

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: APRIL 12, 2012

TIME: 7:00 P.M.

PHONE: 810-659-0800

FAX 810-659-4212

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 7:05 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, and Attorney Steve Moulton

MEMBERS ABSENT: Mark H. Purkey

OTHER INDIVIDUALS PRESENT: Twenty-seven (27) other individuals

APPROVAL OF THE AGENDA: GARDNER MOVED, seconded by Minaudo to amend the Agenda by removing letter c ("*Michigan Association of Township Supervisors 2012 Spring Conference*"), under New Business and replace with "*Resolution for Flushing Township Recreation Passport Grant*" for the Flushing Township Nature Park.

ACTION OF THE MOTION

AYES: 6

NAYS: 0

ABSENT: Purkey

Motion Carried.

APPROVAL OF PREVIOUS MINUTES:

- a. **MINUTES OF MARCH 8, 2012: NOECKER MOVED**, seconded by Matzke to approve the Minutes of March 8, 2012 as presented.

ACTION OF THE MOTION

AYES: 6

NAYS: 0

ABSENT: Purkey

Motion Carried.

- b. **MINUTES OF SPECIAL MEETING OF MARCH 29, 2012: MATZKE MOVED**, seconded by Gardner to approve the Minutes of the Special Meeting of March 29, 2012 as presented.

ACTION OF THE MOTION TO POSTPONE:

AYES: 6

NAYS: 0

ABSENT: Purkey

Motion Carried.

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

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

ABSENT: Purkey

Motion Carried.

UNFINISHED BUSINESS:

1. Rental of the Flushing Township Nature Park Pavilion

MINAUDO MOVED, seconded by Matzke to charge a rental fee of \$50 for the rental of the Flushing Township Nature Park (Nature Park).

DISCUSSION:

The Clerk has received calls from the public wanting to know what would happen in a case where an individual rented the Nature Park and before someone from the Township was able to check to make sure everything was clean, someone else made a mess, would the first individual get his/her deposit back. The Supervisor reassured everyone that the maintenance person would have everything checked/cleaned up immediately.

It was mentioned by the Treasurer that a deposit would make sure the person would have the event.

It was recommended to have a pre-pay \$50 fee and if the person did not show up, the Township would not give the \$50 fee back. If it is determined the procedure doesn't work, it will be reviewed.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

ABSENT: Purkey

Motion Carried.

2. Sale of Printer – Epson 24” Pro 7500

GARDNER MOVED, seconded by Matzke to have the Personnel Committee dispose of the Epson Printer at their discretion and get the best price.

DISCUSSION:

On eBay or Craig's List there is a new printer advertised that cost \$18,000 new and is advertised for sale for \$1,300.

ACTION OF THE MOTION:

ROLLCALL VOTE:

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

NAYS: 0

ABSENT: Purkey

Motion Carried

NEW BUSINESS:

1-a. MTA “Potential Legal Speed Bumps” Seminar – Frankenmuth MI

GARDNER MOVED, seconded by Matzke to approve the Supervisor, Clerk, and Treasurer is able to attend the MTA “Potential Legal Speed Bumps” Seminar on Tuesday, April 17, 2012, at an early bird price of \$79 each at Frankenmuth, MI.

DISCUSSION:

The Supervisor decided against attending the Supervisor's Conference; instead he will be attending the MTA "Potential Legal Speed Bumps" Seminar at Frankenmuth MI.

ACTION OF THE MOTION:

ROLLCALL VOTE:

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

NAYS: 0

ABSENT: Purkey

Motion Carried

1-b. New Copier for Township Office

MORFORD MOVED, seconded by Gardner to approve going with the Ricoh Copier at a lease price of \$217 per month with supplies included such as toner, staples, etc. The company is local.

DISCUSSION:

Three (3) companies supplied bids for the new copier; the bid from Ricoh was selected because we will be dealing with a local business. Different issues were reviewed prior to going with Ricoh such as monthly lease price, buy-out of the old copier, is the fax machine included, supplies that are included, etc.

ACTION OF THE MOTION:

ROLLCALL VOTE:

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

NAYS: 0

ABSENT: Purkey

Motion Carried

1-c. Recreational Passport Resolution

NOECKER MOVED, seconded by Minaudo to approve the Resolution for the Recreation Passport Grant.

PUT THE RESOLUTION IN HERE.

DISCUSSION:

The grant will be \$18,000; the township will pay \$8,000; it is a 70/30 grant. The purpose for the grant is for gravel for the driveway going down the hill to the river, the parking area, and as much backfill as needed. The project will be done this summer (Summer 2012).

It was discussed as to fundraisers that have been held and donations received for the canoe launch by different organizations.

ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Purkey

Motion Carried

1-d. Projected 2012 Chloride Cost (From the Genesee County Road Commission)

MINAUDO MOVED, seconded by Morford to go with three (3) applications; the first application will be chloride and will be free; the township will pay for two (2) applications at \$11,865 per application; if the brine is approved by the County, one of the three applications could be brine.

