOARD MEETING MINUTES

DATE: OCTOBER 12, 2023 TIME: 7:00 P.M.

### ADMINISTRATION MEMBERS

SUPERVISOR: Frederick R. Thorsby

CLERK: Wendy D. Meinburg

TREASURER: Terry A. Peck

### TRUSTEES

William Bain

Linda Minarik

Joshua Upleger

Sharilynn K. Willette

### I. DATE AGENDA POSTED: OCTOBER 5, 2023

### II. MEETING TO ORDER: 7:01 P.M. by SUPERVISOR THORSBY with Roll Call and the Pledge of Allegiance to the American Flag.

**ROLL CALL:** Bain, Minarik, Upleger, Willette, Thorsby, Meinburg, Peck. Attorney Matt McKone was also present.

**MEMBERS ABSENT:** 0

**OTHERS PRESENT:** 31

### APPROVAL OF AGENDA FOR REGULAR BOARD MEETING FOR OCTOBER 12, 2023.

**TREASURER PECK MOVED**, supported by Clerk Meinburg to adopt the Regular Board Meeting agenda for October 12, 2023.

**THE MOTION CARRIED UNANIMOUSLY.**

### APPROVAL OF DRAFT MINUTES FOR SEPTEMBER 14TH, 2023 BOARD MEETING

**TRUSTEE WILLETTE MOVED**, supported by Clerk Meinburg to approve the September 14TH, 2023 minutes.

**THE MOTION CARRIED UNANIMOUSLY.**

### APPROVAL OF PAYMENT OF BILLS LISTED

**TREASURER PECK MOVED**, supported by Clerk Meinburg to approve the payment of bills as presented.

Trustee Minarik asked why cost of pavilion was 4,000 more than approved.

Supervisor Thorsby – explained that an additional concrete slab was needed to be ADA compliant and will be eventually paid for by CBCG grant for handicapped accessibility. A slab was also put in for the trash bin next to the barn and was not part of the original pavilion project.

**ROLL CALL VOTE:**

**AYES:** Minarik, Upleger, Thorsby, Bain, Peck, Meinburg and Willette.

**NAYS:** NONE

**THE MOTION CARRIED UNANIMOUSLY.**

**III. PUBLIC COMMENTS:** Pertaining to Agenda Items Only  
Each speaker limited to three minutes:

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

One comment pertaining to the roads in Apple Hill Estates deterioration and is in favor of the project.

**CLOSED FOR PUBLIC COMMENTS: 7:07 P.M.**

**IV. UNFINISHED BUSINESS:** None

**V. NEW BUSINESS: 7:08 P.M.**

1. **PUBLIC HEARING** for Apple Hill Estates, road repair, special assessment. – Supervisor Thorsby

**OPENED PUBLIC HEARING at 7:09 P.M.**

Trisha (Spydel resident)-I have multiple concerns. my household and family was totally against it. Redoing the roads would be a severe financial hardship for a lot of families. I was privileged to be here at the last meeting and the gentleman said the roads lasted 20 years. Why are we redoing them in 10 years later to have to pay for it for 15 years? In 2018 Flushing Township got a proposal from the Genessee County Waste to put city sewers in our subdivisions. So, is that coming? I mean is that going to be piggy backed on our roads? What is the expectation of you trying to put a sewer system in our subdivision?

Supervisor Thorsby- It is strictly to do with the roads. We are looking at sewers in the subdivision across the road but not in Apple Hill Estates subdivision.

Trisha (Spydel resident)-Well right now people are struggling to put food on their table. In 2018 when you got the proposal to put sewers in our subdivisions, milk was \$2.90 a gallon, now it is \$4.29 a gallon on average. Prices have went up exponentially. We want to wait 5 years and revisit it and let inflation calm down, that is a different story, but right now it has sky rocketed it's ridiculous.

Supervisor Thorsby-Alright, anybody else?

Wendy Szukhent resident-I don't know if the street lighting is tied into street repair. But we currently do not have lighting on Spydel at all, post the storm that came through.

Supervisor Thorsby-No that is not.

Wendy Szukhent resident-Well, that will be new business

Supervisor Thorsby-No, that would be Consumers Energy that should have come through to repair.

Paul resident-I contacted them about a month ago. One light is working that wasn't. But the other ones Consumers Energy is aware of, the lighting situation and the repairs are listed on the Consumers Energy website.

Supervisor Thorsby-For what it's worth, in the past you use to call our office and we would contact Consumers for you. But now Consumers request that the residence contact them.

Lori resident-We have a Comcast wire that goes up the tree in my yard, the reason for this Comcast sent out contractors and those contractors were unable to go deep enough to bury these lines. Just to make sure that everybody has done their due diligence, this doesn't have to go deeper than what's constructed or organized.?

Supervisor Thorsby-I couldn't imagine that they would be out in the road way, Comcast.

Richard Hill Genesee County Road Commission- If this project goes forward if the utilities need to be moved, they will be moved by Consumers.

