

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: FEBRUARY 12, 2015

TIME: 7:00 P.M.

PHONE: 810-659-0800

FAX 810-659-4212

WEB PAGE: <http://flushingtownship.com>

ADMINISTRATION:

SUPERVISOR: Rian R. Birchmeier

CLERK: Julia A. Morford

TREASURER: Maryion T. Lee

TRUSTEES:

Shirley D. Gage

Bonnie Jean Martinson

Scott R. Matzke

Scott P. Minaudo

TOWNSHIP ATTORNEY:

STEVEN W. MOULTON PLLC

6258 W. Pierson Road

Flushing MI 48433

810-407-7658

- I. **MEETING CALLED TO ORDER** at 7:10 p.m. by **SUPERVISOR RIAN BIRCHMEIER** with Roll Call and the Pledge of Allegiance to the American Flag.
- II. **ROLL CALL:** Rian R. Birchmeier, Julia A. Morford, Maryion T. Lee, Shirley D. Gage, Bonnie Jean Martinson, Scott R. Matzke, Scott P. Minaudo, and Attorney Steve Moulton
MEMBERS ABSENT: None
OTHER INDIVIDUALS PRESENT: Thirteen (13) other interested individuals

ADOPTION OF THE AGENDA FOR FEBRUARY 12, 2015:

TRUSTEE MATSKE MOVED, supported by Trustee Martinson, to approve the agenda.

CLERK MORFORD MOVED, supported by Treasurer Lee to remove from the agenda item 3 under unfinished business and remove item E, H and N under new business.

SUPERVISOR BIRCHMEIER MOVED TO AMEND, the motion by stating he should be shown as the speaker under new business item C, the Treasurer should be speaker under item F and item E should include "and additions".

Attorney Moulton pointed out an amendment to a motion must speak to the motion that was made.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Gage, Lee, Morford and Matzke

NAYS: Birchmeier, Minaudo and Martinson

MOTION CARRIED

TREASURER LEE MOVED, supported by Clerk Morford to insert the words “Minutes and” in item I. under new business. It should read “Motion to Approve the Policy in Regards to the Minutes and Publication of Proceedings of Minutes”.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

TREASURER LEE MOVED, supported by Trustee Gage to add under VI. Reports, Number 6. Park and Recreation Advisory Committee Report.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson to amend the agenda by adding the Supervisor as speaker under New Business, Item C. and the Treasurer as speaker under Item F.

TREASURER LEE AMENDED THE MOTION, supported by Clerk Morford to also include the Treasurer’s Name as speaker under New Business, Item C along with Supervisor Birchmeier’s name.

ACTION ON THE AMENDED MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson to change Item C. under New Business to read: Discussion on the actions by the Deputy Clerk at the January 8, 2015 meeting.

Attorney Moulton stated the request for modification to the Teamsters’ Contract should also be included in the motion.

TREASURER LEE AMENDED THE MOTION, supported by Trustee Gage to adopt Attorney Moulton’s statement to include “Consideration of the request for modification to the Teamsters’ Contract” under New Business, Item C.

ACTION ON THE AMENDED MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson, Gage, Lee and Morford

NAYS: Birchmeier and Minaudo

MOTION CARRIED

Supervisor Birchmeier moved to pull the approval of the proposed January 8, 2015 Board of Trustees Minutes from the consent agenda and place it under Item N. under new business and to move Payment of Bills to Item O also under new business.

III. 7:40 P.M. – OPEN FOR PUBLIC COMMENTS

Five individuals gave comments

7:45 P.M. – CLOSED FOR PUBLIC COMMENTS

IV. UNFINISHED BUSINESS

1. Motion to Approve the Corrections made by the Supervisor, Pages 6 - 8 of the Corrected Minutes for the Regularly Scheduled Meeting held on December 11, 2014.

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson to approve the corrections made by the Supervisor, Pages 6-8 of the Corrected Minutes for the Regularly Scheduled Meeting held on December 11, 2014

ACTION ON THE MOTION

ROLL CALL VOTE:

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

NAYS: Gage

MOTION CARRIED

2. Motion to Approve the pages of the Policies and Procedures Manual that were changed by Attorney Steve Moulton and not yet adopted by a vote of the Township Board.

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier to have on the agenda for the March 12, 2015 meeting, approval of the pages of the Policies and Procedures Manual that were changed by Attorney Moulton and not yet adopted by a vote of the Township Board.

TREASURER LEE MOVED TO AMEND THE MOTION, supported by Trustee Gage by restating to approve of the pages of the Policies and Procedures Manual that were changed by Attorney Moulton even though it has already been approved.

