

# CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: MARCH 8, 2012

TIME: 7:00 P.M.

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## 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:** Thirty (30) other individuals

**APPROVAL OF THE AMENDED AGENDA: MINAUDO MOVED**, seconded by Noecker to amend the Agenda by adding under New Business, letter g, "*Discussion of Plante & Moran Audit*", letter h, "*2012 Proclamation of Law Day*", letter i, "*Purchase of Batteries for Election Machines*", letter j, "*Closed Session*", letter k, "*Extension of Police Chief's Contract*", and letter l, "*Sergeant Fairchild's Contract*".

## ACTION OF THE MOTION

AYES: 7

NAYS: 0

Motion Carried.

**APPROVAL OF PREVIOUS MINUTES: PURKEY MOVED**, seconded by Matzke to approve the Minutes of February 9, 2012 with the following change: Page 7, middle of the page under "GARDNER MOVED", third line from the bottom of the paragraph "the Supervisor and either...as to form and substance" **change to** "the Supervisor and either the Clerk or Treasurer be directed to execute the appropriate contracts with the Sheriff after review and approval by legal counsel as to form and substance."

## ACTION OF THE MOTION

AYES: 7

NAYS: 0

Motion Carried.

**APPROVAL OF PAYMENT OF BILLS: MINAUDO MOVED**, seconded by Purkey to pay the bills as presented.

## ACTION OF THE MOTION:

### ROLLCALL VOTE:

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

NAYS: 0

Motion Carried

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**1-a. February Monthly Budget**

**PURKEY MOVED**, seconded by Morford to approve the budget as presented.

**DISCUSSION:**

There will be a Special Year End Budget Meeting on Thursday, March 29, 2012 at 7:00 p.m.

**ACTION OF THE MOTION:**

AYES: 7

NAYS: 0

Motion Carried

**1-b. Senior Citizen Presentation – Director Karen Popovits**

Flushing Senior Center Director Karen Popovits was present to update everyone on the events that have been taking place in the Flushing Community. Some of the facts are:

- a. for the past five (5) years the Directors of the Flushing Area Senior Center have had a “vision” for Flushing residents; a lot of plans and research have taken place across the country because Flushing has some very unique circumstances.
- b. 48% of the people that live in the 48433 zip code are 45 years of age and older.
- c. the bulk of the population in the 48433 district are between the ages of 45 and 65 years of age.
- d. as the center looks to the future as an organization as to how to best meet the needs of the community, the opportunity has come to make the community better.
  1. Many live in the community because of the great schools.
  2. Very proud to live in the Flushing Community.
  3. There are deep roots to the community - Many people have stayed in the area and are now raising or have raised their children and grandchildren.
  4. As the center looks to the future, have worked together with the leadership in the medical community, because in order to properly meet the needs of the seniors in the Flushing community, the center needed to solicit the assistance of the medical community and the universities in order to bring together a very well balanced program for the seniors and build a foundation of quality as we age in the community.
  5. The former VFW Post, located at 606 N. McKinley Road, was sold to the City for a very nominal fee with the intention that the property (approximately five (5) acres), would someday be turned into a Flushing Senior Center Site.
    - a. Looked across the nation and what has occurred in the urban area is that hospitals and universities have created a “Senior Wellness Center”. They have the senior elements to bring in appropriate fitness, appropriate clinical services, etc. and have brought the development of the Senior Center on board in order to attract the senior population.
    - b. Flushing has a unique situation - last year the Senior Center served 5,500 different individuals 74,000 times; the population for the 48433 district is 26,497.
    - c. McLaren, Hurley, Genesys, University of Michigan, Baker, and Michigan State to work with the Center to discover what the “gaps” are in services and how we could work as a unit to provide services to

provide the very best and build something that would sustain the community.

