

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: AUGUST 12, 2010

TIME: 7:00 P.M.

PHONE: 810-659-0800

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

ADMINISTRATION MEMBERS

SUPERVISOR: Terry A. Peck

CLERK: Julia A. Morford

TREASURER: William J. Noecker

TRUSTEES

Michael S. Gardner

Scott R. Matzke

Scott P. Minaudo

Mark H. Purkey

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 TERRY A. PECK** with Roll Call and the Pledge of Allegiance to the American Flag.

ROLL CALL: Terry A. Peck, Julia A. Morford, William J. Noecker, Michael S. Gardner, Scott R. Matzke, Scott P. Minaudo, Mark H. Purkey, and Attorney Steve Moulton

MEMBERS ABSENT: None

OTHER INDIVIDUALS PRESENT: Twenty-two (22) other individuals

APPROVAL OF THE AGENDA:

PURKEY MOVED, seconded by Matzke to amend the Agenda for approval under "New Business" to:

- k. Personnel Committee
- l. Gun Registration
- m. Fire Run Statement
- n. Police Budget Amendments

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Minaudo, Matzke, Gardner, Purkey, Peck, Noecker, and Morford

NAYS: 0 MOTION CARRIED.

APPROVAL OF PREVIOUS MINUTES:

- a. **Regular Board of Trustees Minutes for July 8, 2010: PURKEY MOVED**, seconded by Minaudo to approve the Minutes of July 8, 2010 as presented.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Purkey, Gardner, Matzke, Minaudo, Peck, Morford, and Noecker

NAYS: 0 MOTION CARRIED.

- b. **Joint Meeting with the City of Flushing on July 19, 2010:**

PURKEY MOVED, seconded by Matzke to approve the Minutes of July 19, 2010 as presented.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Minaudo, Purkey, Morford, Noecker, Peck, Gardner, and Matzke

NAYS: 0 MOTION CARRIED.

APPROVAL OF PAYMENT OF BILLS:

MINAUDO MOVED, seconded by Purkey to pay the bills as presented.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Purkey, Morford, Noecker, Peck, Gardner, Matzke, and Minaudo

NAYS: 0 MOTION CARRIED

UNFINISHED BUSINESS:

None

NEW BUSINESS:**1-a Plante & Moran Presentation by Tadd Harburn and Associates**

An Audit Presentation for Fiscal Year ending March 31, 2010 was given for the Board of Trustees. A few interesting facts:

- General Fund Revenue Trends: During fiscal year ending March 31, 2010, there were declines in property tax revenue, state shared revenue, and interest revenue which was off by approximately \$75,000. If not for the proceeds from the sale of the Park Home Property, revenues would have declined overall.
 1. Breakdown of the General Fund:
 - a. *State Shared Revenue* - makes up fifty-seven (57%) percent of revenue or \$641,000
 - b. *Charges for Services* - makes up twenty (20%) percent of revenue or \$229,000
 - c. *Remaining pie chart is Property Taxes and Interest.*
 2. General Fund is primarily funded by State Shared Revenue, property taxes and charges from other services.
- As of the fiscal year ending March 31, 2010, property tax values decreased by two (2%) percent resulting in decreased revenues. There is a projection the values will bottom out in 2014 and then start to rise around 2015.
- *Police Department* decreased from \$1,019,000 to \$1,000,004 – projected decrease at twelve (12%) percent which would be a \$19,000 decrease for operating levy and \$115,000 in the police millage fund.
- Cumulatively since 2003, the township has lost \$197,000 in State Shared Revenue.
- Expenses were on the decline for period ending March 31, 2010 due to less road maintenance being done 2009.
- Fund Balance makes up fifty-one (51%) percent of expenditures.
- The *General Fund* fund balance should be at a minimum of three (3) months budget in Fund Balance or in the neighborhood of \$245,000 - \$250,000, assuming there are no additional needs coming out of the fund balance such as road improvements.
- *Law Enforcement Fund* – revenues are funded through property taxes. Since taxes are levied in December, there are three (3) months revenues that are used on the December levy. By the time March comes, there should be eight (8) or nine (9) months worth of property taxes coming in for the December levy. In theory, there should be \$750,000 in the *Police Fund*. If there isn't enough funds during the year, money has to be borrowed from another fund until the December levy comes in.
- *Sewer and Water Fund* – the Fund has no debt; the fund is reserved for infrastructure (repairs and maintenance) and can only be used for water issues. A study is done every so many years to determine the lines.
- *Retiree Health Care Fund*- the new standard requires an actuary to determine the liability of the health care fund. The township currently pays the premium for the employees. Most townships are not able to pre-fund the health care to the fullest.
- (To request a copy of the presentation, please contact the Clerk's Office).