Resident- Patched asphalt does not work. I have small little pieces in my yard.

Supervisor Thorsby – Yes, you can see that it is time to do a bigger repair. The patches are not working

Trisha (Spydel resident) – Have we looked into just fixing sections? Our street is not bad and if there are bad areas and I have heard there is, can we just repair those section instead of just putting a band aide on it?

Supervisor Thorsby – That is what we are trying to do. If we only patch Spidel and repair the rest that is like putting a band aide on Spidel and it won't last as long as the other.

Trisha (Spydel resident)– But didn't your gentleman say the roads will last another 20 years at the last meeting. And Spydel was just done 10 years ago. Why do I gotta pay for it for 15 years?

Supervisor Thorsby – No the design project that he is proposing to us and they give a cost for. They design that project for the road to last 20 years. The project done to Spydel was not a project to last 20 years. It was a patch work that was done. Patch laid over some asphalt.

Trisha-Well a good percentage of Spydel is against it we wanted to exclude ourself from the assessment I requested a petition to do so, I was denied my request. We are willing to eat the cost in 10-15 years so be it, lets bare that cost when it comes.

Supervisor Thorsby – Yeah there is no other petition. The petition that was brought around is the petition. By not signing it you have voiced your inclination not to have this project go forward.

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The law states very clearly that the township has to have at least 51% of the people that live in the special assessment district which is the map of the houses in those streets, and we can not move forward without 51% of the households.

Trisha (Spydel resident)-Right we were trying exclude ourselves from that assessment.

Supervisor Thorsby – And you cannot there just isn't a mechanism for you to do that.

Treasurer Peck – Let me address patch work done to your street back in 2008. When I was Supervisor back in 2009, I was told that it was an inch and a half in 2-inch caps that was put on it and the county had extra material at that time not enough to do the whole subdivision. But was able to do a small patch of Apple Blossom.

Paul resident– I would like to comment on what you touched on earlier. That was the make-up of the road, maybe they didn't have a clue on what they were doing, but I am just amazed by these little 4-inch chunks that are pretty consistent with the cracks I don't know what caused it but I am assuming we are going to get a new foundation in there and we have those big garbage haulers that come down there and they are going to tear it up again.

Supervisor Thorsby – So after everyone has a chance to talk, I will have Richard go over the project, once more. You can comment after Richard explains the project.

Paul resident – I would like to address the Spydel thing, the Genesee County Road Commission was really nice back then and laid the black top for free. And now what you will do is put gravel down, am I correct?

Supervisor Thorsby – That's not free either.

Paul resident – And charge us for the gravel. And so that was done 10 years ago there and what ever was done on the other roads. Nobody got charged for it. I don't even go down Apple Blossom any more. It's too bumpy.

Supervisor Thorsby – The problem is there is no more asphalt to layer on any longer.

Trisha (Spydel resident)-What grants have you exhausted or looked into to pave the roads?

Supervisor Thorsby – There are no Grants to help with paving subdivision roads.

Trisha (Spydel resident)-The Township Clerk said that she would look into any grants that might help with paving.

Supervisor Thorsby – There are grants available for rural townships but we have more than 10,000 population, so we don't qualify for that. And then the road project grants are all designed for high accident/high fatal accident and they are what the county gets for specific road projects they call them tip grants but those usually require fatalities and such. Before they would even consider a road project and it never to a subdivision.

Mark Morrison resident – Staying on grants, there was a grant that the Genesee County Road Commission had for a \$150,000 that we match \$150,000. That would have left us under

\$300,000 for this project. So that is one of my questions, can we get a copy of that grant and can you let us know what happened to that grant.

Supervisor Thorsby – Yes, we will get to that in a moment and Richard will address that. So, I wanted to get everyone’s questions out first and get to his presentation.

Treasurer Peck – I just want to say one thing about a grant, this grant would help if every household was under \$40,000 in the subdivision. This is the only way to qualify for it.

Resident – By chance if this passes can we put speed bumps along Apple Blossom? Just because there are speeders.

Supervisor Thorsby – I am trying to get the speed bumps out of the street. Some cities put speed bumps in and take them out later.

Richard Hill Genesee County Road Commission – Speed bumps are not allowed.

Resident - Excuse me are these county roads? So, do we get county funds?

Richard Hill Genesee County Road Commission – To maintain it yes.

Supervisor Thorsby - They plow and patch but will not repave it.

Resident – Will this raise all of our taxes?

Supervisor Thorsby – It will not raise your taxes. The assessment has to pay for the construction. That is what we are talking about tonight, the special assessment that will pay for the paving of that subdivision.

Resident – Would you know the figures monthly increase?

Supervisor Thorsby – We have estimates that Richard has prepared for us. Let me get the paperwork back out here. So, the total construction cost would be 17,159.00 per parcel.

Resident – And that would be an estimate?

Supervisor Thorsby – Yes that is an estimate.

Resident – How did it go up from the 16,900?

Supervisor Thorsby – That is the cost with the Bond Attorney and the finance company.