TRUSTEE MINAUDO MOVED, supported by Trustee Matzke to table this item until the next meeting.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson and Minaudo

NAYS: Birchmeier, Gage, Lee and Morford

MOTION FAILED

ACTION ON THE AMENDED MOTION

ROLL CALL VOTE:

AYES: Matzke, Gage, Lee and Morford

NAYS: Minaudo, Martinson and Birchmeier

MOTION CARRIED

V. NEW BUSINESS

- A. Mr. John O'Brien, Director of the Genesee County Water and Waste Services – Karegnondi Water Authority (KWA) Project and the Misteguay Creek Project.

Supervisor Birchmeier stated that no one from the Drain Commissioner's Office or the Water & Sewer Service Department were present so he removed this item from the Agenda to bring back at the next Board Meeting.

- B. Approval of Resolutions for Catch Basin Repairs on the following locations: 1) ~~Corner of Misty Morning and Bending Brook~~, 2) 7473 Fieldstone; 3) 3243 Fieldstone; 4) Tahquamenon Trail and Chickasaw Trail (middle of road)

Attorney Moulton read into the record the following resolution:

RESOLUTION NO. 15-3

A RESOLUTION TO AUTHORIZE CONTRACTING WITH THE GENESEE COUNTY ROAD COMMISSION FOR THE REPAIR OF ONE (1) CATCH BASINS IN PONDEROSA

WHEREAS, the Genesee County Road Commission has determined that one (1) Catch Basin located in Ponderosa, identified below, are in need of repair; and,

WHEREAS, it would be prudent to effect repairs to the catch basin; and,

WHEREAS, the cost for repair of the Catch Basin is to be allocated equally between the Township and the Genesee County Road Commission;

IT IS HEREBY RESOLVED:

- 1. The Charter Township of Flushing is authorized and shall enter into a contract with the Genesee County Road Commission for repair of the

following Catch Basin, with the scope of the work to be determined by the Genesee County Road Commission:

(A) One (1) catch basin at Tahquamenon Trail and Chickasaw Trail

2. The Township Supervisor and/or Clerk are authorized to sign, on behalf of the Township, contracts or work orders to be prepared by the Genesee County Road Commission to provide labor and material for the repair of the above identified catch basin.
3. The total cost to be allocated under the contract to the Township for the repair of the Catch Basin shall be 50% of the actual cost of repair and shall not exceed \$2,800 for the Catch Basin, as set forth in the Catch Basin Cost Estimate which is attached and incorporated as part of this Resolution.
4. Authorization is granted for the Township's expenditure of an amount not to exceed \$2,800 for repair of one Catch Basin to be allocated to such budget line item as the Board determines.

YES: _____

NO: _____

ABSENT: _____

THE RESOLUTION IS DECLARED _____ ADOPTED _____ NOT ADOPTED

I certify that the foregoing is a true and accurate copy of a Resolution adopted by the Charter Township of Flushing Board of Trustees, Genesee County, Michigan, at its regular meeting held on the 12th day of February, 2015, at the Charter Township of Flushing Hall, 6524 N. Seymour Road, Flushing, Michigan 48433.

Rian Birchmeier
Flushing Township Supervisor

Dated: _____

Julia Morford
Flushing Township Clerk

Dated: _____

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Matzke to adopt the aforementioned Resolution No. 15-3 that was read into the record by Attorney Moulton.

**ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY**

Attorney Moulton suggested to the Township Board that a letter be sent to the Genesee County Road Commission rejecting the proposal of two (2) catch basin repairs in Krystal Creek as it was determined at the February 12, 2015 Special Township Meeting, prior to this meeting, that those costs would be covered in the Special Assessment District.

Attorney Moulton read into the record the following resolution:

RESOLUTION NO. 15-4

A RESOLUTION TO AUTHORIZE CONTRACTING WITH THE GENESEE COUNTY ROAD COMMISSION FOR THE REPAIR OF FOUR (4) CATCH BASINS IN THORNTRIDGE SUBDIVISION

WHEREAS, the Genesee County Road Commission has determined that four (4) Catch Basins located in Thornridge subdivision, identified below, are in need of repair; and,

WHEREAS, it would be prudent to effect repairs to the catch basins; and,

WHEREAS, the cost for repair of the Catch Basins is to be allocated equally between the Township and the Genesee County Road Commission;

IT IS HEREBY RESOLVED:

