

# **CHARTER TOWNSHIP OF FLUSHING**

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

**DATE: DECEMBER 10, 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 7:00 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, Scott Matzke, Bonnie Jean Martinson, Scott P. Minaudo, and Attorney Steve Moulton  
**MEMBERS ABSENT:** None

**OTHER INDIVIDUALS PRESENT:** Fifteen (15) other individuals present

## **ADOPTION OF THE AGENDA FOR DECEMBER 10, 2015:**

**TRUSTEE MATZKE MOVED**, supported by Treasurer Lee to adopt the agenda as presented.

**TRUSTEE MARTINSON MOVED**, (no support) to have the Building and Grounds Committee purchase a new Michigan Flag to replace the one outside the Township Hall as it is tattered and torn, unless it has already been.

Clerk Morford stated a flag had already been ordered.

**TRUSTEE MARTINSON RESCINDED THE MOTION.**

**TRUSTEE MARTINSON MOVED**, supported by Supervisor Birchmeier to have the draft of the Flushing Township brochure brought to the next meeting so all seven members of the Board could vote on its acceptance at a Board Meeting.

**TRUSTEE MARTINSON RESCINDED THE MOTION.**

**TRUSTEE GAGE MOVED**, supported by Treasurer Lee to correct Item M under New Business stating the motion was to PAY the Contractual Sewer Services, not to APPROVE.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Minaudo, Matzke, Gage, Lee, Morford and Birchmeier

**NAYS:** Martinson

**MOTION CARRIED**

**TREASURER LEE MOVED**, supported by Clerk Morford to correct Item B under New Business to read: Motion to approve the Resolution to authorize contracting with the Genesee County Road Commission for the repair of four (4) catch basins on Misty Morning, two at 3171 and two at 3174. The cost is between \$2,800 - \$5,600 per basin with the Township paying 50% of the cost which will be between \$1,400 - \$2,800 per basin and also two (2) catch basins at 3154 Bending Brook with the same cost.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Birchmeier

**MOTION CARRIED**

**TREASURER LEE MOVED**, supported by Clerk Morford to amend Item C under New Business to read: Motion to amend the *Flushing Township Road Improvement Plan* for the year 2016 by Substituting Duffield Road from Stanley Road to Coldwater in lieu of Dillon Road from Carpenter Road to Pierson Road with the cost to be determined.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Martinson and Birchmeier

**MOTION CARRIED**

**SUPERVISOR BIRCHMEIER MOVED**, supported by Trustee Martinson to amend the original motion to correct the date for the agenda to December 10, 2015 from November 12, 2015.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

**SUPERVISOR BIRCHMEIER MOVED**, supported by Trustee Martinson to move Proposed Minutes and Payment of Bills to New Business Item Q.

**ACTION ON THE MOTION  
NO VOTE TAKEN**

**SUPERVISOR BIRCHMEIER MOVED**, supported by Trustee Martinson to amend Number 8 under Reports to Acting Superintendent's Report.

**ACTION ON THE MOTION  
ROLL CALL VOTE:  
AYES:** Birchmeier and Martinson  
**NAYS:** Lee, Gage, Minaudo, Matzke and Morford  
**MOTION FAILED**

**SUPERVISOR BIRCHMEIER MOVED**, supported by Trustee Martinson to remove Item one (1) under Unfinished Business from the agenda.

**TRUSTEE MINAUDO AMENDED THE MOTION**, supported by Trustee Matzke to remove completely, forever from the agenda, Item one (1) under Unfinished Business.

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

**SUPERVISOR BIRCHMEIER MOVED TO AMEND THE ORIGINAL MOTION**, supported by Trustee Martinson to remove under New Business, Item D. because the information does not belong to the Supervisor, but rather belongs to a group of volunteers which the Township has no authority to force them to give up their information.

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

**TRUSTEE MINAUDO MOVED**, supported by Treasurer Lee to approve the agenda with aforementioned corrections.

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

**III. PUBLIC COMMENTS**

**7:30 P.M. OPEN FOR PUBLIC COMMENTS**

Four Individuals gave comments

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

**IV.** There were no items for Unfinished Business

**V. NEW BUSINESS**

1. The following items may be the subject and possible action of the Board:

A. Motion to direct the Supervisor to comply with Resolution Number 15-21 Restricting Supervisor’s Authority or the Board will take measures to enforce the terms of the Agreement as requested by Teamster’s Local 214. – Treasurer Lee

**TREASURER LEE MOVED**, supported by Trustee Gage to direct the Supervisor to comply with Resolution Number 15-21 Restricting Supervisor’s Authority or the Board will take measures to enforce the terms of the Agreement as requested by Teamster’s Local 214.