Trisha (Spydel resident)-What was the interest rate of the bond?

Clerk Meinburg – We don’t have that yet. They haven’t gotten the bond yet.

Brook Terryah – The last ones were about 3%

5408 Applewood Drive – We should be estimated at 4% or 5%

Supervisor Thorsby – Municipal Bonds are somewhat different than interest rates because the township works on property tax bases, and interest free bonds. So why don't we let Richard Hill continue?

5408 Applewood Drive – So after our last meeting. I contacted a family member that is from another municipality. He said that the bonds should be around 4%. Interest has done nothing but go up. So, 3 years ago at 3% we should be able to look at 4-5 percent at least.

Supervisor Thorsby – These are estimates. We are so far away from the discussion of this project. We need to get to Richard so he can explain the project in further detail.

Barber resident – Will this raise our taxes?

Trisha (Spydel resident)– So the special assessment is basically a lien against each parcel.

Township Attorney Matt McKone– I mean it is a lien against the household, there are specific procedures for nonpayment.

Trisha (Spydel resident)– What would those be?

Supervisor Thorsby – That would be if you didn't pay your taxes. You could go into foreclosure.

Supervisor Thorsby – Let's move on to Richard Hill from the Genesee County Road Commission. We can have more questions and comments after he speaks.

Richard Hill Genesee County Road Commission – As Fred Thorsby said I am Richard Hill from the Genesee County Road Commission. We were asked by the Flushing Township Board to stay for this meeting and supply an estimate cost of a 20-year design life repair on the roads for Apple Hill Estates Subdivision. And that's the numbers that were presented to you. What we proposed to do on the worst section at the end of Apple Blossom. Will need the entire pavement section removed and replaced with asphalt over lime stone base. The other part of Apple Blossom is newer and in better shape so all we are going to do there, is peel off the top 2 ½ inch layer of asphalt and resurface that. As part of the project any drainage that needs repair will be done as part of the project. The intention is to do as little curb repair as possible as long as the water drains properly. The intention is not to repair all curbs or driveways. We will repair part of driveways that are damaged during project curb removals. Keep in mind it is going to be loud and bumpy while the project is in motion. You will have access to your driveway as long as your driveway is not being worked on. You will receive 72 hours in advance notice. And no 2 driveways will be worked on at once. During construction the postal office does not like to drive through so we will have mail boxes moved to entrance of subdivision of McKinley Rd. So that way they will never have to drive over construction. This type of construction usually takes 4 months from start to end. This does not mean 4 months in front of your parcel. It will only be a few weeks in front of your property. I know I didn't cover all your questions. That is my, in general spiel. Is there any other questions?

Trisha (Spydel resident)-I thought they were taking everything out all the way down to the dirt, not just 2 inches.

Richard Hill Genesee County Road Commission – As I said everywhere except for the farthest part of Apple Blossom by the cul de sac, that part is only getting the top taken off. Every where else is being taken all the way down.

Trisha (Spydel resident)-Which way is the final part?

Richard Hill Genesee County Road Commission – It is McKinley straight back, that is where it is.

Trisha (Spydel resident)-Oh O.K.

Resident – The new pavement, that will be put in sections there, how was that base done? Do we have any idea how it was done if we shave 2 inches off, 5 to 8 years down the road is it going to hell and a hand basket?

Richard Hill Genesee County Road Commission – No, it will be done in the same design life, because that was done later than the other one.

Resident – Last week we talked about the drain ditch after the storms.

Richard Hill Genesee County Road Commission – The drain outlet is Genesee County Drain Commission; these will be taken care of during the project.

Trisha (Spydel resident)-So we will have to pay for this also. And so, this is going to be a 20-year road repair, where is our guarantee?

Richard Hill Genesee County Road Commission – There is no guarantee. If there is a design error or construction error that will show up in not 5 years, but a year.

Trisha (Spydel resident)-What about the snow plows dragging the roads, and causing damage to the roads?

Richard Hill Genesee County Road Commission – That would damage the roads and we don't want that to happen. If anything like that happens, let us know. We don't want that to happen. If anything in the design or construction, if there is an error, we will repair. It should be 20 years before any other project repair should be needed.

Spydel resident -When the frost is still in the big trucks come in and water gushes out of the road cracks.

Richard Hill Genesee County Road Commission – There should not be any structural problem for years.

Trustee Minarik – How old did you say the roads are now?

Richard Hill Genesee County Road Commission – They're about 60 years.

Trustee Minarik – 60 years, so I think this project with last 20 years.

Trisha (Spydel resident)-But Spydel was done 10 years ago and now you want to redo it.

Trustee Minarik – That was with the 2-inch patch not total reconstruction.

Richard Hill Genesee County Road Commission – That was just a patch.

Resident – Are you going to do the front of Apple Blossom the 2 inch down or?