1-b. Yearly Fire Permits

PURKEY MOVED, seconded by Minaudo to change the burning permit from thirty (30) days to one (1) year and to have a trial basis for one (1) year and then re-evaluate the issue.

DISCUSSION:

The Chief for the Flushing Fire Department doesn't want to be notified any longer of burn permits. The current fire permit is good for one month at a time. A yearly permit would allow for the resident to come into the Township Hall and fill out a form (similar to the hall rental agreement) which the resident would get a copy; on the bottom of the copy would be an area for the burn permit number.

It was asked if there was any relevance to getting a burn permit. A copy of the Fire Ordinance along with the rules would be given to the residents when they applied for a permit and would keep everyone in line as to "no burn barrels", "no burning of leaves", etc.

The office work would be reduced. There would be no fees. The permit would be good for the rest of the calendar year and would not extend into the next calendar year (2011).

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Matzke, Minaudo, Purkey, Morford, Noecker, Peck, and Gardner

NAYS: 0 MOTION CARRIED

1-c. Lease and Service Agreement with Genesee District Library

PURKEY MOVED, seconded by Matzke to approve the *Lease and Service Agreement with the Genesee District Library* effective January 2008 through December 2017 and to send back to the District Library.

DISCUSSION:

Both of the landlords (City of Flushing and Flushing Township) for the Flushing District Library have to sign the lease agreement. The lease is for the building.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Gardner, Matzke, Minaudo, Purkey, Morford, Noecker, and Peck

NAYS: 0 MOTION CARRIED

1-d. Update BS&A Software Assessing Program

MINAUDO MOVED, seconded by Noecker to approve the update for the BS&A Software Assessing Program on a quarterly basis.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Peck, Gardner, Matzke, Minaudo, Purkey, Morford, and Noecker

NAYS: 0 MOTION CARRIED

1-e. Update of the Server to Handle all the Computers

PURKEY MOVED, seconded by Morford to accept the bid from J.B. Brown Enterprises LLC of Saginaw, Michigan for the amount of \$4,452.00 and if needed, to accept the bid of up to \$1,080.00 for the 5-pack harddrive.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Noecker, Peck, Gardner, Matzke, Minaudo, Purkey, and Morford

NAYS: 0 MOTION CARRIED

1-f. **Michigan Assessors Association Membership Dues**

MINAUDO MOVED, seconded by Purkey to approve the *Assessors Association Membership Dues* for \$75.00 annually.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Morford, Noecker, Peck, Gardner, Matzke, Minaudo, and Purkey

NAYS: 0 MOTION CARRIED

1-g. **Parks and Recreation Committee Member Replacement**

Mr. Jeff Swanson, who is currently a Parks and Recreation Committee Member wishes to be taken off the Committee. If anyone would like to recommend someone, please contact Trustee/Park Committee Chair Mike Gardner or Supervisor Terry Peck.

1-h. **Wildtype Design, Native Plants & Seed Invoice**

NOECKER MOVED, seconded by Minaudo to pay the bill to Mr. Bill Schneider for \$720.00.

DISCUSSION:

The invoice was for a site visit to the Nature Park followed by a meeting at the township hall to discuss the Park Budget and also the drafting of assessment of maintenance at the Nature Park. The study showed the Nature Park was in good shape and sound.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Peck, Morford, Noecker, Gardner, Matzke, Minaudo, and Purkey

NAYS: 0 MOTION CARRIED

1-i. **Bikes on the Brick Ride Route 2010**

MINAUDO MOVED, seconded by Matzke to allow the Chief to handle the issue at his discretion.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Minaudo, Matzke, Gardner, Purkey, Peck, Noecker, and Morford

NAYS: 0 MOTION CARRIED

1-j. **2010 Michigan Assessors Association Continuing Education Registration**

MINAUDO MOVED, seconded by Purkey to allow the Assessor to continue with his education.

