

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

DATE: MAY 8, 2008 **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

Ann L. Fotenakes
Scott Minaudo
Barry Pratt
Ida M. Reed

TOWNSHIP ATTORNEY:

STEVEN MOULTON
Cooley Moulton & Smith LLP
412 S. Saginaw Street, Suite 300
Flint, Michigan 48502

MEETING CALLED TO ORDER at 7:00 p.m. by **SUPERVISOR ANDREW 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

OTHERS PRESENT: 54 interested residents that signed in but there were over 100 residents actually in attendance.

TROTOGOT requested to add an update for the "Police Millage" under Committee Report.

ADOPTION OF THE AGENDA: FOTENAKES MOVED, seconded by Pratt to adopt the Agenda with the changes presented. **MOTION CARRIED.**

APPROVAL OF MINUTES OF APRIL 10, 2008: REED MOVED, seconded by Pratt to approve the Minutes of April 10, 2008 with corrections: **PAGE 1**, Approval of Minutes of April 10, 2008, line two (2) "REED thought the idea. . .was an excellent idea" **changed to** "REED thought the notice in the newspaper of the procedure to where an individual could pull the minutes up on the web was a great idea." **MOTION CARRIED.**

APPROVAL OF BILLS: FOTENAKES MOVED, seconded by Pratt to pay the bills as listed. Questions: 1) What about the refunds for homesteads.

ROLL CALL VOTE:

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

NAYS: 0 **MOTION CARRIED.**

UNFINISHED BUSINESS:

1. Review of the Policies and Procedures Manual

ATTORNEY STEVE MOULTON (ATTORNEY MOULTON) stated at the April 10, 2008 Board of Trustees Meeting, there had been a concern expressed as to the procedure used to resolve the issue involving an employee. ATTORNEY MOULTON proposed an amendment to the Charter Township of Flushing Policies and Procedures Manual which was Section VIII, page 75. **Step One** of the proposed procedure was the same that was in the already existing manual; **Step Two** indicates the problem is not satisfactory resolved with a verbal procedure, the employee, board member or resident. The employee may present the problem to the employee's immediate supervisor. If the problem is not resolved with the supervisor's intervention, the problem then goes to **Step Three** (the

Personnel Committee) and if the problem is not resolved by the Personnel Committee, the matter is brought before the whole Board (**Step Four**). Under the existing Policy and Procedure Manual each employee would have a right to request the Board meet in order to discuss the situation.

The amendment to the Policies and Procedures Manual is provide a mechanism for persons other than the employee who have an issue with employee’s performance or other issues concerning an employee, to present the issue to the hierarchy of the Supervisor or Personnel Committee.

FOTENAKES MOVED, seconded by Minaudo to accept the new Problem Solving Procedure in Section VIII. **MOTION CARRIED.**

DISCUSSION:

1. PRATT felt the amendment clarified the issue involving the issue if the Trustees should have a problem.

ACTION OF THE MOTION:
MOTION CARRIED

NEW BUSINESS

1. **Review and Approval of MEMAC (Michigan Emergency Management Assistance Compact)**

ATTORNEY MOULTON felt Flushing Township should sign the Resolution because any local governing body that was not going to join the Emergency Management Compact, could opt out on a thirty (30) day written notice. The Michigan State Police would be the focal point for the program for which if assistance could be requested. The Compact would be an umbrella agreement which doesn’t affect, rescind, or any way modify any type of mutual aid agreements with any local governing have with other adjoining entities. **ATTORNEY MOULTON** stated he does not see any good reason why Flushing Township should not join in the Agreement. **ATTORNEY MOULTON** stated the Supervisor and Clerk needed to sign the original and there needed to be a Resolution authorizing the township to join the Compact. **FOTENAKES MOVED**, seconded by Pratt to accept the Agreement and have the Supervisor and Clerk sign the Resolution. **MOTION CARRIED.**

TROTOGOT read the Resolution which states:

**RESOLUTION FOR
MICHIGAN EMERGENCY MANAGEMENT
ASSISTANCE COMPACT**

WHEREAS, the State of Michigan Emergency Management Act, Act 390 of the Public Acts of 1976, as amended MCL 30.401 et. seq. seq. authorizes the State and its political subdivisions to provide emergency aid and assistance in the event of a disaster or emergency; and

WHEREAS, the statutes also authorize the State to coordinate the provision of any equipment, services, or facilities owned or organized by the State or its political subdivisions for use in the affected area upon request of the duly constituted authority of the area; and

WHEREAS, this Resolution authorizes the request, provision, and receipt of interjurisdictional mutual assistance in accordance with the Emergency Management Act, Act 390 of the Public Acts of 1976, as amended among political subdivisions within the State;

NOW, THEREFORE, BE IT RESOLVED, by the Charter Township of Flushing that in order to maximize the prompt, full and effective use of resources of all participating governments in the event of an emergency or disaster we hereby adopt the Michigan Emergency Management Assistance Compact which is attached hereto and incorporated by reference.