Richard Hill Genesee County Road Commission – It is a different kind of repair, that we are removing the deteriorated asphalt and if there is any other bad spots, we will repair those. What we are doing even in the far end of Apple Blossom the farthest end from McKinley Rd. That part is newer and built better than this other section and I don't want to do anymore that is needed to bring the road up to good condition.

Trisha (Spydel resident)-For the curb gutters, you are only doing certain ones. If others go bad, are you responsible for if my house needs it.

Richard Hill Genesee County Road Commission– No during the project the gutters will be repaired as needed. It isn't being done because you requested it to be done, it is being done because it needs it.

Resident – This may be a different question. What is the difference between concrete and asphalt? And the difference in cost?

Richard Genesee County Road Commission– The materials are overall basically the same. Asphalt is 100% recyclable and they will reuse the use asphalt. Asphalt is very easy to repair anytime but in the winter. Concrete takes a little longer to repair. It has a curing time and such.

Resident – Could you speak to the roads when they start cracking. And how they are sealed and the Township pays for it. And what it does and how long it prolongs the life of the roads.

Richard Hill Genesee County Road Commission – I can't speak to that. We don't handle that.

Supervisor Thorsby – What our foreman does and our maintenance barn is in Montrose. He has already started working on the Brentwood Farms and Meadowbrook Park. The other subdivisions we did, we bought the crack seal that is put in the cracks. We buy it by the pallet. And Road Commission puts in it and doesn't charge us for the labor. The Township itself this year I think we bought 3 pallets at \$2500 a pallet. And then Alex and his crew, put it out in all the subdivisions that need it. And this one would be about 3-5 years before the crack seal would be needed. Roads like Carpenter Rd, we paved it and in a couple of years we started crack sealing it. We didn't want water getting under it, that would be bad.

Richard Hill Genesee County Road Commission – I just want to say that not all townships do this, so I am glad you do.

Resident – So this will prolong the life of the roads?

Richard Hill Genesee County Road Commission – I would say yes, any extra preventative action you do for the roads will help prolong the life of the roads.



Resident – I live on one of the cul de sacs and thought when I bought it would be great to live here, there won't be a lot of traffic. And was shocked that there is so many cars that come down and turn around. Is there any way we can put a no outlet at McKinley? And I know that some of the lawn trucks come down to turn around and I understand that.

Richard Hill Genesee County Road Commission – I do believe there is a sign up.

Supervisor Thorsby – I am not sure if there is a sign, but I can say that we have limited on what signs and how many we put up.

Richard Hill Genesee County Road Commission - We can look into it.

Supervisor Thorsby – Now this has come up a couple of times today and I wanted to give Richard a chance to touch on it a little bit. The Genesee County Road Commission offered to pay 10% of project if the Township matched 10%. So, they already pay for the engineering and inspection which generally goes about 25% of the project cost is in the engineering, so then they started this project and they budgeted \$500,000 a year to go to the subdivisions, from my understanding they pay up to \$150,000 but the Township Board would have to vote to match that. Richard called me earlier and said well we have a problem, Grand Blanc Township had a subdivision that needed to be done last year that couldn't get done and so it is going into this year a \$5,000,000 subdivision. That is eating up the funds that was budgeted for that one project and so the funds are not available for us next year 2024. So, the construction season of next year those moneys would not be available. Their fiscal year is October 1<sup>st</sup>. If we decide to do it, and we could do it just like all the other subdivisions we've done, where the residence pay for all the construction cost. Richard mentioned we could wait until October 1<sup>st</sup> and do the project late in the year when those funds would be available while we are taking a risk just like out here today the weather is changing. Or we could wait until the summer of 2025 do the project and construct it during the summer season while its hot and better for the asphalt. And the money would be available at that time to match our share and if the Township Board agreed to that, then we could match the money that the Genesee County Road Commission puts up. And do the project in that year in that construction time instead of next years construction time. So those are the options that Richard gave me. (Addressing Richard) Does that sound about right?

Richard Hill Genesee County Road Commission – Right we could do it the summer of 2024 with no match available. We could start in Fall of 2024 and have match available. I strongly advise against that, because of the size of the project and the type construction to be done, I don't want to start excavation down there in October – November and not be able to get it all done, so I would advise not to have it done in the fall of 2024. In spring-summer of 2025 match money would be available to keep the cost down for the residence.

Trisha (Spydel resident)-With the ever-changing economy is that going to be in the budget in 2025?

Richard Hill Genesee County Road Commission– Yes, our budget yes.

Trisha (Spydel resident)-I mean how long is it projected out for? That program?

Richard Hill Genesee County Road Commission– Until our Board decides not to do it anymore.

Trisha (Spydel resident)-So it could be next year, it could be 10 years.

Supervisor Thorsby – It isn't available next year, because it is already spoken for. So then it will be after that.

Trisha (Spydel resident)-So what I am saying it can go away any given fiscal year.

Richard Hill Genesee County Road Commission – Theoretically, yes. I mean I am not on the Board, and cannot vote. Really can't tell where they will vote. The engineering committee will encourage them to continue it, but other than that the board can do what they want. Just like your board can do what they want.