DISCUSSION:

The classes are for yearly continuing education classes which the Assessor must keep updated. The cost would be \$300.00.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Purkey, Gardner, Matzke, Minaudo, Peck, Morford, and Noecker

NAYS: 0 MOTION CARRIED

1-k. **Personnel Committee**

MORFORD MOVED, seconded by Noecker to place Supervisor Terry Peck on the Personnel Committee in the place of Trustee Mike Gardner.

DISCUSSION:

Normally the Personnel Committee consists of the Supervisor, Clerk, and Treasurer; during Committee Appointments, the former supervisor had been removed and Trustee Mike Gardner had been placed in the position.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Minaudo, Purkey, Morford, Noecker, Peck, Gardner, and Matzke

NAYS: 0 MOTION CARRIED

1-l. **Gun Registration**

After a recent review of the Flushing Township Police Department handgun registration policy it was revealed there was an opportunity for residents to come into the Flushing Township Police Department during business hours or by appointment after August 26, 2010 to register their guns. The resident needed to bring his/her driver's license and within twenty-four (24) hours a command officer would perform an NCIS check and an attempted deliver of a completed gun registration would take place.

The situation of going downtown Flint to register handguns with the Genesee County Sheriff's Department has been rescinded as of August 16, 2010.

Board action was not needed on the particular issue at hand.

DISCUSSION:

If someone should come in to register their guns, the office could refer the person to the Police Department.

1-m. **Fire Run Statement**

PURKEY MOVED, seconded by Matzke to pay the fire run bill of \$12,136.33 as presented.

DISCUSSION:

The issue of the cemetery contract will be reviewed at the next meeting; it was asked if the cemetery issue would be the same if it wasn't taken care of tonight. The fire run bill was not adjusted by the City of Flushing. It was felt by a Board Member, at the Joint Meeting, some of the questions asked by the Township were not answered by the City. The Treasurer had a concern about the length of time before the bill was sent to the Township regarding the fire runs in 2004-2005, etc. The bill is well overdue but it is a legal bill. If the City should sue the Township, there would be legal fees that would cost approximately the same as what the township owed the City for the fire runs. The people that were on the board at the time of the fire runs were currently not on the Board; legally for \$12,000.00 it would not be worth clouding the relationship with the City. At some point the issue has to come to an end which would not end well in Court.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Matzke, Gardner, Peck, Morford, and Purkey

NAYS: Minaudo and Noecker MOTION CARRIED

1-n. **Police Budget Amendments**

NOECKER MOVED, seconded by Minaudo to set up a Revenue and Expense line item in order to receive donations. (Revenue line item –Donations - \$_____ and Expense line item – Uniform/Sidearms - \$_____.)

DISCUSSION:

It was felt the issue had previously been discussed, but a motion had not been made.

ACTION OF THE MOTION:

ROLL CALL VOTE

AYES: Morford, Noecker, Peck, Gardner, Matzke, Minaudo, and Purkey

NAYS: 0 MOTION CARRIED.

COMMITTEE REPORTS:

None

REPORTS:

1. Treasurer’s Report:

- a. Outstanding Bills have been taken care of.
- b. Plante & Moran gave an hours audit report prior to the Board Meeting; the Township was in excellent shape. The Presentation (Plante & Moran) will be available to the public after 12:00 Noon on Monday.

7:56 P.M. – OPEN FOR PUBLIC COMMENTS

Three (3) people gave their comments.

8:05 P.M. – CLOSED FOR PUBLIC COMMENTS

BOARD COMMENTS:

1. SUPERVISOR’S COMMENTS:

- a. apologized for not following the rules of the fire ordinance. The job was not finished before dark; since people were offended, everything else would be chipped. The job has been completed and saved the Township between \$4,500.00 to \$5,000.00.
- b. thanked Mark and Melissa Calvert for going through the trouble of setting up the process of donation of money for guns. The Police Dept has been running on part of the year on borrowed funds. The next year the deficit will be greater, but the next year there will be improvement on the balance. If the Police Department had their own check book, it would have been resolved in 2003. The Police Department is very prudent. In March, the funds are repaid to the Water Fund with interest in one lump sum.

PECK was happy with the idea of donations, but the township will not solicit funds for the Township or Police Department; have heard the concern of the residents; a letter will be sent to the donors thanking them for their donations and if the donors would like their money returned, the Township would be happy to do so. It was not the intent of anyone to mislead anyone on the finances of the Police Department. People have still come forward wanting to donate money.