1. The Charter Township of Flushing is authorized and shall enter into a contract with the Genesee County Road Commission for repair of the following Catch Basins, with the scope of the work to be determined by the Genesee County Road Commission:
 - (A) Two (2) Catch Basins at 7473 Fieldstone
 - (B) Two (2) Catch Basins at 3243 Fieldstone
2. The Township Supervisor and/or Clerk are authorized to sign, on behalf of the Township, contracts or work orders to be prepared by the Genesee County Road Commission to provide labor and material for the repair of the above mentioned catch basins.
3. The total cost to be allocated under the contract to the Township for the repair of each Catch Basin shall be 50% of the actual cost of repair and shall not exceed \$2,800 per Catch Basin or a total of \$11,200 for all four (4) Catch Basins, as set forth in the Catch Basin Cost Estimates which are attached and incorporated as part of this Resolution.
4. Authorization is granted for the Township's expenditure of an amount not to exceed \$11,200 for repair of the four (4) Catch Basins to be allocated to such budget line item as the Board determines.

YES: _____

NO: _____

ABSENT: _____

THE RESOLUTION IS DECLARED _____ ADOPTED _____ NOT ADOPTED

I certify that the foregoing is a true and accurate copy of a Resolution adopted by the Charter Township of Flushing Board of Trustees, Genesee County, Michigan, at its regular meeting held on the 12th day of February, 2015, at the Charter Township of Flushing Hall, 6524 N. Seymour Road, Flushing, Michigan 48433.

Rian Birchmeier
Flushing Township Supervisor

Dated: _____

Julia Morford
Flushing Township Clerk

Dated: _____

SUPERVISOR BIRCHMEIER MOVED, supported by Treasurer Lee to adopt the aforementioned Resolution No. 15-4 read into the record by Attorney Moulton.

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

C. Closed Session

Attorney Moulton stated into the record that the Township Board would like to meet in closed session to discuss two issues, 1. Review an issue involving a township employee and the employee has requested to meet in closed session pursuant to Sec. 8-A of the Open Meetings Act, and 2. Continued discussion with respect to the request made through Joel Gutzki on behalf of the members of the Teamsters' Union to deal with a request for changes to the existing bargaining agreement pursuant to Sec. 8-C of the Open Meetings Act.

TREASURER LEE MOVED, supported by Trustee Gage to adopt the aforementioned statement to go into closed session at 8: 32 p.m. according to Sec. 8-A and Sec. 8-C of the Open Meetings Act read into the record by Attorney Moulton.

ACTION ON THE MOTION
ROLL CALL VOTE:
AYES: Gage, Lee, Matzke, Martinson and Morford

NAYS: Birchmeier and Minaudo
MOTION CARRIED

TRUSTEE MINAUDO MOVED, supported by Clerk Morford to return to the regular Flushing Township Board Meeting at 10:00 p.m.

TRUSTEE MINAUDO MOVED, supported by Trustee Matzke, in regards to the Teamsters' negotiation process, the Board would ask the Township Attorney to present a counter-offer proposal to the union representative pursuant to the request made by the union.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Minaudo, Matske, Gage, Lee and Morford

NAYS: Birchmeier and Martinson

MOTION CARRIED

Trustee Minaudo and Trustee Matzke apologized and excused themselves from the meeting at 10:02 p.m.

- D. Motion to Approve adding \$140,000 into "Road Improvements" to complete the Road Improvement Plan 2015

Supervisor Birchmeier stated he would like to postpone item D due to information that he received from Genesee County.

- E. Item pulled from Agenda
- F. Fiscal Quarterly Budget Report for 2014-2015

TREASURER LEE MOVED, supported by Clerk Morford to accept, as presented, the Fiscal Quarterly Budget Report for the third quarter.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Gage, Lee, Morford and Birchmeier

NAYS: Martinson

MOTION CARRIED

- G. Motion to forgive Trustee Gage from the Established Policy to Reimburse Township when Official has Registered for Conference, has reserved Overnight Accommodations, but does not attend Conference.

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier to forgive Trustee Gage from the established policy to reimburse township when the official has registered for a conference with reserved overnight accommodations but does not attend the conference.

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

- H. Pulled from Agenda
- I. Motion to Approve the Policy in Regards to Minutes and the Publication of Proceedings of Minutes.

TREASURER LEE MOVED, supported by Trustee Gage to approve the policy in regards to Minutes and Publication of Proceedings of Minutes.

ACTION ON THE MOTION
ROLL CALL VOTE:
AYES: Gage, Lee and Morford
NAYS: Martinson and Birchmeier
MOTION CARRIED

- J. Motion to Amend the “Authorized Institution” Policy to read in the second sentence of the second paragraph, “Unless otherwise approved by the Board, all deposits shall be maintained with institutions where the accounts are covered by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund.