Supervisor Thorsby - Yes, it is vote by vote every time.

Mark Morrison resident – So if you got the votes right now, (inaudible)

Richard Hill Genesee County Road Commission – The next step is if the board votes and asks Genesee County Road Commission to move forward, next step would hire a design consultant firm to do the surveying and design and they would do that in 2024. They would have the project design for in 2024 and I would have it on the shelf to bid it out in November or December of 2024. That is when contractors are coming forward for next year. And we advertise it statewide, and we get between 5 and 10 contractors bid and we take the lowest bid, from qualified contractor, check references and resume and contract with the lowest qualified bidder. And often they bid lower than our estimated cost.

Trisha (Spydel resident)-So if you are waiting until 2025, which I think sounds good considering the time of year and conditions. What if we have further deterioration in that year, we wait?

Richard Hill Genesee County Road Commission – You would have further deterioration.

Barber resident - How is that going to change the overall cost? Will that change again?

Richard Hill Genesee County Road Commission – We estimated it based on the costs we think the cost is going to be in late 2024 construction. I don't want to toot my own horn. But I have been doing this for over 20 years we have been pretty accurate, sometimes during covid prices spiked up beyond what we could imagine. But I don't think as long as something like that doesn't happen again, I think these costs will be pretty good. At any point during the design of the project it looks like more than the 1.49 million. First the designer will have to explain to me why it's higher than the budget I've given them, and if I agree with them, I have to come back and tell your board that it will be higher than we originally estimated and then they will have to come back to you and explain why this is.

Resident – For the other subdivisions that have been done, what was the costs?

Richard Hill Genesee County Road Commission – Very close. What we want to try to do. Assessments are based on what I call a windshield survey. Drive through, look at areas, estimate the feet of what we can visually see. Maybe 20 ft here and another 20 ft there. And based on what the contractors are going to charge us during the project. Then our design engineers get down into the nuts and bolts of the project, they look at every ton of asphalt that needs to be replaced and whatever else they think needs to be done. And can come back with another

estimate, which sometimes comes back under what the original estimate was. All this put into consideration, I thinking you are going to be within your 10% of your 1.49 million.

Barber resident- This may sound a little silly as a question, but are we getting addresses painted back on our curbs during this project?

Richard Hill Genesee County Road Commission – That is not part of the project.

Trisha (Spydel resident)-Are we getting actually numbers to have a vote on?

Supervisor Thorsby – Yes, well we go to that vote word and it makes me nervous when you start calling it voting because it is the Township Board that gets to vote on it. But what is going to happen is after this public hearing is over, the Township Board will vote whether to go forward with this project or not. If voted to go forward with it we would direct the road commission to start the actual bid process, they will come back with a bid number put together by a contractor proposal that says we can do this project for this amount of money.

Richard Hill Genesee County Road Commission – Even before that we'll come back with the engineers estimate. As I say, right now I have estimated so many tons of asphalt, but that is just an estimate on what looks like needs to be done and what projects like this have been done for in the past. When the design engineer comes back with the final plan you will know exactly to the ton and to the foot of what needs to be done and then you will have an estimate based on that and if that estimate is more that the 10% over the 1.49 million, I am coming back to the Board to explain why. And if it is, they will come back to you and explain why and see if you want to proceed. Then we take bids and they fluctuate a bit and like I've said we take the lowest qualified bidder so, I am over all the subdivisions we have done, I'm pretty confident that we will be within the 10% of 1.49 million when all is said and done.

Resident – I am concerned the longer we wait, we might miss 2025. What do we need to do to get this done?

Supervisor Thorsby – Well and that's like I said the conclusion of this public hearing, will go back to the board meeting and the board will take up this item on the agenda and we will direct the Road Commission. We have to sign a contract with them and stuff. But we will have another public hearing, when we get the numbers back from the Road Commission what the actual cost are. We will have another public hearing we will have a number that is going to be assessed on your property. There will be no more estimates it will be, this is the number that is assessed to your property.

Mark Morrison resident – What would it hurt to say yes let's get this started for 2024?

Supervisor Thorsby – Well from our commitment from a Township Board standpoint is if we tell the road commission to go ahead and start the engineering; we sign a contract with them that says, if we back out of this because you changed your mind, you are on the hook for the 250,000 or whatever that is. So, the Township Board would be potentially responsible for that engineering cost if we just frivolously decided not to do this project after we told them we would.

Mark Morrison Resident – Is that what he is saying, if the project is 1.5 million and the estimate comes back at 2 million dollars, you're not obligated to that because it was more than the 10%.

Supervisor Thorsby – Yes, but if we just out of the blue just decided not to do it after we said we would. That is the down side. The upside is, we start moving forward and getting closer to that construction season and then we will know what the actual pricing would be.

Mark Morrison resident – And at that time it will be estimate with the bond and the whole thing?

Supervisor Thorsby – It will be your assessment on your property no more guessing estimates.

