

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: MAY 10, 2012

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 7:05 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, Mark H. Purkey, and Attorney Steve Moulton

MEMBERS ABSENT: None

OTHER INDIVIDUALS PRESENT: Thirty (30) other individuals

APPROVAL OF THE AGENDA: PURKEY MOVED, seconded by Minaudo to approve the Agenda by the changes as presented under "New Business", letter b "*Charter Township of Flushing Ordinance Sections 17-1 through 17-5 (Impoundment/Law Enforcement/Registered Owner/Vehicle)*", letter g, "*Repair of Sewer Lines*", and letter h, "*Chip and Seal of Stanley/Coldwater Roads*".

ACTION OF THE MOTION

AYES: 7

NAYS: 0

Motion Carried.

APPROVAL OF PREVIOUS MINUTES:

- a. **MINUTES OF SPECIAL MEETING OF MARCH 29, 2012: PURKEY MOVED**, seconded by Matzke to approve the Minutes of March 29, 2012 as presented.

ACTION OF THE MOTION

AYES: 7

NAYS: 0

Motion Carried.

- b. **MINUTES OF APRIL 12, 2012: PURKEY MOVED**, seconded by Matzke to approve the Minutes of April 12, 2012 as presented.

DISCUSSION:

There was discussion regarding the last paragraph on page 1 regarding the Clerk's Note.

ACTION OF THE MOTION:

AYES: 7
NAYS: 0
Motion Carried.

GARDNER MOVED, seconded by Purkey to make an amendment to the motion on the floor to remove the discussion that begins on page 1 of the April 12, 2012 Meeting Minutes and ends on the top of page 2 referencing the motion that was handed out.

ACTION OF THE MOTION:

AYES: 7
NAYS: 0
Motion Carried.

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

DISCUSSION:

A Board Member wanted to know why there was such a large legal bill for the month and would like to see the bills; it was recommended the Board Member come in to the office anytime because there is a large stack of bills.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

UNFINISHED BUSINESS:

1. Repair of the Flushing Township Nature Park Pavilion Roof

NOECKER MOVED, seconded by Minaudo to approve paying Calrick Builders \$3,900 to reroof Pavilion at the Flushing Township Nature Park.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

2. Selling of Police Vehicles and Other Items

The Supervisor requested to take the issue of the “Selling of the Police Vehicles and Other Items” off the Agenda and will be brought back to the Board of Trustees at a later date.

NEW BUSINESS:

1-a. Presentation by Genesee County Sheriff Robert Pickell

Genesee County Sheriff Robert Pickell (Sheriff Pickell) along with Undersheriff Chris Swanson (Undersheriff Swanson) were in attendance to give a sixty (60) day report of the Sheriff Deputies work. Some interesting facts are:

1. Deputies state they have been treated wonderful by the Flushing Township residents.
2. Deputies are encouraged to get around to all the neighborhood so they are highly visible.
3. The Genesee County Sheriff Department has contracts with three (3) other municipalities: Vienna Township, Atlas Township, and Fenton Township.
4. The first thing the Deputies want to do is build respect.

5. Supervisor Peck and Treasurer Noecker had stressed to the Sheriff to hire the Flushing Township Officers. The results: Sergeant Fairchild has decided to move on; one (1) officer was not able to take the test because he broke his arm; Officers Mark Bolin and Andrew Owens took the test, passed all the requirements and they will start working Tuesday of next week.
6. There were twenty-six (26) traffic citations and one hundred sixty-eight traffic warnings given; the Sheriff's Department is not a ticket driven police organization. The Sheriff's philosophy is to give warnings because the Sheriff (Deputies) will see you often and a warning sometimes works just as good as a ticket.

Presentation by Undersheriff Swanson:

1. The Sheriff Department looks at each township contract as unique in itself; each township has their own specialty, and their own residential and business areas
2. The success of the Department is based on the relationships, safety, comfort, and respect which the deputies bring to the township.
3. Credit is given to the surrounding municipalities - Flushing City, Montrose, Clayton Township, Flint Township for backing the deputies; the deputies have also back the surrounding municipalities.
4. The sixty (60) day review is taken off the deputy's rosters and from Sergeant Richard Lee (Sergeant Lee).
5. Sergeant Lee is a Detective Sergeant downtown Flint but also a uniform officer who fills in the blank when there isn't patrol coverage from the regular deputies.
6. There are four (4) full time deputies assigned to Flushing Township and forty (40%) of the Sergeant Lee's time, which gives Flushing Township 24/7 coverage.
7. Other issues include:
 - a. Felony Arrests
 - b. Detective Warrants
 - c. There are only two (2) Unsolved Cases remaining from the former Flushing Township Police Department
 - d. Detective Cases by Crime taken to the Prosecutor's Office
 - e. Within the last sixty (60) days there were:
 1. Police Calls – 356
 2. Written Complaints – 45
 3. Neighborhood Checks – 1,531
 4. Business Checks – 1,592
 5. Vacation Checks – 3
 6. Medical Calls – 22
 - f. There have been four (4) major cases.