- d. Currently, there is a proposal out to the three (3) local hospitals and the universities to become partners to develop with the City what would be considered a public-private partnership in order to bring the services which we need, the facilities that we need to provide the services in the community, but not to have to use public dollars but to use private dollars which would be part of the partnership.
  - e. The CEO's of the hospitals came to the Flushing when they heard about the opportunity in the Flushing community.
  - f. Michigan State University (MSU) has a lot of money to invest in the Flushing Community and are looking for a specific area where they can bring the medical students into to do research, clinical services, and to serve their third (3<sup>rd</sup>) and fourth (4<sup>th</sup>) year of medical school. There was a survey done between MSU and Ms. Popovits; having no idea of the proposed idea between U of M and Baker, by the end of the day a meeting was scheduled on March 19, 2012 with the Dean of the University. As a team, wonderful things can turn out for the community.
6. A better location could not have been chosen for the new Center: it is across the street from the Genesee County Park which is also part of the trail system, a part of the educational corridor, access to everyone in the community, etc.
  7. Everyone is invited to attend a "*Flushing Area Facility Foundation Kickoff*" on Monday, March 19, 2012 at 2:00 p.m. at 606 N. McKinley Road, Flushing, currently Bella Birches. Hope to see everyone come out and support the proposed center in the community. The proposals are due back from the hospitals, U of M and Baker College by 5:00 p.m. on March 15, 2012.

**ACTION OF THE MOTION:**

AYES: 5  
NAYS: 0  
Motion Carried

**1-c. Planning Commission Funding for the Master Plan Update**

**PURKEY MOVED**, seconded by Matzke to approve \$2,500.00 for the update of the Flushing Township Master Plan.

**DISCUSSION:**

Every twenty (20) years the Planning Commission is required to update the Master Plan. An estimate of between \$20,000 to \$30,000 was received from Rowe Engineering to update the Master Plan. It was determined by the Planning Commission members they could do a lot of the research themselves; the information is being assembled but money is needed for printing, surveys, and a few other miscellaneous items. **PURKEY** felt the Planning Commission was saving the township a lot of money and at the same time, doing a fantastic job.

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

AYES: Purkey, Gardner, Matzke, Minaudo, Peck Morford, and Noecker  
NAYS: 0  
Motion Carried

**1-d. Rental of the Flushing Township Nature Park Pavilion**

**PURKEY MOVED**, seconded by Morford to rent out the Flushing Township Nature Park Pavilion.

**DISCUSSION:**

It had been discussed that it was against the Grant rules to charge for the rental of the Flushing Township Nature Park Pavilion. Per Jack Wheatley, the township can rent out the pavilion similar to the Flushing Township Hall. There was a concern as to what would happen if someone had the pavilion rented but a large group was already under the pavilion. Per the Supervisor, a large sign will be posted.

The Clerk checked out other recreational areas as to the rental fees:

- a. Riverview Park (South of the *Flushing A*- City of Flushing ) = \$25 for residents; \$75 for non-residents.
- b. Genesee County Park (N. McKinley Road at Carpenter Road) = for the pavilion that holds between 60 to 80 people - \$75 for resident and \$155 for non-resident; for the pavilion that holds 300 people - \$155 for resident and \$275 for non-resident
- c. Flushing Township Hall (Seymour Road and Stanley Road) = \$85 for resident; \$135 for non resident. There is a \$50 deposit which is returned after your event if the hall is clean.

It was asked if there was a demand to rent out the Flushing Township Nature Park Pavilion? The use of the pavilion has always been on a first come, first serve basis. It was mentioned that since the gates to the park are not locked at night, people are taking advantage of the park; perhaps a committee could be put together to check out the issue.

It was suggested to keep the rental fee low until the community realizes the park can be reserved and then review the costs again in a year or so. Would there still be a \$50 deposit to reserve the Park? A few suggestions: **1)** keep the \$50 up front and if the residents didn't use the park, they would lose their \$50; **2)** collect the \$50 because the purpose of the fee was to make sure the Park would be left clean; **3)** someone is already cleaning the Park so there wouldn't be an incentive for the deposit. The Clerk mentioned there could be a \$50 deposit and then \$25 for the rental fee; the \$50 would be returned. The whole purpose would be to let the residents know they could use the Flushing Township Nature Park for birthdays, open houses, etc.