ADOPTED BY: The Charter Township of Flushing Board of Trustees
DATE: May 8, 2008

I certify that the foregoing is an accurate copy of the Resolution adopted by the Charter Township of Flushing Board of Trustees on May 8, 2008.

CHARTER TOWNSHIP OF FLUSHING

DATE: May 8, 2008

BY: _____
JULIA A. MORFORD, Clerk

COMMITTEE REPORTS:

1. **Police Millage**

TROTOGOT stated since the Police Millage failed on May 6, 2008, **LIEPMANN, CHIEF KENNEDY**, and himself had gotten together to review the budget. Questions such as: Employment, Benefits, Unemployment Insurance were discussed because the officers knew some of them would be laid off. The cut off date for employment was June 13, 2008; it was recommended to go through to June 30, 2008. Other issues were the hours the officers have on the books, the personal and vacation time and other hours which the township may owe the officers.

TROTOGOT stated a flyer had been sent out to Flushing Township Residents stating what would happen if the millage failed. Some of those issues would be: 1) six (6) out of the thirteen (13) officers would be laid off; 2) there would be loss of twenty-four (24) hour police coverage; 3) there would only be one (1) patrol car on the road to cover both sides of the river; 4) there would be slower response time; 5) there wouldn't be a Resource Officer in the Middle and High School; 6) the Ident-A-Kid Program would be eliminated; 7) there would be fewer vacation and business checks; 8) the full time secretary might be reduced to part time; 9) local gun checks would be stopped; and 10) the full time detective would be the patrol sergeant.

LIEPMANN presented an overhead presentation on the budget and what the cuts have been.

DISCUSSION/COMMENTS REGARDING THE POLICE MILLAGE:

After a lot of very emotional comments and concerns, some of the comments heard were:

1. "have the police officers compromise and take a cut until the board can revisit the situation."
2. "offer to chair a committee to find ways to study other methods for all to keep their jobs."
3. "decision made to place the issue on the ballot but need time to scrutinize the issue."
4. "budget is reviewed and then goes to the Board in September; major changes are reviewed by the Board; four (4) times a year, the budget is completely reviewed; February and March the budget is reviewed line by line."

LIEPMANN presented an overhead presentation on the police budget. Some facts:

- Budget is 86% wage driven.
- ½ mil was levied for township operations; 3.433 mills are levied for police funding.

- The Flushing Township Board can raise the township revenue from ½ mil to 1.04 mils.
- Police cars are sold each year to Cab Companies.
- Cost, Benefits, Insurance, etc for the three (3) officers and Administrative Secretary is \$284,000.
- Governmental Accounting Standards Board (GATSB) 43 and 45 are required from the State for other post employment benefits like retiree health care and retirement. (There will be retirees from the Police Department; when get to the year 2014 and someone retires, if there isn't the pool of money for the retiree benefits, then you have to take out of the General Fund).
- The health care is \$900 per month for insurance for a family.
- Reimbursement for co-pay would save the township money.
- Self insured for vision and dental.
- Patrol Cruisers and Township Vehicles are tax exempt (saved \$.57 cents a gallon). Currently, have an agreement with the City of Flushing and Flushing School District to purchase the township gas and diesel through the School System.

AUDIENCE QUESTION: “has there been any research as to employees having insurance with spouses elsewhere.” **ANSWER:** if the spouse has insurance elsewhere, then it depends who goes to the dentist. If the township police officer goes to the dentist, and whose spouse has the same insurance, if Flushing Township Officer goes to the dentist, then the township pays fifty (50%); if the spouse goes to the dentist, Flushing Township waits to see what Delta Dental pays and then Flushing Township pays up to forty (40%) percent.

BOARD COMMENT: “(Fotenakes) do all the officers have co-pay?” **ANSWER:** it was a negotiated issue – the Command Officers get co-pay, the Patrol Officers do not get co-pay.