Paul Resident – Can you explain, you know better with the grant money. How can we get on the list for that?

Richard Hill Genesee County Road Commission – Once the contract is signed between the Township and Road Commission, that will say if that money is available or not.

Paul resident – Oh, OK

Supervisor Thorsby – Their fiscal year started October 1<sup>st</sup>, so if we get through the next year they are still in the same fiscal year.

Paul resident – Well I am saying if you tell them to proceed for the fall of 2025 construction, at what point will you know if we fall in the bucket for that \$150,000? And Grand Blanc is more. I assume or I know you will know that final figures, but where do we get in earlier enough to have a better chance to receive this money?

Supervisor Thorsby – I would think the sooner the better.

Richard Hill Genesee County Road Commission – I mean as soon as the contract is signed, we put a marker on that money and it will go to nobody else. That is what happened with Grand Blanc. They got that contract signed and got that money locked in before anyone else. And there was nothing we could do about it. It is first come first serve.

Paul resident – Ok so the sooner you vote get the contract sign it and gets in their hands we are good?

Supervisor Thorsby – Yep, exactly.

Mark Morrison resident – Just to be clear no other subdivisions can take that money?

Richard Hill Genesee County Road Commission – No unless the contract is signed that is a contract between us and the Township. No other Township would have anything to do with that.

Laura resident – I was just wondering like, us being here to voice our opinion today are we here to sway your vote?

Supervisor Thorsby – It is your subdivision. The Township Board is not going to push it, they are not going to fight against you, they are not going try to leverage you into making a decision. It is your decision if you signed the petition, that you wanted it then you made that decision. And we will get to the petition after we close the public hearing. I wanted everybody to have a  
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chance to talk. So, it is your subdivision. The Township Board is not going to benefit it's not going to be a detriment one way or another.

Laura resident – So who is it up to when it all comes down to it like you know, you want it, I don't, you want it you know.

Supervisor Thorsby – The petition.

Laura resident – Do you vote it or do we vote it out?

Supervisor Thorsby – We vote it. And by signing that petition you let the Board know that you were interested in it. If you didn't sign the petition, you let the Board know you aren't interested.

Laura resident – Well they came through at a time when not everyone was home or I don't know how it was done. And on the petition, it said a lot less. I'm going by memory which is horrible. I am not sure how it works sorry. Thank you.

Supervisor Thorsby – You're welcome

Trisha (Spydel resident)-So we can request a referendum petition before it goes on the ballot? Where everyone actually gets to vote.

Supervisor Thorsby – No.

Trisha (Spydel resident)-Why? That's the law.

Township Attorney Matt McKone– This is how the Township Board decided to move forward. Because you have 51% or more of the proposed assessment district. Because that is the petition that was filed.

Trisha (Spydel resident)-Alright, if the Board approves it to go forward, we can request a referendum petition to go on the ballot?

Supervisor Thorsby – No because what you would be doing. Everyone in the Township would be voting and they would have to pay for the election so you would have 11,000 people to pay for the election. To decide whether to pave your subdivision, when the people in the subdivision have already made their feelings known.

Trisha (Spydel resident)-Not everyone. Because I was told my tires would be flattened before I can get here.

Supervisor Thorsby – Were they?

Trisha (Spydel resident)-Clearly not.

Supervisor Thorsby – OK, good. Because you would need to talk to that gentleman over there. Trisha, right.

Trisha (Spydel resident)-Correct.

bd of trustee 101223

Supervisor Thorsby – Ok, awesome. I wish you had a name tag.

Resident – What was the percentage of the vote?

Supervisor Thorsby – We will get to that in a second. I want everybody a chance to talk and we will present that to the board.

Pete resident – I think where some confusion about the petition was actually the residents one and only vote of about if it comes up or goes down.

Supervisor Thorsby – Yeah, kinda. That's why I don't like that work vote. The petition is your voice saying you are interested or not.

Resident – I did a little survey with my immediate neighbors. And every single one of them 6 or 7 residents. They said yeah, I signed the petition and I let them know that was their only say in this matter. And they all were like, no. There was a lot of confusion about that. I truly believe that. A lot of people, all the people I spoke to were like no. There has to be more. There's all these meetings. And I let them know the petition was their thumbs up or thumbs down and then it's in your hands. So, I just want it to be known that I specifically came back to ask questions about the petition.

Supervisor Thorsby – Well you are here tonight. If there are people that signed the petition and they are here today that will impact the board. And if you didn't sign it, your voice has been heard.

Wayne resident – Regardless of the petition or not. If those 13 and some change and now you are looking at 17 and some change. Those that signed the petition might say oh, that is not what it was. That's 4,000 over that. That's not fair. That is misrepresenting the petition.

Supervisor Thorsby – And as we have said all along, these are all estimates.

Wayne resident – But somebody that would sign for 13,000 may not sign for 17,000. That's my issue with the petition. Is sending it around. It's a false petition. I could send it around 9,000 and everyone would do it. Then you come here at 17,000. It's already in front of the Board.