Per the Supervisor, the issue will be postponed until the April Board of Trustees Meeting.

**1-e. Payment to Plante and Moran**

The \$1,500 will be paid to Plante & Moran for the Police Report. (The money will come out of the \$5,000 already appropriated in the budget.)

**1-f. Sale of Printer – Epson 24” Pro 7500**

**PURKEY MOVED**, seconded by Noecker to sell the printer at the Supervisor's discretion

**DISCUSSION:**

A vendor who was in attendance at the 2012 MTA Conference (January 2012) was contacted because the company sells anything from printers to police vehicles for municipalities. The Clerk recommended viewing the web site for the company – municibid.com. The printer was purchased in April 2002 at a price of \$4,780 and had been used by the Flushing Township Nature Park Manager and the Planning Commission.

It was suggested to set a reserve and use *ebay* because there would be more traffic. It was also suggested to get offers. Due to technology changing so fast, a new Epson Printer could be purchased for \$1,100. It was suggested to ask \$350 for the printer. The Treasurer wanted to take offers at \$500.

**PURKEY MOVED**, seconded by Minaudo to amend the motion to sell the printer at the Supervisor's discretion for \$500, whether on ebay or any way as long as it is sold.

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

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

NAYS: 0

Motion Carried

**1-g. Plante and Moran Audit**

**MINAUDO MOVED**, seconded by Matzke to accept the price of \$17,700 for the 2012 audit to be performed by Plante and Moran.

**DISCUSSION:**

The Treasurer received a document outlining the 2012 audit costs for Flushing Township which will be \$17,700; the 2011 audit cost was \$17,150. The audit is performed by Plante and Moran, a very reputable company.

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

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

NAYS: 0

Motion Carried

**1-h. 2012 Law Day Proclamation – “No Courts, No Justice, No Freedom”**

**GARDNER MOVED**, seconded by Matzke to approve the “*2012 Law Day Proclamation*”.

**2012 Law Day Proclamation  
“No Courts, No Justice, No Freedom”**

Whereas, the American justice system is charged with upholding and protecting the rights, as well as the freedom and justice of all Americans; and

Whereas, in 1961 Congress issued a joint resolution declaring May 1 Law Day; which is a national day to recognize and celebrate our Justice system and the rule of law;

Whereas, the Law Day 2012 theme, “No Courts, No Justice, No Freedom,” provides an opportunity to highlight the crucial role of our courts and to foster a better understanding of the judiciary,

I urge all community residents, school administrators, teachers and students, business and civic leaders, legal professionals and law students to support this national day by participating in Law Day activities.

NOW, THEREFORE, I, Terry A. Peck, Charter Township of Flushing Supervisor, do hereby proclaim May 1, 2012 as Law Day. I call upon the people of the Township of Flushing to acknowledge the importance of our legal and judicial systems with appropriate ceremonies and activities, and to display the flag of the United States and our state in support of this educational observance. I further encourage schools, businesses, media, religious institutions, civic, and service organizations to join members of the bar and bench in commemorating Law Day.

IN WITNESS WHEREOF, I have hereunto set my hand this 8<sup>th</sup> day of March, in the year two thousand twelve.

Terry A. Peck, Township of Flushing Supervisor

**ACTION OF THE MOTION:**

AYES: 7

NAYS: 0

Motion Carried

**1-h. Purchase of Batteries for the Election Machines**

**MORFORD MOVED**, seconded by Matzke to approve the purchase of seven (7) 12 volt, 8 amp batteries for the voting machines for a total of \$153.76. (M-100 scanners)

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

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

NAYS: 0

Motion Carried

**1-i. Closed Session**

**7:40 P.M. – Adjourned To Closed Session**

**GARDNER MOVED**, seconded by Minaudo to go into Closed Session pursuant to MCL 15.268 c regarding strategy and negotiation sessions connected to negotiations for the bargaining agreement to discuss several possible contracts that could impact the existing arbitration of the collective bargaining agreement which no longer is going forward with the patrol officers.