**SUPERVISOR BIRCHMEIER MOVED TO AMEND THE MOTION**, supported by Trustee Martinson to approve the Charter Township of Flushing to go into arbitration with Teamster’s Local 214 regarding Resolution 15-21 in order to allow the Supervisor to do his job and stop the harassment from the entire Charter Township of Flushing Main Office Staff including the part time maintenance person and the Charter Township of Flushing Board of Trustees.

**SUPERVISOR BIRCHMEIER RESCINDED HIS MOTION**

**ACTION ON ORIGINAL MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Birchmeier and Martinson

**MOTION CARRIED**

B. Motion to approve the Resolution to authorize contracting with the Genesee County Road Commission for the repair of four (4) catch basins on Misty Morning, two at 3171 and two at 3174. The cost is between \$2,800 - \$5,600 per basin with the Township paying 50% of the cost which will be between \$1,400 - \$2,800 per basin and also two (2) catch basins at 3154 Bending Brook with the same cost. – Treasurer Lee

**TREASURER LEE MOVED**, supported by Trustee Gage to approve the Resolution to authorize contracting with the Genesee County Road Commission for the repair of four (4) catch basins on Misty Morning, two at 3171 and two at 3174. The cost is between \$2,800 - \$5,600 per basin with the Township paying 50% of the cost which will be between \$1,400 - \$2,800 per basin and also two (2) catch basins at 3154 Bending Brook with the same cost.

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

C. Motion to amend the *Flushing Township Road Improvement Plan* for the year 2016 by Substituting Duffield Road from Stanley Road to Coldwater in lieu of Dillon Road from Carpenter Road to Pierson Road with the cost to be determined.  
– Treasurer Lee

**TREASURER LEE MOVED**, supported by Trustee Minaudo, to amend the *Flushing Township Road Improvement Plan* for the year 2016 by Substituting Duffield Road from Stanley Road to Coldwater in lieu of Dillon Road from Carpenter Road to Pierson Road with the cost to be determined.

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

D. Removed from Agenda

E. Motion that the Board accept the recommendation of the Cell Tower Committee that, since the DNR will require that the placement of a cellular tower in the Nature Park constitutes a conversion requiring mitigation, the board cannot agree to the placement of a cellular tower in the nature park and so inform Daniel Smith of Telecad Wireless representing Verizon. – Treasurer Lee

**TREASURER LEE MOVED**, supported by Clerk Morford to accept the recommendation the Cell Tower Committee that, since the DNR will require that the placement of a cellular tower in the Nature Park constitutes a conversion requiring mitigation, the board cannot agree to the placement of a cellular tower in the nature park and so inform Daniel Smith of Telecad Wireless representing Verizon.

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

F. Motion to approve: - Clerk Morford  
a. 2016 Flushing Township Board and Commission Appointments  
b. 2016 Flushing Township Meeting Dues  
c. 2016 Flushing Township Committee Appointments

**CLERK MORFORD MOVED**, supported by Trustee Matzke, to approve the Board and Commission Appointments pointing out the ZBA terms of Mark Newman and Eric Swanson

running from January 1, 2016 to January 1, 2019 and the following changes to the Planning Commission for William Mills and Donn Hinds. Their terms are August 14, 2016 to January 1, 2019 and January 1, 2016 to January 1, 2019 respectively

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Birchmeier

**MOTION CARRIED**

**CLERK MORFORD MOVED**, supported by Trustee Gage, to approve the 2016 Meeting Dates for the Board of Trustees, Zoning Board of Appeals, Planning Commission, Parks and Recreation Committee (Noting time change to 5:30 p.m. from 5:00 p.m.), Board of Review and Water and Sewer Committee.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Birchmeier and Martinson

**MOTION CARRIED**

**CLERK MORFORD MOVED**, supported by Trustee Gage to approve the 2016 Committee Appointments for Flushing Township.

**TREASURER LEE MOVED**, supported by Trustee Minaudo, to appoint Trustee Martinson to the MTA Genesee County Chapter Committee.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

**SUPERVISOR BIRCHMEIER MOVED**, supported by Trustee Martinson, to appoint Trustee Martinson to the Communication Committee.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**AYES:** Minaudo, Martinson and Birchmeier