AUDIENCE QUESTION:

- “does the school pay for the officers that come into the schools?” **ANSWER:** the school pays \$45,000 for one officer for nine (9) months out of the year. If there are lay-offs there won't be enough officers to put an officer in the school. **MINAUDO:** couldn't there be a part-time officer in the position to save \$45,000. **ANSWER:** it would be more hours than would be considered part time.
- “mentioned earlier that Flushing Township pays \$45,000 for a Resource Officer, does the City of Flushing participate in the issue.” **ANSWER:** there are two officers that are in the DARE Program – not sure but felt the schools couldn't contribute legally.
- “was told there are two (2) officers riding in one vehicle to save gasoline, why couldn't one officer at 7:30 a.m. drive to a school drop one officer off at that school and pick up at 4:00 p.m. then continue to patrol the township and at the end of the day pick up the officer at 4:00 p.m.” **ANSWER:** the officer at the school has to have an emergency vehicle because each vehicle has a computer in the car and that is how the officer checks services. The officer at the school is specifically dedicated to the school. Since the millage failed, the officer will be gone so there will no longer be two (2) officers.
- “how many people live in the township.” **ANSWER:** 10,000 plus.
- “don't want to loose any of the officers, and in light how long can the officers stay on. What options are there now?” **ANSWER:** the options now are to lay-off unless the Board is willing to accept a petition to place the issue back on the ballot.
- “lost faith in the Elected Officials.”
- “what is the average yearly salary of the officers.” **ANSWER:** it depends upon the officer. The salary ranges from \$69,000 to \$82,000. Per Michigan Townships Association (MTA) the comparable salary for Chief's wages for townships the size of Flushing it is \$67,000; \$74,000; \$82,000; \$69,000, etc without benefits.

The median salary, according to the Flint Journal, for Flushing Township is \$65,000 plus benefits.

- “why does there have to be another election; the people had their chance to go and vote; so now do we bring it back and put back on the ballot?”
- “there wasn’t enough information put out to the public.” **ANSWER:** there were two (2) mailing; on Channel 12; on Channel 5; 240 “Yes” signs; there were articles in the Flint Journal at least six (6) times. (CHIEF DOUG KENNEDY) There were a lot of correspondence mailed which was paid for by the Flushing Township Crime Watch Committee).
- “why don’t more people attend the regular board meetings.”
- “what is the salary of the Trustees?” **ANSWER:** **LIEPMANN** read the figures off a spread sheet that had been prepared by the Accountant. The spread sheet was available to the public.
- “what are the requirements for a pension?” **ANSWER:** have to be vested with eight (8) years of service. The Police Department is funded by its own millage. One department has nothing to do with the other.
- “what are the wages for the Supervisor, Clerk, and Treasurer.” **ANSWER:** The Supervisor, Clerk and Treasurer all make the same wages and the spread sheet was available to the audience.
- “could members of the Board waive their pension?” **ANSWER:** Yes. If you are on the Board four (4) years, then you would not get a pension; but if you were on the Board eight (8) years, then you would get a pension.
- “why don’t people volunteer their time to run for political offices?”
- “the Board does a fantastic job.”
- (PRATT) “there had been a little discussion regarding pensions, but it was decided that since it was so close to elections, didn’t want to make it look like an election issue. There are no benefits once someone gets off the Board other than the pension; that includes no health insurance.”
- “was the Board trying to find a solution to the millage issue; were there other areas that could be cut.” **ANSWER:** there was a question as to why the General Fund didn’t send money to the Police Dept. The auditors have told the Township that has to be a six (6) month fund balance to fall back on in case State Shared Revenue is cut. The Flushing Township Nature Park receives money from Comcast and the Cell Tower (AT & T and Sprint). The park was purchased with grants and has to be open to the public at all times under equal and reasonable terms and to deny no individual ingress or egress or the use thereof on the bases of color, religion, natural origin, citizenship, etc. The park has to be kept up for life.
- “the City of Flushing currently has eighteen (18) officers; twelve (12) full time and six (6) part time. They patrol a total of four (4) square miles which means that each officer is responsible for .2 miles. Flushing Township has ten (10) full time and three (3) part time officers and patrols thirty-six (36) square miles which is equal to patrol 2.8 miles. With the loss of funding, going to six (6) full time officers doing the same thing, they would be responsible for six (6) miles.” **ANSWER:** the City of Flushing levies 35 mils and the township levies 27.5 mils.
- “fantastic community where everyone pulls together; people don’t realize how important the police officers are; tough economic times; tired of paying taxes but want things fair.”
- “want people to realize the Police Department is not funded through the General Fund or Special Assessment; checked with eight (8) township municipalities within Genesee County showed that each and every Police Department was funded in part or wholly through a Special Assessment, General Fund and/or Police Millage; Flushing Township Police Department the only department wholly exists by a Police Millage; times are tough but how do you put a price tag on family safety; do whatever it takes to get the police department back to normal.” **ANSWER:** (MINAUDO) Agreed with everything that was said, but don’t agree with is the wage difference between Officers and Command Staff. Most of the issues to bring to Negotiations are contractual. Contract Negotiations

