

# CHARTER TOWNSHIP OF FLUSHING

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

DATE: AUGUST 14, 2008

TIME: 7:00 P.M.

PHONE: 810-659-0800

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WEB PAGE: <http://www.flushingtowship.com>

## ADMINISTRATION MEMBERS

SUPERVISOR: Andrew Trotogot

CLERK: Julia A. Morford

TREASURER: Carl G. Liepmann

## TRUSTEES

Ann L. Fotenakes

Scott Minaudo

Barry Pratt

Ida M. Reed

## TOWNSHIP ATTORNEY:

STEVEN MOULTON

Cooley Moulton & Smith LLP

727 S. Grand Traverse Street

Flint, Michigan 48502

**MEETING CALLED TO ORDER** at 7:00 p.m. by **SUPERVISOR ANDREW TROTOGOT (TROTOGOT)** with Roll Call and the Pledge to the American Flag.

**ROLL CALL:** Trotogot, Morford, Liepmann, Fotenakes, Minaudo, Pratt, Reed, and Attorney Steve Moulton

**MEMBERS ABSENT:** None

**OTHER INDIVIDUALS PRESENT:** 32 other interested residents

**LIEPMANN** requested to add to the Agenda to be listed under "New Business", Number 2, "Discussion and Approval of Liability Insurance Coverage"

**APPROVAL OF THE AGENDA: FOTENAKES MOVED**, seconded by Pratt to adopt the Agenda with the additional request listed under "New Business", Number 2, "Discussion and Approval of Liability Insurance Coverage". **MOTION CARRIED.**

**APPROVAL OF MINUTES OF JULY 10, 2008: PRATT MOVED**, seconded by Reed to approve the Minutes of July 10, 2008 as printed. **MOTION CARRIED.**

**APPROVAL OF BILLS: FOTENAKES MOVED**, seconded by Minaudo to pay the bills as listed. Questions: Check No. 31981, Cardmember Services; Check No. 31948, Cardmember Services; Check No. 31970, Bear Packaging & Supply; *Additional Bills for Consideration:* Atherton Road Sales;

**ROLL CALL VOTE:**

**AYES:** Fotenakes, Minaudo, Pratt, Reed, Morford, Liepmann, and Trotogot

**NAYS:** 0 **MOTION CARRIED.**

## UNFINISHED BUSINESS:

### 1. Approval of Continued Contract with I.T.I. for Telephone Services

**PRATT MOVED**, seconded by Minaudo to postpone the decision regarding the telephone services for Flushing Township until the December 2008 Meeting with the newly elected officials. **MOTION CARRIED.**

**NEW BUSINESS**

**1. Approval to Attend the 2008 Michigan Townships Association (MTA) Fall District Meeting**

**REED MOVED**, seconded by Fotenakes that any board member that would like to attend the *2008 MTA Fall District Meeting* in Frankenmuth, Michigan be allowed to do so and if something happens they are not able to attend, they will reimburse the township; if an individual should not be re-elected, the individual not be approved to attend unless the individual paid his/her own way

**DISCUSSION:**

- **FOTENAKES** felt we should strive to get everyone signed up for the early-bird price of \$79.00 for the District Meeting. **MORFORD** stated the township always strived to get the early-bird price for any meeting.
- **LIEPMANN** recommended to the Board that the wording “if an individual should not be re-elected, the individual not be approved to attend unless the individual paid his/her own way” be added to the motion.

**ACTION OF THE MOTION:**

ROLL CALL VOTE:

AYES: Minaudo, Pratt, Reed, Morford, Liepmann, Fotenakes, and Trogotog

NAYS: 0 MOTION CARRIED.

**2. Michigan Township Insurance Coverage Proposal for the Charter Township of Flushing – Ted Hartleb Agency**

**LIEPMANN** gave a brief synopsis of the township’s insurance programs. The current liability insurance coverage has been through Ponta, Castle, & Ingram Agency, Inc. (PCI) (Trident Group) of Birmingham, Michigan, for the past year. Bids were solicited from Ponta, Castle, & Ingram Agency, Inc.; Ted Hartleb Agency; Michigan Municipal League; and Burnham and Flowers.

The Ted Hartleb Agency (Hartleb Agency) has been insuring municipalities for over thirty (30) years and is co-owned by Geoffrey Lansky and Michael Ormstead, former owners of Burnham and Flowers. The bids were very close but there were differences among such items as coverage and deductible for comprehensive, inland marine, electronic data processing, and crime coverage.

**LIEPMANN MOVED**, seconded by Pratt to approve the *Hartleb Agency* as the liability insurance carrier, which would take effect September 1, 2008 through September 1, 2009, and would be bid every year.

