

CHARTER TOWNSHIP OF FLUSHING
6524 N. SEYMOUR ROAD
BOARD OF TRUSTEES MEETING
DATE: MAY 13, 2004 **TIME: 7:00 P.M.**
PHONE: 810-659-0800 **FAX 810-659-4212**
WEB PAGE: <http://www.flushingtowship.com>

ADMINISTRATION MEMBERS

SUPERVISOR: Andrew Trotogot
CLERK: Julia A. Morford
TREASURER: Carl G. Liepmann

TRUSTEES

Ronald R. Flowers
Ann L. Fotenakes
Michael S. Gardner
Ida M. Reed

TOWNSHIP ATTORNEYS:

John Siler and Steven Moulton
Bellairs, Dean, Cooley,
Siler, Moulton & Smith

SUPERVISOR TROTOGOT opened the Board Meeting at 7:00 p.m. with roll call and the Pledge to the American Flag.

ROLL CALL: Trotogot, Morford, Liepmann, Flowers, Fotenakes, Gardner, Reed, and Attorney Moulton

MEMBERS ABSENT: None

OTHERS PRESENT: Wayne Eddy, Thomas Shumaker, Ted Breidenstein, David Gibbs, Planning Commission Chair Jerry Doyle, and Flushing Nature Park Manager Tom Enright

ADOPTION OF THE AGENDA: FOTENAKES MOVED, seconded by Reed to adopt the Agenda as presented. MOTION CARRIED.

APPROVAL OF MINUTES:

1. APPROVAL OF MINUTES OF APRIL 8, 2004: REED MOVED, seconded by Fotenakes to approve the minutes of April 8, 2004 with the correction of the name of Carolyn Sanderson, the former Director of the Flushing Senior Center from Carolyn Sanderson to Caroline Sanderson. MOTION CARRIED.

2. APPROVAL OF MINUTES OF APRIL 21, 2004: LIEPMANN MOVED, seconded by Flowers to approve the minutes of April 21, 2004 as presented. MOTION CARRIED.

3. APPROVAL OF MINUTES OF APRIL 27, 2004: FLOWERS MOVED, seconded by Reed to approve the minutes of April 27, 2004 as presented. MOTION CARRIED.

APPROVAL OF BILLS: FOTENAKES MOVED, seconded by Flowers to pay the bills as presented.

ROLL CALL VOTE:

AYES: Flowers, Fotenakes, Gardner, Liepmann, Morford, Reed, and Trotogot
NAYS: 0 MOTION CARRIED.

UNFINISHED BUSINESS FOR CONSIDERATION:

None

NEW BUSINESS:**1. Wetland Ordinance Information**

Flushing Nature Park Manager **TOM ENRIGHT (ENRIGHT)** was present to present further information on a review/study regarding an ordinance for wetlands with five (5) acres or less, which had previously been reviewed and discussed at the Flushing Township Planning Commission Meeting held on Tuesday, April 27, 2004. After much discussion (at the April 27, 2004 Planning Commission Meeting) the conclusion was to research into a Michigan State University (MSU) Program for having a land use update; the last update was completed in 1978, with the most current information obtained in 1999. The program would cost \$2,000 with a matching grant from the State of Michigan where the Township would pay \$1,000 and the State of Michigan would pay \$1,000.

The inventory data would be great assistance for the Master Plan on reviewing the updates on development land, forest areas, wetlands, etc.

ENRIGHT stated that when he approached the Planning Commission, there had been the possibility of writing a wetland ordinance, which would give the Township and the Planning Commission some type of legal issue; at present there are no legal opportunities. The State of Michigan protects all wetlands five (5) acres and above, and wetlands of any size that are connected to a permanent waterway. The State law intended that local governments would pick up the slack and protect five (5) acres and under.

FOTENAKES stated that as a realtor, if she sells a parcel of land that has obvious wetlands on it, she would have to contact the DNR to get permission to move the wetland. She (Fotenakes) was under the impression that an individual either moved to a different area or had to adjust the building within the site. **ENRIGHT** stated a permit would be given for a situation in this matter. **REED** stated there have been instances where the township could not stop an individual from building on a smaller area which was basically a wetland, but the individual built on the area anyway and then had water problems; it would be great to have an ordinance where the individual could be stopped from constructing a home in a situation similar to this.

FLOWERS stated that recently the Flushing School District purchased property on Carpenter Road to construct a middle school. Parts of the property which the school is planning to build is in a flood plain/wetland area; as far as the wetland area, the school is placing the practice fields and all sport fields in the proposed flood plain/wetland area rather than using the area for parking lots.

FOTENAKES stated the purpose of wetlands is to preserve the wetlands so the township does not lose the habitation of the bugs and animals.

ENRIGHT stated that farmland would be exempt from the ordinance. **LIEPMANN** felt that if there should be an ordinance for land under five (5) acres, it would have to be written very carefully as the township does not want to be the "wetland police" as there are not enough time and people to patrol the property.

ENRIGHT stated the \$2,000 price would consist of: a 1978 Correction file, a 1999 Land Cover/Land Use date; a union overlay file of 1978/1999, which can be used for GIS change analysis, digital aerial photo imagery mosaicked for the township.