DISCUSSION:

Last year the subject of using brine on the roads was discussed by the Township Supervisors at a Genesee County Road Commission (Road Commission) Meeting; recently the brine issue came up again at a Road Commission Meeting but is being challenged. Brine is cheaper.

It was recommended to go with chloride for the first application and then if brine was approved by the County, the Supervisor would come back to the board for approval to go with brine for the second and third application in order to save money. If it gets to be too late in the season for the application, the third application could be cancelled.

ACTION OF THE MOTION:

ROLLCALL VOTE:

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

NAYS: 0

ABSENT: Purkey

Motion Carried

1-e. Flushing Township Nature Park Pavilion Roof Repair

The issue was postponed by the Supervisor for one month.

1-f. Ditching – 50/50 Money

For the last three (3) years, the 50/50 money has been used for ditching.

2010: Johnson and Deland Roads were ditched and paved

2011: Coldwater was ditched and paved; five (5) days of local ditching is free; five (5) days of primary roads is free (West Side of the River = Mt. Morris Road, Seymour Road, M-13 (Sheridan) Road, and Pierson Road); (East Side of the River = Elms Road, McKinley Road, Coldwater Road, and Mt. Morris Road). The ditching is on an ongoing basis. Carpenter Road was completely redone (, Coldwater Road, and Stanley Road were paved; \$6,000 worth of work was done on Apple Blossom Lane and \$16,000 on Spy Del fixing large portions; \$290,000 worth of road repair and ditching was done in 2011.

\$310,000 was in the budget for roads. There were a lot of needs for last year. Flushing Township received some good prices on asphalt late in the year to be used for repairs.

GOAL FOR 2012: Pave Carpenter Road in front of the Flushing Middle School. An estimate of \$60,150 has been received from the Road Commission to chip and seal Carpenter Road (similar to Coldwater and Stanley Road where the road is paved one year/chip and seal the next year). The Supervisor recommended paying for the whole thing.

IMPORTANT FACTS FOR 2012:

1. 2012 is the last year the Road Commission will be doing road improvements until all townships have a three (3) year budget plan approved by the Board of Trustees and then sent to the County for approval.
2. Improvement of perimeter roads (Potter Road and Frances Road) but need cooperation of neighboring townships. At this time Clayton is not in a position to put money into roads; the Montrose Supervisor has contacted the Flushing Township Supervisor proposing to take care of Frances Road between Elms Road and McKinley Road; the Montrose Supervisor has already received a bid to completely redo the two (2) miles of road and the ditching for a bid of \$300,000 a mile; Flushing Township could not participate because of the obligations the township has for 2012 and going forward there wouldn't be that kind of money available; the Montrose Council has offered, if Flushing Township was willing, to fund the whole (two (2) mile) project with Flushing Township paying back the first year what we could and then pay the rest back later. Even if it took two (2)

years, Montrose Township is willing to pay just to get Frances Road repaired. The Supervisor will bring more details to the Board in the future.

- 3. More Roads to be Chip and Sealed: 1) Dillon Road between Potter and Pierson Road, 2) Duffield Road between Coldwater Road and Stanley Road, and 3) Coldwater Road on the East side of the River also needs to be resurfaced.

TWO (2) RECOMMENDATIONS FROM THE SUPERVISOR:

- 1. **GARDNER MOVED**, seconded by Minaudo to approve \$60,150 to pave Carpenter Road which does not include the turn lane going into the subdivision and a turn lane into the school but will be an overrun.

DISCUSSION:

Since there will be an overrun, it was recommended to look into a turn lane at Elms Road and a turn lane at Deland Road. It was suggested by the Road Commission that \$10,000 would be more than enough to cover the flares at the subdivision and school.

MOTION RESCINDED.

- 1. **GARDNER MOVED**, seconded by Minaudo to approve \$70,000 for the paving of Carpenter Road between Deland Road and Elms Road.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

ABSENT: Purkey

Motion Carried.

- 2. There has been discussion in the past of having a side walk from the Flushing Middle School to the Flushing High School. The Supervisor will be looking into the issue to see if it would be feasible to have the sidewalk incorporated into the paving of Carpenter Road.

1-g. Road Repair – Carpenter Road/Elms Road/and Deland Road

ROAD REPAIR UPDATE.

The Supervisor will be proposing to the Road Commission that the 50/50 Funds be used for the paving factor of Carpenter Road, Coldwater Road, or Stanley Road. There is \$17,900 in the 60/40 Funds and \$21,520 in 50/50 Funds which would mean there is an additional \$40,000 to be use this year; the funds cannot be held over. If Flushing Township cannot use the extra funds, they can be loaned out to other townships.