were delayed until after the Millage to see what would happen. Don't want any officer laid off, but there are ways to save money.

- “spent a lot of time with the Police Department; there are two (2) separate contracts with the Police Department – Patrol Officers and Command. Things for one department is not as important to the other department such as percentage rate or time office; don't get extra money for being on call; life is dictated by the Police Department and the community.”
- “there is nothing in the community that she would not open her wallet to; the community cannot afford to give up the Resource Officer at the high school.”
- “losing one-half (1/2) of the Police force is a great concern and with the economy the way it is it is a greater concern; Resource Officer serves two purposes – presence in uniform great; situations in the high school happen and when they happen, it is important to have the Resource Officer who talks to the students; currently sharing the Resource Officer with the Flushing Middle School.”
- “as a township resident about the lose of the police millage; have had a great experience with the police officers in the school; as grants were eliminated had to do something to maintain the police patrol; last year, due to the economy, had to lay off the Resource Officer; need to work together (Flushing Schools and Township of Flushing) to be positive and get something worked out; don't need something drastic to happen at the schools.”
- **LIEPMANN** stated there was one possibility that had not been discussed with anyone including the Supervisor and Clerk. There is a certain amount in the General Fund Budget; the only possibility that he sees would be for the General Fund to loan the Police Department the amount that is necessary to get the Police Department through until November. If the millage would fail in November, the Board would go back to the ½ mil; the Board can by vote of majority of the Board, increase the ½ mil to whatever is necessary to continue the General Fund. If the General Fund loaned the Police Department that amount, and the General Fund could not recoupe the funds at a later date, something would have to be done to the General Fund to keep it balanced.
- “why doesn't the General Fund help the Police Department with property taxes?” **ANSWER:** LIEPMANN explained the Property Tax System. The average person in Flushing Township pays into the General Fund approximately \$48; the rest of the property tax money is sent out to Flushing Schools, Montrose Schools, Genesee County (Genesee County Health Program and Senior Citizen Millage, Mass Transit, Paramedics, Mott College, etc). The \$48 received from property owners pays for fire protection to the City of Flushing. Flushing Township exists on State Shared Revenue which is tax money that comes in the form of sales tax. (A percentage of sales tax is divided among all the municipalities in Michigan).
- “why can't services be combined?”
- “the situation happened because of the economy; have to determine what services are more important to the community when the money isn't there; not just paying for the Police Department but for other services; should go ahead and place on the November ballot for the democracy of the people.”
- “is there any way to stop paying for services which Flushing Township doesn't use?” **ANSWER: (ATTORNEY MOULTON)** The Michigan Transportation Authority (MTA) is a County wide assessment and everyone has to pay for it. The situation involves a large metropolis between the City and the Township where people vote different and the demographics are such that on a County wide election the large metropolis will be the one that wins.
- “please don't cut MTA services for Flushing Township.”
- **(FOTENAKES)** “will support the millage if everything is scrutinized to find other methods of funding; maybe don't have to go to the people for 1 mil maybe ½ mil; there are a lot of people that can't continue to give. Every entity in the area has been cut including General Motors; not saying to get rid of the Police Department; see if two (2) part-time officers would work; maybe see if Flushing School would donate more for the Resource Officer.”