- 2. **MINAUDO** felt the issue was transparent. Prior to the current Board, nothing was seen like this because the presentation gives all the details; down from \$638,000 where we need to be; anything that Mr. & Mrs. Calvert have done is very much appreciated; anything from now on is on borrowed money; thought the newspaper was taken out of contents; there is money now but it is borrowed and has to be repaid with interest.
- 3. **GARDNER** felt that Noecker’s quote was accurate and not inappropriate. As fuel and wages are paid for by borrowed money out of the water fund, there is a necessity that they be paid. Structural changes are being made so that the Police Department can stand on two (2) feet instead of one toe; the comments were not inappropriate. The borrowing of money for the Police Department continues. A legal opinion should be gotten before the township gave the

donations back. Reference was made that if donations were not given, there would not be money for uniforms and sidearms.

4. **MATZKE** thanked Mr. & Mrs. Calvert for their efforts and work in getting the donations for the officers uniforms and sidearms.
5. **PURKEY** strongly supported anyone that tried to do anything for the township whether for the Park or the Police Department. The water fund money has been designated for water issues only and has to be kept in that fund and if borrowed, has to be paid back with interest; the Police Dept budget has dwindled down due to real estate issues.
PURKEY recommended that the Board not talk to the Flint Journal until the language was made clear and consistent and then given to the Supervisor and Clerk for review before it was given out to the Public.
6. **NOECKER** apologized to Mr. & Mrs. Calvert for the inconvenience. Several weeks ago the Flint Journal called him (Noecker) and wanted to know his opinion on the donations for the uniforms and sidearms. **NOECKER** felt it was great to have public involvement for public cause. There was a discussion regarding the issue of collecting donations when compared to the lay-off of officers; small issue compared to the budget.
NOECKER had visited Mr. & Mrs. Calvert and discussed the issue wholeheartedly; wholeheartedly embraced them for their effort. Not for raising taxes but for volunteer projects. The issue was previously talked about but there wasn't any line items discussed. He doesn't fault the Flint Journal Reporter; the Police Department is operating on borrowed money. Fully supports Mr. & Mrs. Calvert's efforts.
 Apologized for the fire and anyone that got too much smoke; there was a permit obtained; not sure what **PECK** had paid the individuals that cleaned up the brush. **NOECKER**, himself, cut down thirty-six (36) trees. The township did hire someone else to cut the remaining trees because they (the township) didn't want the trees to fall someplace they shouldn't fall. Ash trees are a major problem.
7. **MORFORD** thanked Mr. & Mrs. Calvert for their hard work. Explained the money from the Water Fund always has to be paid back. She liked the Flint Journal Reporter but sometimes would like to treat him like her son and scold him.
 Precinct Delegates can go on the Genesee County Web Page and find out if they were chosen.
8. **ATTORNEY MOULTON** stated that everyone appreciated Mr. & Mrs. Calvert's effort and from his stand point, their personal credibility would not be destroyed. Always be cautious when speaking with the press even if they (the press) are very experienced and you have known them many years as it is hard to determine the outcome of an article. As in the past one and one-half (1½) years, the Flushing Township's Attorney is sometimes "unavailable for comment", that will continue as it is the best policy for everyone.
9. **SUPERVISORS' COMMENTS:**
 - a. **Flushing District Library:** will be changing their hours starting August 16, 2010 so please call ahead.
 - b. **Genesee County Board of Commissioners:** Chair Jamie Curtis sent a letter to the municipalities stating the County's Mobile Command Vehicle would be taken out of commission and would be offered to any organization, municipality, or anyone that would like to purchase it. Please contact the Genesee County Board of Commissioners Office.
 - c. **Carpenter Road Paving:** Genesee County Road Commission Director John Daly and Genesee County Commissioner Archie Bailey recently held a meeting on Carpenter Road; bid by the County to repair Carpenter Road for \$725,000.00 which included curb to curb from McKinley Road to the Flint River; the County would pay \$145,000.00 and the township would pay \$580,000.00; a revised bid was recently received for repaving of various sections of Carpenter Road at a cost of \$210,000.00 which is more than Johnson and Deland Road combined. The offer would not be considered this year but perhaps next year.

THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING IS THURSDAY, SEPTEMBER 9, 2010 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

ADJOURNMENT: PURKEY MOVED, seconded by Minaudo to adjourn the meeting at 8:45 p.m.

JULIA A. MORFORD, Clerk

TERRY A. PECK , Supervisor

APPROVED DATE: _____
08/12/ 2010 Regular Min