**NAYS:** Matzke, Gage, Lee and Morford

**MOTION FAILED**

**ACTION ON THE ORIGINAL MOTION BY CLERK MORFORD** to approve the 2016 Committee Appointments for Flushing Township.

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

G. Motion to approve the Surveillance Policy for Flushing Township Property. – Treasurer Lee

**TREASURER LEE MOVED**, supported by Trustee Matzke, to approve the Surveillance Policy for Flushing Township Property.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Martinson and Birchmeier

**MOTION CARRIED**

H. Motion to amend the Fiscal Year Budget 2015-2016 under the TOWNSHIP BOARD DEPARTMENT by increasing line item, INSURANCE AND BONDS from \$90,000 to \$110,000 for the increased cost of the policy premium. This amendment will reduce the fund balance by \$20,000 to a FUND BALANCE OF \$1,172,312 – Treasurer Lee

**TREASURER LEE MOVED**, supported by Trustee Gage to amend the Fiscal Year Budget 2015-2016 under the TOWNSHIP BOARD DEPARTMENT by increasing line item, INSURANCE AND BONDS from \$90,000 to \$110,000 for the increased cost of the policy premium. This amendment will reduce the fund balance by \$20,000 to a FUND BALANCE OF \$1,172,312.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

I. Motion to approve the Flushing Township Board to “opt in” to the Genesee County Park Recreation, Open Space and Greenway Plan – Treasurer Lee

**TREASURER LEE MOVED**, supported by Trustee Matzke to approve the Flushing Township Board to “opt in” to the Genesee County Park Recreation, Open Space and Greenway Plan.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Martinson and Birchmeier

**MOTION CARRIED**

J. Motion to approve the contract language for the *Permanent Part-Time Substitute* defined in the contract as a *Temporary Employee* – Treasurer Lee

**TREASURER LEE MOVED**, supported by Trustee Gage to approve the contract language for the *Permanent Part-Time Substitute* defined in the contract as a *Temporary Employee*.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Martinson and Birchmeier

**MOTION CARRIED**

K. Motion to approve the Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2016 – Clerk Morford

**CLERK MORFORD MOVED**, supported by Trustee Matzke to approve the Federal Poverty Guidelines Used in the Determination of Poverty Exemptions for 2016.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

L. Motion to approve the Application for Renewal of Assessor Certification for the Township Assessor – Clerk Morford

**CLERK MORFORD MOVED**, supported by Trustee ~~Matzke~~ *Minaudo* to approve the Application for Renewal of Assessor Certification for the Township Assessor.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

M. Motion to pay the Contractual Sewer Services for Flushing Township by Mid-Michigan Manufacturing in the amount of \$17,766.20 – Treasurer Lee

**TREASURER LEE MOVED**, supported by Trustee Gage to pay the Contractual Sewer Services for Flushing Township by Mid-Michigan Manufacturing in the amount of \$17,766.20.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

N. Motion to consider the Charter Township of Flushing Compensation Commission Formal Recommendation – Treasurer Lee

**TREASURER LEE MOVED**, supported by Trustee Matzke to consider the Charter Township of Flushing Compensation Commission Formal Recommendation.

**CLERK MORFORD MOVED SUPPORTED BY TRUSTEE MATZKE TO AMEND THE MOTION** by rejecting the recommendation of the Compensation Commission for the following



reasons: The Commission's lack of understanding concerning the statutory responsibilities and the daily duties required of each elected official in what is a 24/7 position. In addition, the Commission failed to explain a rationale for determining just and equitable salaries compared to other similar municipalities of equal population.

**TRUSTEE MARTINSON MOVED TO AMEND THE AMENDED MOTION** supported by Supervisor Birchmeier, by stating the following: Move to reject the recommendation of the Compensation Commission.

**ACTION ON THE AMENDMENT TO THE AMENDED MOTION:**

**ROLL CALL VOTE:**

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

**NAYS:** Birchmeier

**MOTION CARRIED**

**VOTE ON THE AMENDED MOTION:** To reject the recommendation of the Compensation Commission.

**ROLL CALL VOTE:**

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

**NAYS:** Birchmeier

**MOTION CARRIED**

O. Motion to approve additional election inspectors for the upcoming 2016 elections if there is a need – Clerk Morford
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**CLERK MORFORD MOVED**, supported by Trustee Matzke to approve the hiring of two election inspectors for the upcoming 2016 elections if there is a need.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Birchmeier