The Supervisor appointed the Personnel Committee to be in charge of the *Three (3) Year Program* and will bring recommendations back to the Board. If another Trustee would like to set in on the process, the Clerk will step down.

1-h. Flushing Township Hall Lawn Care Service

GARDNER MOVED, seconded by Minaudo to approve \$60 for the lawn mowing and \$190 for the fertilizing.

ACTION OF THE MOTION:

ROLLCALL VOTE:

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

NAYS: 0

ABSENT: Purkey

Motion Carried

1-i. Selling of Flushing Township Police Cars and Other Items

GARDNER MOVED, seconded by Noecker to proceed in the selling of Police Department vehicles with one (1) of the four (4) vehicles to be kept for Township Business, as well as the disposal of the personal property in the Police Department with first option going to local Genesee County Police Departments for bids and then brought back to the Township Board at a later date.

DISCUSSION:

The Supervisor has been contacted by Baker College regarding the police vehicles; another individual has also contacted the Supervisor. NADA prices have been obtained for the vehicles. The Supervisor requested to keep one of the Expeditions for use by the Township. The Assessor will also need a vehicle because there is a five (5) year plan where he (the Assessor) has to go throughout the township for the next five (5) years and take photographs of twenty (20%) percent of the properties until all the properties are updated and online.

The Evidence Room is being checked and identified by the Flushing Police Department Sergeant because the Genesee County Undersheriff would like to have everything identified and inventoried as soon as possible since the Undersheriff has to sign for the merchandise by April 25, 2012. Items bought by grants have to go back to where the grants were obtained or to the Sheriff’s Department where they will have to sign off.

A list of other items available for sell will be going out to all the other police departments; highest bid will be brought back to the Board of Trustees for review.

It was discussed that if we keep an Expedition, the old white vehicle (car) will be sold.

It was brought up that per a report from Plante and Moran, the police vehicles/items should not be sold for a period of time after the Sheriff Department took over policing for Flushing Township.

GARDNER MOVED, seconded by Matzke to postpone the issue for one (1) month.

ACTION OF THE MOTION:

AYES: 6
NAYS: 0
ABSENT: Purkey
Motion Carried

COMMITTEE REPORTS:

None

REPORTS:

1. **Treasurer’s Report:** **GARDNER MOVED**, seconded by Minaudo to approve the Treasurer’s Report as submitted.

ACTION OF THE MOTION:

AYES: 6
NAYS: 0
ABSENT: Purkey
Motion Carried

7:57 P.M. – OPEN FOR PUBLIC COMMENTS

Five (5) individuals gave their comments.

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

BOARD COMMENTS:

1. **NOECKER** stated the “police dummies – Vince and Larry” could be put in a police squad car; Dort Federal Credit Union printout was an error and was renewed.

2. **MORFORD** has the candidate Affidavit of Identity forms for the August 2012 Election; Precinct Delegate Affidavit forms are also available; the forms have to be turned in to the Township Clerk by May 15, 2012 at 4:00 p.m.; the forms are for local offices only and does not include the County or State positions; the Precinct Delegates Affidavits have to fill out every two (2) years.
3. **SUPERVISOR PECK'S COMMENTS:**
 - a. Police Pension Funds: the township is obligated for the police retirements until the person is deceased and then for the spouse until he/she is deceased, which is State Law. The township is obligated for prescription payouts; per Attorney Steve Moulton, the law is not applicable to Flushing Township regarding having the Federal Government pay the pensions.
 - b. Land Bank Property Parcel No.08-27-502-021 in front of Flushing Community Schools Bus Barn: the closing for Parcel No. 08-27-502-021 in front of the Bus Barn will be next week; the property is located on the East side of Seymour Road by the railroad tracks in front of the Flushing Community School Bus Barn.
 - c. Update of the Misteguay Creek Improvement Plan: the Appeals Court was put on hold for a year to a year and one-half; the lawsuit, Genesee County Drain Commissioner vs. the Genesee County Board of Commissioners, has also been put on hold; rumor has it that the Board of Commissioners needs to offer a bid. The Drain Commission represents all the municipalities that have water.
 - d. Ordinance Problems: people are coming into the township every day with complaints such as unmowed lawns and junk cars, etc. with the lawns and junk cars being the biggest complaints; the township is getting involved and hopefully streamlines some of the time frames the township has to work under.
 - e. Sheriff Department Deputies: the officials for Flushing Township are: Sergeant Richard Lee; First Shift - Deputy Jason Murphy; Second Shift - Deputy Mike Marsh; Third Shift - Deputy Chris McNamara, and Swing Shift - Deputy Kevin Sprague and Deputy Rudy Lopez.

THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, MAY 10, 2012 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

ADJOURNMENT: GARDNER MOVED, seconded by Minaudo to adjourn the Board Meeting at 8:15 p.m.

JULIA A. MORFORD, Clerk

TERRY A. PECK, Supervisor

APPROVED DATE: _____