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

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

NAYS: 0

Motion Carried

**8:40 P.M. – Re-Convened to Regular Session**

**PURKEY MOVED**, seconded by Minaudo to re-convene to Regular Session.

**ACTION OF THE MOTION:**

**ROLLCALL VOTE:**

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

NAYS: 0

Motion Carried

**1-j. Extension of Police Chief’s Contract**

Per the Supervisor, the issue is postponed.

**1-k. Sergeant Fairchild’s Contract**

Per the Supervisor, the issue postponed.

**COMMITTEE REPORTS:**

None

**REPORTS:**

1. **Treasurer’s Report: GARDNER MOVED**, seconded by Purkey to approve the Treasurer’s Report as submitted.
  - a. Revenue Sharing – Flushing Township will receive an estimated \$760,000 for the 2012 State Shared Revenue, which is up \$100,000 from last year; the 2011 Revenue Sharing was \$671,000; the 2009 and 2010 Revenue Sharing was \$634,000. A report was recently received from Governor Snyder predicting a two (2%) percent increase for 2013 which would be an additional \$15,000 for 2013.
  - b. Cell Tower Lease – the Treasurer has been negotiating contract rights with a company called Landmark Dividends out of California; if the township sold their rights to the cell tower lease, it would be worth \$267,000; if the board was serious about selling out the lease, bids would be solicited; Treasurer felt it was better to continue receiving the monthly check of \$660.00 from Sprint and

\$1,000 from AT & T; the initial Cell Tower Lease began in January 2001 and will expire in January 2025; every five (5) years the lease figure increases.

**8:45 P.M. – OPEN FOR PUBLIC COMMENTS**

None

**8:46 P.M. - CLOSED FOR PUBLIC COMMENTS**

**BOARD COMMENTS:**

**1. SUPERVISOR PECK’S COMMENTS:**

- a. Misteguay Creek – a necessity hearing was scheduled for March 13, 2012 at Birch Run, MI but it was cancelled due to the Appeal by all the townships that are involved in the lawsuit; it will be held in abeyance until the appeal is heard.
- b. Report on Income from Taxes – a preliminary report has been received regarding the income the township will received from taxes; the evaluation of property will change due to the Board of Appeals going on during the month of March. The township general fund will lose less than \$1,000 but might go up depending upon the Appeals; the Township will lose approximately \$4,000 from the Police Department.
- c. Chloride Applications – the cost this year for chloride treatments will be \$12,000 per application; the Genesee County Road Commission will provide one (1) application free and two (2) more applications are available; for the past two (2) years Flushing Township has paid for two (2) applications; the issue will be placed on the Agenda for April.
- d. Letter from Comcast – is starting a program where the customers can have their television and computer repairs done by Comcast; there will be a monthly service charge; Comcast will be competing with other companies that offer repair service; a notice will be going out to the township residents soon.
- e. Police Coverage - The Genesee County Board of Commissioners agreed to write a police contract with Flushing Township for police protection with the Genesee County Sheriff Department for the period of March 7, 2012 to December 31, 2012. The Deputies are currently on patrol and look forward to good things.
- f. Board of Trustee Special Meetings – Wednesday, March 14, 2012 at 7:00 p.m. and Thursday, March 29, 2012 at 7:00 p.m. on the budget.

**THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, APRIL 12, 2012 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.**

**ADJOURNMENT: MINAUDO MOVED**, seconded by Matzke to adjourn the meeting at 8:50 p.m.

\_\_\_\_\_  
JULIA A. MORFORD, Clerk

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TERRY A. PECK , Supervisor

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