**MOTION CARRIED**

P. Motion to approve contracting with RBM for preventative maintenance for 2016 for the maintenance of the AutoMark Election Machines; Flushing Township already contracts with RBM for the maintenance of the M-100 Election Machines – Morford
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**CLERK MORFORD MOVED**, supported by Trustee Minaudo to approve contracting with RBM for preventative maintenance for 2016 for the maintenance of the AutoMark Election Machines; Flushing Township already contracts with RBM for the maintenance of the M-100 Election Machines.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

Q. Motion to approve the November 12, 2015 Minutes and approve payment of bills.

**TRUSTEE MATZKE MOVED**, (no support) to approve the minutes of the November 12, 2015 Board of Trustees as presented.

**SUPERVISOR BIRCHMEIER MOVED TO AMEND THE MOTION**, supported by Trustee Martinson to include on page one (1) the missing “Action On The Motion” for the MTA Conference in Frankenmuth. It was: **AYES:** Minaudo, Martinson, Gage, Lee, Morford and Birchmeier. **NAYS:** 0. Trustee Matske absent for the vote Motion Carried.

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

**SUPERVISOR BIRCHMEIER MOVED TO AMEND THE ORIGINAL MOTION**, supported by Trustee Martinson, to incorporate on Page 5, Number 23 to read, “to get who a supplier would be for fire extinguishers, just call the Fire Department” and to eliminate the wording, “to get the fire extinguishers, just call the City of Flushing Fire Department”.

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

**SUPERVISOR BIRCHMEIER MOVED TO AMEND THE ORIGINAL MOTION**, supported by Trustee Martinson that on page 7, Item 1-C, Supervisor Birchmeier moved, seconded by Trustee Martinson that in order to better serve the public and to show transparency and accurate information, the Communications Committee is to look into, with the help of the Clerk, correcting the following issues.

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

**SUPERVISOR BIRCHMEIER MOVED TO AMEND THE ORIGINAL MOTION**, supported by Trustee Minaudo, to insert on page 10 near the top, the vote that was taken on the original motion after the amended motion failed. Insert: **ACTION ON THE MOTION, ROLL CALL VOTE:** **AYES:** Gage, Lee, Martinson, Morford, Minaudo and Matzke, **NAYS:** Birchmeier, **MOTION CARRIED**

**ACTION ON THE MOTION**  
**ROLL CALL VOTE:**  
**AYES:** Martinson, Morford, Birchmeier, Minaudo and Matzke

**NAYS:** Gage and Lee  
**MOTION CARRIED**

**SUPERVISOR BIRCHMEIER MOVED TO AMEND THE ORIGINAL MOTION,** supported by Trustee Martinson, to correct on page 10, the motion by Supervisor Birchmeier for attendance at the MTA Conference, should have been supported by Trustee Martinson instead of Trustee Minaudo.

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

**TRUSTEE MINAUDO MOVED,** (no support) to insert the verbiage wherever necessary indicating that if an individual signs up to attend a conference and doesn't, they must reimburse the Township for the cost.

**ACTION ON THE MOTION**  
**NO VOTE TAKEN**

**TRUSTEE MINAUDO MOVED,** supported by Trustee Martinson, to approve the November 12, 2015 minutes with corrections.

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

**TRUSTEE MATZKE MOVED,** supported by Trustee Martinson, to approve payment of bills.

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

**VI. REPORTS:**

1. Supervisor's Report – Supervisor Birchmeier
2. Flushing Township Police Department – Chief Fairchild
3. Flushing Fire Department – Supervisor Birchmeier
4. Genesee County Road Commission Report – Superintendent/Treasurer Lee
5. Flushing Area Senior Center – Clerk Morford
6. Genesee County Water and Waste Advisory – Clerk Morford
7. Financial Report – Treasurer Lee
8. Superintendent's Report – Superintendent/Treasurer Lee

**VII. COMMITTEE REPORTS:**

1. Flushing Township Nature Park Committee – Treasurer Lee

**VIII. PUBLIC COMMENTS:**

10:50 PM – OPEN FOR PUBLIC COMMENTS

One person gave comment

10:53 PM – CLOSED FOR PUBLIC COMMENTS

**IX. BOARD COMMENTS:**

Comments were heard from Trustee Martinson, Trustee Minaudo, Clerk Morford, Trustee Matzke and Treasurer Lee.

**X. NEXT REGULAR MEETING: THURSDAY, JANUARY 14, 2016 at 7:00 P.M.**

**XI. ADJOURNMENT:** Meeting adjourned at 11:06 PM

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JOYCE A. WILSON, Deputy Clerk

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RIAN R. BIRCHMEIER, Supervisor

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

12/10/2015 Regular Min