Trustee Minarik – That is not with the matching funds. With the matching funds that would bring it down to closer to 13,000.

Wayne resident – Regardless the petition said one thing. And now it's, and now it's jumped to something else. You can't give me a certain amount and then come to me it has changed.

Treasurer Peck – Estimates changes all the time.

Wayne resident – It sure does. But I take something to you and it says one thing and now it says another. In this economy, I have 6 children and four are boys.

Resident – And that was your choice.

Wayne resident – Yes it was, and not my choice to pave your roads. Plus, now I have a grandchild. My grocery bill is over \$700 a month than it use to be. Yes, it was my choice.

Treasurer Peck – Is there anyone here that signed the petition that would like to change their mind?

Resident – I just want to say that many people just needed more information. So, what I think what he is saying is correct. So, a lot. So maybe you need another petition that is more specific.

Supervisor Thorsby – Anyone else that would like to talk?

Resident – How long is this process for signature take?

Supervisor Thorsby – 30 days. And we were contacted after 30 days that wanted to sign the petition.

Trustee Bain – If there is a question should we see if the residents want to recirculate the petition.

Supervisor Thorsby – No, the people that are disputing it, did not sign it. We are not at a point where the numbers aren't going to change. The numbers can still change for the better or for worse. We will see.

Supervisor Thorsby – We will close the Public Hearing at 8:20 P.M.

2. Possible motion on RESOLUTION NO. 23-14 A RESOLUTION PURSUANT TO MCL 41.724(1) TO TENTATIVELY CREATE A SPECIAL ASSESSMENT DISTRICT TO REPAIR AND REPAVE THE ROADS IN APPLE HILL ESTATES SUBDIVISION. – Supervisor Thorsby

Trustee Minarik -Voting this in today means there is no backing out of engineering cost?

Richard Hill Genesee County Road Commission -Once you say to start, we will start spending money. Whatever money I spend we will want to be reimbursed on that.

Trustee Minarik -Right, so this vote is telling you move forward, spend money, and if we decide down the road, we are out of \$250,000 or whatever money you have spent. Correct?

Richard Hill Genesee County Road Commission -That is something you could bring up to my managing director, my board, to wave that. But if we spend \$150,000 of funds, that is \$150,000 that we could have spent somewhere else.

Supervisor Thorsby -And the same thing on the other subdivisions. It was the same process. Same contract that we had to sign. The same guarantee.

Trustee Minarik -Well those residents seem to be all on board and these residents don't seem to be sure.

Supervisor Thorsby – That is not completely correct.

Trustee Minarik – I just want you to know I am here for you, and vote for you the residents.

Supervisor Thorsby – The board needs to talk amongst themselves to make a decision.

Trustee Upleger -As a concrete contractor, I don't see the cost ever coming down and the roads aren't getting any better. And 59% want it done, so it is something that is going to have to be done.

Trustee Willette -I have drove through this subdivision the last time we met about this. I was appalled that the roads were so bad. Some of the roads were just gravel. 51% percent wants this, so.

**TREASURER PECK MOVED**, supported by Clerk Meinburg to approve RESOLUTION NO. 23-14 A RESOLUTION PURSUANT TO MCL 41.72 (1) TO TENTATIVELY CREATE A SPECIAL ASSESSMENT DISTRICT TO REPAIR AND REPAVE THE ROADS IN APPLE HILL ESTATES SUBDIVISION.

**ACTION ON MOTION**

**ROLL CALL VOTE:**

**AYES:** Thorsby, Willette, Minarik, Upleger, Peck, Meinburg and Bain

**NAYS:** NONE

**ABSENT:** NONE

**THE MOTION CARRIED UNANIMOUSLY.**

3. Possible motion to approve hiring Rob Gain as bond counsel and Bendzinski and Associates as financial advisor for the Apple Hill Estates special assessment – Supervisor Thorsby

Supervisor Thorsby mentioned that these were the same agents we used in previous subdivision projects.

**CLERK MEINBURG MOVED**, supported by Trustee Willette to approve hiring Rob Gavin as bond counsel and Bendzinski and Associates as financial advisor for the Apple Hill Estates special assessment.

**ACTION ON MOTION**

**ROLL CALL VOTE:**

**AYES:** Bain, Willette, Minarik, Meinburg, Thorsby, Upleger and Peck

**NAYS:** NONE

**ABSENT:** NONE

**THE MOTION CARRIED UNANIMOUSLY.**

4. Possible motion on replacing drinking fountain at township hall using CBDG grant money. – Supervisor Thorsby



Discussion took place on the current water fountain condition and the use of GBDG grant funds to pay for this project.

**TREASURER PECK MOVED**, supported by Trustee Willette to replace the drinking fountain at township hall using Staleys at \$3138.