TREASURER LEE MOVED, supported by Clerk Morford to amend the “Authorized Institution Policy to read in the second sentence of the second paragraph, “Unless otherwise approved by the Board, all deposits shall be maintained with institutions where the accounts are covered by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund.

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

- K. Motion to Approve the following institutions to receive Township’s deposits and investments: 1) Chase Bank, 2) Chemical Bank, 3) Community State Bank, 4) Hantz Bank, 5) The State Bank, 6) Talmer Bank and Trust, 7) West Community State Bank, 8) Dort Federal Credit Union, and 9) Elga Credit Union

TREASURER LEE MOVED, supported by Clerk Morford to approve the following institutions to receive Township’s deposits and investments: 1) Chase Bank, 2) Chemical Bank, 3) Community State Bank, 4) Hantz Bank, 5) The State Bank, 6) Talmer Bank and Trust, 7) West Community State Bank, 8) Dort Federal Credit Union, and 9) Elga Credit Union

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Gage, Lee and Morford

NAYS: Martinson and Birchmeier

MOTION CARRIED

- L. Amendment to the 2015 Meeting Dates (Change with ZBA Dates)

CLERK MORFORD MOVED, supported by Trustee Martinson to approve the change of the Zoning Board of Appeals May meeting from May 5, 2015 to May 12, 2015 because of an election.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

- M. Motion to Approve Attendance at the MTA Sponsored Training Classes on Monday, March 30 and/or Tuesday, March 31, 2015 in Frankenmuth, MI (Township Board Roles and Relations, Making Meetings Work More Effectively, and Utilizing Strategic Planning)

CLERK MORFORD MOVED, supported by Trustee Gage to allow any Board Member to attend any or all sessions.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

- N. Approval of Minutes of Board of Trustees Meeting of January 8, 2015

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier to remove Attorney Moulton from the roll call.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Birchmeier and Martinson

NAYS: Gage, Lee and Morford

MOTION FAILED

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier to correct the date on page 2 in the notice published in the Flint Journal the date in bold print should have been **SEPTEMBER 11, 2014**, instead of September 9, 2014.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier to correct on page 3 the motion of Treasurer Lee which stated to increase under Assessor, the contract reassessment services/promotions line item to \$10,000 to \$5,000. And should have read: to increase under TOWNSHIP BOARD, the CONTRACTUAL SERVICES AND PROMOTIONS line item to \$10,000 *from* \$5,000.

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier to change the lettering on items as follows: Page 9, B to C, C to B, E. "REVIEW OF THE ELECTION COMMISSION AND WEBSITE COMMITTEE", E to F, F to G, Page 10 G to H, H to I, I to J, J to K, Page 11 K to L, and L to M.

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

TRUSTEE MARTINSON MOVED, supported by Supervisor Birchmeier to change page 12 under correction to minutes, page 7 of the December 11, 2014 meeting should read, Clerk Morford, supported by Treasurer Lee to approve the minutes policy as written AND PRESENTED by Attorney Steve Moulton. (AND PRESENTED should be inserted)

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

O. Payment of Bills

TREASURER LEE MOVED, supported by Trustee Gage to approve the payment of bills.

ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY

VI. REPORTS WERE GIVEN BY:

1. Flushing Township Police Department – Detective Mark Bolin
2. Flushing Fire Department – Supervisor Birchmeier
3. Michigan Township Association – Supervisor Birchmeier
4. Flushing Area Senior Center – Clerk Morford
5. Financial Report – Treasurer

VII. COMMITTEE REPORTS WERE GIVEN BY:

1. Roads, Bridges, and Ditches – Supervisor Birchmeier
2. Sewer and Water – Supervisor Birchmeier
3. Township Emergency Manager – Supervisor Birchmeier
4. Planning Commission – Supervisor Birchmeier
5. Community Development – Supervisor Birchmeier
6. Park and Recreation Advisory Committee – Treasurer Lee

VIII. PUBLIC COMMENTS

11:10 p.m. – OPEN FOR PUBLIC COMMENTS

One (1) individual gave comments

11:12 p.m. - CLOSED FOR PUBLIC COMMENTS

IX. BOARD COMMENTS

Board Comments were given by: Clerk Morford, Trustee Martinson and Supervisor Birchmeier

X. THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, MARCH 12, 2015

XI. ADJOURNMENT: Supervisor Birchmeier adjourned the meeting at 11:20 p.m.

JOYCE A. WILSON, Deputy Clerk for Julia A. Morford, Clerk

RIAN R. BIRCHMEIER, Supervisor

APPROVED DATE _____

02/12/2015 Regular Min