- “the City of Flushing Police Department operates on a budget of \$1.3 million but the police department receives money from the General Fund; the purchasing of cars and other vehicles doesn’t come out of the police budget.”
- **(FOTENAKES)** “felt the Treasurer and Police Chief should review how other departments do their budgeting and perhaps Flushing Township could fund some of the items so the Flushing Township would not have to go to the people.”
- **(LIEPMANN)** “there is a reason the General Fund and Police Department Fund are not joined; 1) the Police Department was funded before **LIEPMANN** came on board; at one time it was one (1) officer then the department increased; 2) the funding has always been kept separate in order to know how much is spent. The township does not bond; we try to pay cash. The township cannot let the General Fund Balance drop so low that suddenly one year there isn’t enough money. Townships can’t be under funded; going against his past judgment with the proposed loan to the police department.”
- “wanted the Clerk to give the totals of the May Election.” **ANSWER:** the “Yes” votes were 885 and the “No” votes were 835.
- **(DIRECTED TO MINAUDO)** “do you feel there wouldn’t be that many financial issues if went into negotiations?” **ANSWER: TROTOGOT** stated after reviewing the issue with the Police Department Union (POAM) and the Township’s Labor Union Attorney, it was decided to hold off on negotiations until after the Election.” **(MINAUDO)** “could money be saved by negotiating before the millage? Yes, but would there have been enough to offset the budget, we will never know.”
- **PRATT** “has the township ever had to lower wages for the Flushing Township Police Department? **LIEPMANN** stated there had been negotiations with lower health benefits.”
- “could care less about the Command Officers getting more than him; when goes into the high school will do anything to protect the students; everyone needs to go to the schools to see what goes on today.”

LIEPMANN MOVED, seconded by Reed that the General Fund loan the Flushing Township Police Fund \$120,000 to tie the fund over until the November 2008 Election when the 1 Mil proposal will be placed back on the ballot.

DISCUSSION:

- **FOTENAKES** wanted to know if the negotiations would be held before the November Election.
- **MINAUDO** wanted to know how far off the six (6) months General Fund balance would put the township? **LIEPMANN** stated the General Fund Balance would be reduced to \$272,000; if the proposal fails there would be an increase of ½ mils to get the General Fund Balance back up to where it should be.
- “would the 1 mil give the Police Department enough funds to pay back the loan?” **LIEPMANN** stated there would be a similar time frame as when the Police Department was built.
- “the Police Department was started with grants, if the millage is passed, when would be the next time there would be a millage.” **LIEPMANN** stated in the next five (5) years there will be attrition because there would be at least one (1) person retiring, maybe two (2) people.
- “what happens if the millage doesn’t pass in November?” **LIEPMANN** felt there could be such a thing that at the end of the year when the budget is reviewed and there wouldn’t be a deficit. There use to be a budget for roads; the current budget for roads is not enough money to pay for roads. **MINAUDO** wanted to know if Deland and Carpenter Roads would be paved as it is in very bad condition. **LIEPMANN** has asked the City to help, but was refused.

ACTION OF THE MOTION:

ROLL CALL VOTE:

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

NAYS: 0 **MOTION CARRIED.**

2. **Plante and Moran Audit Report:** The audit will be done June 2008.

3. **F.A.N.G.:**

TROGOT stated F.A.N.G. had presented a check to Flushing Township for 2006-2007 Forfeiture Returns.

REPORTS:

1. **Building Inspector's Report:** Reviewed and Accepted.

BUILDING PERMITS ISSUED:

NEW HOMES	1
ACCESSORY BUILDINGS	2
DECKS	0
REMODELING	0
ADDITIONS	1
GARAGES	0
FENCE PERMITS	3
ROOF REPAIR	0
POOL	0
COMMERCIAL	0
SIGN	0
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TOTAL PERMITS ISSUED	7
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PERMIT VALUATION FOR APRIL 2007	\$ 274,800
PERMIT VALUATION FOR APRIL 2008	329,640
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PERMIT FEES COLLECTED FOR APRIL 2008	\$ 1,753
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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
FOR A TOTAL OF	\$ 1,803
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CONSTRUCTION TO DATE APRIL 2007	852,010
CONSTRUCTION TO DATE APRIL 2008	493,000
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FOR A DECREASE OF	\$ 359,010
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**OPEN FOR PUBLIC COMMENTS:
CLOSED FOR PUBLIC COMMENTS**

BOARD COMMENTS:

None

THE NEXT BOARD OF TRUSTEES MEETING IS SCHEDULED FOR THURSDAY, JUNE 12, 2008 AT 7:00 P.M.

ADJOURNMENT: Due to lack of further business, **TROTOGOT** adjourned the meeting at 10:15 p.m.

JULIA A. MORFORD, Clerk

ANDY TROTOGOT, Supervisor

APPROVED DATE: _____

05 /08/08 Regular