A Question and Answer period was held.

1-b. Charter Township of Flushing Ordinance Sections 17-1 through 17-5 (Impoundment/Law Enforcement/Registered Owner/Vehicle)

Attorney Steve Moulton (Attorney Moulton) stated the existing ordinance permits what was previously the Flushing Township Police Department to impound motor vehicles under various circumstances. Under the prior ordinance the impound fee was paid directly to the third party, which was usually Leonard's Towing of Montrose. The ordinance also spoke in terms of Police Department and Police Chief. It was decided it would be a better procedure for the impound fee to be paid directly to the township and then the township could assure whatever was to be turned over to the third party impounder was appropriately paid to that entity. A slip or certificate would then be issued that the impound fee had been paid which would be the authorization for the third party to then release the motor vehicle to the registered owner.

The ordinance was amended to eliminate the reference to the Police Department, eliminate reference to the Police Chief, substituting the Supervisor for the Police Chief, substituting authorizing Law Enforcement Personnel either Genesee County Sheriff employees, Michigan State Police or any other entity that has lawful enforcement

authority in the township for the Police Department, and then setting up the procedure for payment of the impound fees directly to the township and providing those fees be paid in cash or certified checks. It will simplify the procedure and give the township control over the collection of the fees.

The first reading of the proposed ordinance will be at the Board of Trustees Meeting in June and the second reading will be at the July Board Meeting.

1-c. Update of the GASB 45 Post Retirement Health Insurance

PURKEY MOVED, seconded by Minaudo to approve the *Nyhart GASB 45 Financial Report Alternate Measurement Method* at a price of \$1,400.

**ACTION OF THE MOTION:
ROLL CALL VOTE**

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

NAYS: 0

Motion Carried

1-d. Resolution for “2012-2013 General Appropriations Act” (Budgets)

Attorney Moulton stated the Charter Township Act required each township adopt a budget for the forthcoming fiscal year which should have been done earlier but can be done now. All the figures of the Resolution have been reviewed by Attorney Moulton and are consistent with the Charter Township Act and the Uniform Budget Act. The Resolution is mandatory and has to be passed and attached to the minutes for fiscal year 2012-2013; the fiscal year started April 2, 2012.

MINAUDO MOVED, seconded by Purkey to accept the “2012-2013 General Appropriations Act”.

DISCUSSION:

The figures in the Resolution (number 7) are the same figures that are in the monthly budget which is approved by the Board. The figures are by departments and have to be done quarterly; if there isn’t an increase in the line item, nothing has to be done during the month. By the end of the year the expenditures have to be the same or less than the income.

The Resolution is a mandate and is suppose to be done forty-five (45) days before the beginning of the fiscal year. Everything is consolidated in the one resolution.

**ACTION OF THE MOTION:
ROLLCALL VOTE:**

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

NAYS: 0

Motion Carried

1-e. Appointment of Social Media Group

The Supervisor appointed a Committee to review and find out if it is in the best interest of the Township to look further into the issue. The Committee will consist of William Westenbarger and Jodi Wright.

A report will be made to the Personnel Committee which in turn will report back to the Board of Trustees.

The issues involve facebook, twitter, and any other electronic device.

1-f. Recommendation of Approval of Architect/Engineer for the 2012 CDBG Improvements

PURKEY MOVED, seconded by Minaudo to accept Rowe Professional Services Company to be the architect/engineer on the project.

DISCUSSION:

The expenses will be paid up front with the Township turning in the bills and all the documents then being reimbursed by the County (Community Development Block Grant). The engineering fee received from Rowe Professional Services is included in the \$35,000 which was awarded to Flushing Township. There was a discussion as to the pros and cons of having the CDBG funds.

ACTION OF THE MOTION:

ROLLCALL VOTE:

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

NAYS: 0

Motion Carried

1-g. Repair of Sewer Lines

MINAUDO MOVED, seconded by Purkey to approve the payment of \$10,722 to Mid Michigan Mfg & Maintenance to make repairs on the sewer system.