**DISCUSSION:**

- **FOTENAKES** wanted to know if the township didn’t just enter into a contract with another insurance company? **LIEPMANN** stated the township sent out bids every year in September.
- **LIEPMANN** stated the liability coverage would be the same.

**ACTION OF THE MOTION:**

ROLL CALL VOTE:

AYES: Pratt, Reed, Morford, Liepmann, Fotenakes, Minaudo, and Trogotog

NAYS: 0 MOTION CARRIED.

**IT WAS RECOMMENDED TO DO THE COMMITTEE REPORTS BEFORE GOING INTO “CLOSED SESSION.”**

**COMMITTEE REPORTS:****1. Roads Committee**

**TROTOGOT** stated the *Road Committee* had previously met to discuss three (3) roads that needed to be repaired. **TROTOGOT** presented three (3) “Genesee County Road Commission Cost Estimate” sheets for : **1)** Johnson Road between Stanley Road and Mt. Morris Road; **2)** Duffield Road South of Coldwater Road; and **3)** Johnson Road between Stanley Road and Coldwater Road.

**PRATT MOVED**, seconded by (none) that if the approval was given to do the ditching that two of the projects be done: 1) Duffield Road South of Coldwater Road at \$29,078.95 and 2) Johnson Road between Stanley Road and Mt. Morris Road at \$46,526.00 for a total of \$75,600

**DISCUSSION:**

- **LIEPMANN** stated there was \$ 3,337.00 remaining in the “Ditch Maintenance Budget” and \$50,000 remaining in the “Road Maintenance Budget”. The Fund Balance would have to be reduced by approximately \$23,000 to cover the two (2) projects.
- **PRATT** stated the recommendations were long term recommendations from the Road Committee of which **PRATT** is a member.

**AFTER DISCUSSION, IT WAS DECIDED TO HAVE TWO (2) MOTIONS BECAUSE THERE WERE TWO (2) ISSUES THAT NEEDED TO BE MOTIONED.**

**PRATT MOVED**, seconded by Trotogot to approve the ditching projects with the cost estimate sheets attached for the locations of: **1)** Johnson Road between Stanley Road and Mt. Morris Road and **2)** Duffield Road South of Coldwater Road using the funds from the Fund Balance from Roads to do the ditching.

**DISCUSSION:**

- **FOTENAKES** wanted to know if there were any grants available or any other place to obtain money for the repairs.
- **TROTOGOT** stated there had been a “50/50 Share” and “ten (10) days free ditching” but both programs had been used.
- **FOTENAKES** wanted to know if the projects could wait until next year.
- **LIEPMANN** stated the Fund Balance could handle the \$23,000; the \$50,000 in “Road Maintenance” would not be enough to do anything. Ditching would be road maintenance and if there aren’t any ditches, there would be water on the roads and the roads would be destroyed. Both of the proposed road projects are in bad shape.
- **PRATT** felt there were several roads that were worse than Johnson Rod between Stanley Road and Coldwater Road.
- **FOTENAKES** wanted to know if the Road Committee had investigated the roads; the Board of Trustees would go by the Township Road Committee opinion.
- **TROTOGOT** wanted to know if the township could hold off until next year?
- **LIEPMANN** stated if the roads were bad now, they would get worse.
- **FOTENAKES** wanted to know if the roads would be started immediately.
- **TROTOGOT** stated Dunham Road (off Mt. Morris Road) was in the process of being completed.
- **PRATT** stated that Ron Lattimer, Foreman for the Genesee County Road Commission, had stated there was a short time left to do the end-of- the-year projects.
- **TROTOGOT** felt the repairs should be done immediately, since the funds are available.

**ACTION OF THE MOTION:**

ROLL CALL VOTE:

AYES: Reed, Morford, Liepmann, Fotenakes, Minaudo, Pratt, and Trogot

NAYS: 0 MOTION CARRIED.

**LIEPMANN MOVED**, seconded by Pratt to reduce the “Road Maintenance Budget” by \$50,000 and place the money into “Ditching”; reduce the Fund Balance by \$23,000 and place in “Ditching”.

**ACTION OF THE MOTION:**

ROLL CALL VOTE:

AYES: Morford, Liepmann, Fotenakes, Minaudo, Pratt, Reed, and Trogot

NAYS: 0 MOTION CARRIED.

**REPORTS:**

1. **Treasurer’s Report: FOTENAKES MOVED**, seconded by Pratt to accept the Treasurer’s Report. MOTION CARRIED.
2. **Building Inspector’s Report: REED MOVED**, seconded by Fotenakes to accept the Building Inspector’s Report. MOTION CARRIED.