**ACTION ON MOTION**

**ROLL CALL VOTE:**

**AYES:** Upleger, Thorsby, Willette, Meinburg, Minarik, Peck and Bain

**NAYS:** NONE

**ABSENT:** NONE

**THE MOTION CARRIED UNANIMOUSLY.**

5. Motion to approve RESOLUTION NO. 23-15 EARLY VOTING POLLING LOCATION EFFECTIVE OCTOBER 12, 2023 to create an early voting precinct location. – Clerk Meinburg

Resolution died due to lack of motion.

6. Motion to approve Quarterly Budget ending September 30<sup>th</sup>, 2023 – Supervisor Thorsby

**TRUSTEE WILLETTE MOVED**, supported by Trustee Bain to approve the Quarterly Budget ending September 30<sup>th</sup>, 2023

Supervisor Thorsby and Treasurer Peck let Brooke know she did a good job on her first quarterly budget.

**ACTION ON MOTION**

**ROLL CALL VOTE:**

**AYES:** Peck, Bain, Meinburg, Thorsby, Upleger, Minarik and Willette

**NAYS:** NONE

**ABSENT:** NONE

**THE MOTION CARRIED UNANIMOUSLY.**

7. Discussion on Deputy Clerk's position. – Supervisor Thorsby

This was more of an informational discussion on the Administrative Assistant to the Clerk and Deputy Clerk position that Makenzie previously held and Jeanette Sizemore will now be taking over these duties.

During this informational time. Supervisor Thorsby announced Cathy Valet our Tax Clerk will be retiring February 29<sup>th</sup> 2024. The position was posted this week and we are hoping to hire someone in November.

8. Possible motion RESOLUTION NO. 23-16 OPPOSITION TO LEGISLATION TO PREEMPT LOCAL CONTROL FOR THE SITING AND PERMITTING OF UTILITY-SCALE RENEWABLE FACILITIES INCLUDING SOLAR, WIND AND LARGE-SCALE BATTERY STORAGE FACILITIES. - Supervisor Thorsby

Much discussion took place about these facilities. The Resolution will help express our displeasure on these facilities, it is not just Flushing, it is all across Michigan.

**TREASURER PECK MOVED**, supported by Trustee Bain to adopted RESOLUTION NO. 23-16 OPPOSITION TO LEGISLATION TO PREEMPT LOCAL CONTROL FOR THE SITING AND PERMITTING OF UTILITY-SCALE RENEWABLE FACILITIES INCLUDING SOLAR, WIND AND LARGE-SCALE BATTERY STORAGE FACILITIES.

Further discussion was taken place about needing to pass this resolution.

**ACTION ON MOTION**

**ROLL CALL VOTE:**

**AYES:** Meinburg, Willette, Bain, Peck, Minarik, Upleger and Thorsby

**NAYS:** NONE

**ABSENT:** NONE

**THE MOTION CARRIED UNANIMOUSLY.**

9. Discussion and possible motion regarding assessment for solid waste pickup. – Supervisor Thorsby

Supervisor Thorsby said we have a contract with EMTERRA for our solid waste, recycling and trash pick-up that gives them a lot of latitude to raise the cost for residents, recalling that a few months back they raised our monthly rate by \$2.10 per parcel. We had no way to add this to our taxes until winter; as of now we need to raise each parcel by \$50 dollars a year to get us back on track with new rates and give us a small cushion for when this happens again.

**TREASURER PECK MOVED**, supported by Trustee Upleger to raise solid waste pickup charge by \$50 a year per parcel.

**ACTION ON MOTION**

**ROLL CALL VOTE:**

**AYES:** Peck, Willette, Bain, Upleger, Thorsby and Meinburg

**NAYS:** Minarik

**ABSENT:** NONE

**THE MOTION CARRIED.**

**VI. REPORTS:**

1. Supervisor's Report – Supervisor  
Monthly Building Report  
Zoning and Code Enforcement Report

- Fire Department Report
- FANG Activity Report
- 2. Clerk's Report – Clerk
- 3. Treasurer's Report – Treasurer
- Financial Report September 2023
- Water Report
- 4. Flushing Township Police Department – Chief

**VII. PUBLIC COMMENTS:**

**OPEN FOR PUBLIC COMMENTS: 9:13 P.M.**

No public comment were made.

**CLOSED FOR PUBLIC COMMENTS: 9:14 P.M.**

**VIII. BOARD COMMENTS:**

It was mentioned that we need to be more diligent on putting dollar amounts in the minutes. This was explained that yes that is something that needs to be in the motion. But the recording secretary cannot change the motions. These must be written how they are motioned.

A couple of the board members also mentioned praying for the world to just try to get along.

**IX. NEXT REGULAR MEETING:**

NOVEMBER 9, 2023 AT 7:00 P.M.

**ADJOURNMENT** Trustee Bain, moved, supported by and Trustee Minarik to adjourn the meeting at 9:16 P.M.

**THE MOTION CARRIED UNANIMOUSLY.**

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WENDY D. MEINBURG, Clerk

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APPROVED DATE

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FREDERICK R. THORSBY, Supervisor

RECORDING SECRETARY: Jeanette Sizemore, Recording Secretary  
10/12/2023