FLOWERS stated that at this time the Planning Commission is not interested in having an ordinance for wetlands, but the update would bring the Planning Commission up to date as far as what was taking place in the township.

FLOWERS stated the MSU Grant expired at the end of May, 2004 which would be an automatic grant and would not have to be applied for. **FLOWERS MOVED**, seconded by Fotenakes that the township spend \$1,000 for Michigan State University to do the 1978/1999 Land Cover/Land Use Update for the GIS data and digital imagery.

ROLL CALL VOTE:

AYES: Fotenakes, Gardner, Liepmann, Reed, Flowers, Morford, and Trotogot

NAYS: 0 MOTION CARRIED.

GLEN LEFABRE (LEFABRE) of the Saginaw Valley Watershed Coalition Division, stated MSU would develop GIS points around the township and either gives the township a CD with the information on it or they would give a CD plus a hard copy.

GARDNER stated that since the inventory for 1999 was already completed, would the township be paying for the right to use the information or would MSU be updating the inventory to current status? **LEFABRE** stated the inventory would be re-done currently for the \$2,000 but would be 1999 data. **ENRIGHT** stated it would take two (2) to three (3) months to complete the inventory. The money is available from the Township General Fund.

LIEPMANN wanted to know if MSU could get the township a hard copy of the inventory map.

2. “The Needles” – Approval of New Subdivision Phase II – Jack May

LIEPMANN, speaking on behalf of **JERRY FITCH (FITCH)** Building Inspector and Jack May (May) who was unable to be in attendance. Phase II of “The Needles” Subdivision has not changed and the Building Inspector is recommending that the Board of Trustees approve the request. **LIEPMANN MOVED**, seconded by Fotenakes to approve Phase II of “The Needles” Subdivision. MOTION CARRIED. (**TROTOGOT** stated this was a two (2) year extension and if it wasn’t approved, everything would have to start all over again. **LIEPMANN** stated the approval was in affect so that it would not get outdate. **FOTENAKES** mentioned Jack May was the new owner.)

3. Interest Rates on Assessments

LIEPMANN stated that last year, he (Liepmann) recommended to the Board of Trustees that due to the Water Fund having been in good financial condition, that the interest rates on all assessments in the township be forgiven. **LIEPMANN** stated the Water Fund is in good condition again and he was recommending to the Board of Trustees that the interest rates be forgiven again this year. **LIEPMANN MOVED**, seconded by Reed that for the fiscal year 2004-2005, the interest rates on assessments be forgiven. (This would save the Flushing residents some money). MOTION CARRIED.

4. Welcome Receptionist/Voter Registrar Megen Fischer

TROTOGOT stated that Megen Fischer was selected to be the new Receptionist/Voter Registrar in the Township Office and was doing an excellent job.

5. Mass Transportation Authority Millage Proposal

TROTOGOT stated that Mass Transportation Authority (MTA) would like the Township to support their request for a proposed millage on the June 14, 2004 ballot. He (Trotoгот) had recently attended a meeting with MTA personnel and wanted to know how many people were using the large buses? Since there are so many empty buses it seems like it would be much cheaper to use the small vans. Due to lack of interest to support the proposal, the matter was set aside.

6. Mott Community College Bond Renewal

TROTOGOT stated that Mott Community College (Mott) has asked the Township to support the renewal of its existing bond authority; the renewal would not raise taxes. The bond issue would be on the ballot June 14, 2004. **GARDNER** was not in favor of the renewal and felt that individuals should pay for their own education; there are many people that reside in the township that would be paying the Mott renewal millage tax on their property, but would not be attending Mott. The property owners would be paying

not only their own college, but someone else's also. **TROTOGOT** agreed. **LIEPMANN** stated that it was only a renewal of taxes. Mott could not exist if there wasn't some type of tax support. **FOTENAKES** wanted to know the portion of money the homeowner would be paying? It would be .014 mill per thousand for the township. **REED** stated that just because the Flushing Township Board of Trustees supported the proposal didn't mean the renewal would pass. **REED** stressed Senior Citizens can go to Mott at no cost. **MORFORD** stated Mott has the satellites for Ferris College, Spring Arbor, and other colleges right on campus. **LIEPMANN MOVED**, seconded by Reed to support the Resolution for Mott Community College. MOTION CARRIED.

COMMITTEE REPORTS:

1. Flushing Senior Center

FLOWERS stated that Karen Popovits (Popovits) has been selected as the new Director of the Flushing Senior Center as of May 1, 2004. There will be an "Open House" for Popovits in the near future. Popovits has started working on the Flushing Follies already.

The Center By-Laws are being amended to change the number of Board Members from fourteen (14) appointees down to nine (9), with the City of Flushing having 4 appointees; Charter Township of Flushing - 3 appointees; Clayton Charter Township - 2 appointees; and the Flushing School Board - 1 appointee. **FLOWERS** will bring a copy of the By-Laws to the Board of Trustees meeting when they are available.

2. Concerts in the Park

FOTENAKES stated that she was absent from the last *Concerts in the Park* Committee Meeting; but stated there are a couple of events that still needed to be sponsored. It should turn out Great!