**BUILDING PERMITS ISSUED:**

NEW HOMES	0
ACCESSORY BUILDINGS	4
DECKS	2
REMODELING	2
ADDITIONS	1
GARAGES	0
FENCE PERMITS	2
ROOF REPAIR	0
POOL	0
COMMERCIAL	0
SIGN	0
<b>TOTAL PERMITS ISSUED</b>	
	<b>11</b>
PERMIT VALUATION FOR JULY 2007	\$ 263,095
PERMIT VALUATION FOR JULY 2008	123,293
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<b>PERMIT FEES COLLECTED FOR JULY 2008</b>	<b>\$ 771</b>
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TRAILER INSPECTIONS (1)	50
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
<b>FOR A TOTAL OF</b>	
	<b>\$ 821</b>

CONSTRUCTION TO DATE JULY 2007	1,669,545
CONSTRUCTION TO DATE JULY 2008	868,632
<b>FOR A DECREASE OF</b>	<b>\$ 800,913</b>

**BOARD COMMENTS:**

1. **LIEPMANN** stated the Flushing Township Board of Trustees would be holding their **Truth in Budgeting Public Hearing** at the regular scheduled Board of Trustees Meeting on Thursday, September 11, 2008.
2. **LIEPMANN** stated the property on Seymour Road had been sold and the money had been received. The other two (2) properties involved were restricted properties so Flushing Township could not purchase them.
3. **FOTENAKES** wanted to know if **ATTORNEY MOULTON** had rewritten a particular section of Flushing Township Police **CHIEF DOUG KENNEDY'S** wage contract. **ATTORNEY MOULTON** will review the issue and take care of the issue.
4. **FOTENAKES** stated she had been asked "since there wasn't money in the budget to pay a contractor the Board should not negotiate a contract; was this Michigan Townships Association (MTA) ruling or what? **TROTOGOT** stated the issue would be discussed in Closed Session.
5. **FOTENAKES had obtained information to where** Flushing Township could have gotten a \$25,000 grant from the MTA due to joint ventures with Flushing City such as the Fingerprinting Scanner. **LIEPMANN** will review the issue.
6. **FOTENAKES** stated Barbara Goebel, Superintendent of Flushing Community Schools, had mentioned at the May 2008 Board of Trustees Meeting, she would be willing to re-negotiate the police resource officer contract. Has anyone contacted Ms. Goebel?

**ATTORNEY MOULTON** stated the Board was currently involved in collectively bargaining regarding Section 8, subsection c of the Open Meetings Act which allowed the Closed Session for the Board to consider the negotiating.

**7:30 P.M. - FOTENAKES MOVED**, seconded by Minaudo to go into Closed Session.

ROLL CALL VOTE:

AYES: Morford, Liepmann, Fotenakes, Minaudo, Pratt, Reed, and Trotogot

NAYS: 0 MOTION CARRIED.

**8:00 P.M. – FOTENAKES MOVED**, seconded by Minaudo to reconvene from Closed Session. MOTION CARRIED.

**TROTOGOT** stated there were two (2) issues reviewed during Closed Session:

**1)** Command Officers' Contract and **2)** Patrol Officers' Contract. The Patrol Officers' contract needed to be revisited.

**LIEPMANN MOVED**, seconded by Fotenakes that the Command Officers' Union Contract was negotiated by the negotiation team representative with: **1)** no wage increase for three (3) years; **2)** an agreement to accept the township's new insurance policy that has the deductible, which has a savings of \$8,000 and \$24,000, and **3)** to negotiate a second (2<sup>nd</sup>) tier Benefit package prior to any new member joining the Command Union.

ROLL CALL VOTE:

AYES: Fotenakes, Minaudo, Pratt, Reed, Morford, Liepmann, and Trotogot

NAYS: 0 MOTION CARRIED.

**LIEPMANN MOVED**, seconded by Fotenakes to not accept the contract with the Patrol Unit and return to negotiations. **MOTION CARRIED.**

**8:19 P.M. PUBLIC COMMENTS OPEN:**

1. **Dave Ransom, 5094 Deland Road, Flushing** – “Coldwater Road was messed up; township didn’t get their money’s worth; but the road is a great improvement.”
2. **Mike Gardner, 5519, Seymour Road, Flushing** – “is the new police contract a public document?” **YES**, per the Board.

**8:22 PUBLIC COMMENTS CLOSED**

**THE NEXT BOARD OF TRUSTEES MEETING IS SCHEDULED FOR THURSDAY, SEPTEMBER 11, 2008 AT 7:00 P.M.**

**ADJOURNMENT:** Due to lack of further business, **TROTOGOT** adjourned the meeting at 8:22 p.m.

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JULIA A. MORFORD, Clerk

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ANDY TROTOGOT, Supervisor

APPROVED DATE: \_\_\_\_\_