3. Parks and Recreation Committee

LIEPMANN stated the Parks and Recreation Committee met May 3, 2004. The Committee is continuing to work on the Flushing Nature Park Master Plan which will take the rest of 2004 to complete. It was decided to work on one (1) or two (2) issues per meeting. The Committee worked on 1) a "*Wish List*": which consisted of ten (10) items that would give potential Eagle Scouts an idea of what projects the park had available. 2) *Overflow Traffic*: how to add "overflow" parking without adding additional parking spaces. **ENRIGHT** has reviewed different areas that could be mowed, without doing any harm to the park, and still park automobiles in the designated areas.

The next Parks and Recreation Commission meeting will review river access and the pond. There will be different ideas as to how to clean up the pond so that would be more accessible for people to view and fish.

4. Miscellaneous Comments

A. REED stated that she had attended a rummage sale in the Granrich Subdivision; and word is out that people are very interested in having sewers placed in the area. The last meeting, regarding sewers, was held in 1993-1994 with approximately 400 people in attendance; the sewer issue had been voted down. **LIEPMANN** stated the ordinance currently states that sewers would be paid as an assessment based on front footage. The last sewer was installed in 1997 and consisted of four (4) property lots.

B. FOTENAKES stated she had been approached by individuals that were concerned about bicycle or street marathons. She (Fotenakes) thought there was a Flushing ordinance pertaining to publication of when and where the events would be held. The main issue with the marathons seemed to be a fight between the people and the automobiles as to who would not move out of the road. **FOTENAKES** stated that at one time the Board of Trustees had to approve the runs and walks; neighborhoods are not happy not knowing dates and times when the events would take place. **TROTOGOT** stated that he would contact John Gault who is in charge of the Crim Walk and other events.

REPORTS:

1. **Building Inspector's Report: LIEPMANN MOVED**, seconded by Fotenakes to approve the Building Inspector's Report. MOTION CARRIED.

BUILDING PERMITS ISSUED:

NEW HOMES	4
ACCESSORY BUILDINGS	6
DECKS	1
REMODELING	2
ADDITIONS	1
GARAGES	0
FENCE PERMITS	8
ROOF REPAIR	0
POOL	0
COMMERCIAL	0
SIGN	0
TOTAL PERMITS ISSUED	22
PERMIT VALUATION FOR APRIL 2003	\$ 913,731
PERMIT VALUATION FOR APRIL 2004	542,170
PERMIT FEES COLLECTED FOR APRIL 2004	\$ 2,941
TRAILER INSPECTIONS (13)	650
TRASH AND RECYCLING CHARGES	0
SPECIAL USE PERMIT	0
HOME OCCUPATION PERMIT	0
EARTH REMOVAL PERMIT	0
VARIANCE REQUEST	0
REZONING REQUEST	0
CODE BOOKS	0
FOR A TOTAL OF	\$ 3,591
CONSTRUCTION TO DATE APRIL 2003	3,697,098
CONSTRUCTION TO DATE APRIL 2004	1,543,733
FOR A DECREASE OF	\$ 2,153,365

PUBLIC COMMENTS:

1. **Wayne Eddy, 10350 W. Mt. Morris Road, Flushing, Michigan** – “he is having problems with his neighbor that lives behind his house whose main problem is the garbage cans; the neighbor won't mow the grass; there are junk cars; easement problems, makes the community look bad; Eddy has called Sgt. Brian Fairchild, the Code Enforcement Officer, and other Officers of Flushing Township to his (Eddy) house. **LIEPMANN** stated there wasn't an ordinance concerning garbage but there was an ordinance regarding grass mowing. A letter could be sent to the neighbor giving a certain number of days to get the lawn mowed. **ATTORNEY MOULTON** gave an attorney's review of the junk cars, littering, etc. and stated that it was a civil matter between himself (Eddy) and his neighbor. **LIEPMANN** recommended that Eddy give the Township a call on Monday Morning everytime he sees garbage, and if the Code Enforcement Officer is in, he (Code Enforcement Officer) would be sent to review the matter on Eddy's

property; if the Officer is not in, **TROTOGOT** and **LIEPMANN** would come over to review and document the garbage issue for three (3) or four (4) weeks, whatever **ATTORNEY MOULTON** recommends, and then the matter could be sited for littering. **FOTENAKES** would like a letter sent to the person first to warn her of the possibilities.

2. Candidate for Flushing Township Trustee for the Upcoming Election

THOMAS SHUMAKER, Candidate for Flushing Township Trustee, Republican, was present and gave a brief presentation of his interest in becoming a member of the Board of Trustees. **SHUMAKER** has attended meetings.

BOARD COMMENTS:

None

THE NEXT BOARD OF TRUSTEES MEETING IS SCHEDULED FOR THURSDAY, JUNE 10, AT 7:00 P.M.

ADJOURNMENT: There being no further business matters, Supervisor Trotogot adjourned the meeting at 8:07 p.m.

Julia A. Morford, Clerk

Andrew Trotogot, Supervisor

APPROVED DATE: _____