DISCUSSION:

Twenty (20%) percent of the sewer lines are videoed each year; the estimate of \$10,722 is for the videoing and repairs for the year 2012; one item on the statement involves a man hole that had been hit by a snowplow so when it rains more water would go into the sewer system. If the Township was using County services and with all the rain going into the system, Flushing Township would have been charged \$40,689 for the third quarter. All townships are working toward not having a huge amount of water being filtered through the sewer system.

ACTION OF THE MOTION:

ROLLCALL VOTE:

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

NAYS: 0

Motion Carried

1-h. Chip and Seal of Stanley/Coldwater Road

PURKEY MOVED, seconded by Minaudo to approve \$39,964 for the chip and seal of Stanley Road from Seymour Road to Duffield Road.

DISCUSSION:

The Supervisor has received the cost figures for the chip and seal for Stanley Road, and after the 50/50 matching fee, the cost will be \$39,964. The township is obligated this year to pay \$55,950 for the chip and seal of Coldwater Road; last month approval was given to pave Carpenter Road from Deland to Elms Road – a prior motion was made to not pay more than \$70,000 but with the 50/50 money, the cost came back from the County at \$44,890; the total payout for road repairs for 2012 will be \$140,804 and is within the budget of \$250,000 for the year. There will not be a left turn lane in front of the Middle School or at Elms and Carpenter Road.; the bicycle path would have been too costly and would not be done this year.

ACTION OF THE MOTION:

ROLLCALL VOTE:

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

NAYS: 0

Motion Carried

COMMITTEE REPORTS:

None

REPORTS:

1. **Treasurer’s Report: MINAUDO MOVED**, seconded by Purky to approve the Treasurer’s Report as presented.
 - a. State Shared Revenue: Flushing Township gets the Constitutional Revenue Shared Funds that is based on the first 15% of the 4% gross collections of the State Sales Tax and issued on a per capital basis; the 2000 census was 10,230 and the 2010 census was 10,640; Flushing Township’s revenue sharing has been increased and this year will be the best ever at \$781,801.
 - b. Flushing Township Water Fund: the Water Fund keeps increasing; the Township can borrow from the fund but it has to be paid back; the fund can only be used for water issues; current Water Fund balance is \$2,862,000 of which only water customers contributed to the fund. The Treasurer felt we were taking in more money than what we needed; when the County comes around wanting money for the Port Huron Water Line, the Treasurer felt the water customers should not be charged.
 - c. Billing Account Businesses: there is a company that is promoting utility billing for municipalities and would save time for the office staff; the Treasurer checked into the issue last year and it was cost prohibited; much cheaper to go with the County for utility billings.

ACTION OF THE MOTION:

AYES: 7
NAYS: 0
Motion Carried

8:10 P.M. – OPEN FOR PUBLIC COMMENTS

Five (5) individuals gave their comments.

8:20 P.M. - CLOSED FOR PUBLIC COMMENTS

BOARD COMMENTS:

1. **PURKEY:** Stanley Road (west of the River) is going to be chip and sealed; problem with banks closing up homes and there is a basement and the basement fills up with water and everything turns into junk; felt more should be done with the Nuisance Ordinance.
2. **NOECKER:** concerned about the house that is owned by Flushing Estates but it is the times that we are in – until economy improves nothing can be done; Gillette Road is neat and clean and it is sad to see a house like it in the community but there are laws; a good deal was received from the Road Commission to do all three (3) miles of West Coldwater Road from M-13 to Seymour Road; two (2) miles of Stanley Road was damaged so the insurance company paid for the repair of Stanley Road but the Township had to agree to chip and seal in 2012;
3. **GARDNER:** to pay for the water pipeline that will actually go in the ground, the County will be selling thirty (30) or fifty (50) year bonds that will be paid off during the lifetime of the pipeline; the people that are actually getting their water through the pipeline through their fees part of the fees will be paying for the service of the bonds that built the pipeline; don’t believe there will be any upfront costs for the waterline. Even though there is \$3 million dollars in the water fund, need to consider the depreciation of the pipes because there will be a time when the pipes will need to be replaced. Looks like a lot of money but will be very useful when we need the lines replaced.
4. **MORFORD:** reminded everyone that has picked up an Affidavit of Identity for a position or a Precinct Delegate have to be turned in to the Clerk by Tuesday, May 15, 2012 at 4:00 p.m.
5. **SUPERVISOR PECK’S COMMENTS:**
 - a. Waste Water: the County currently don’t charge for water going down into the manholes but there is an amount the Township is allowed to put into the manhole; for the time frame mentioned earlier, Flushing Township was in excess of the amount; some townships have a lot more waste water than Flushing Township does; the County is concerned about

the Townships doing something to correct the problem (waste water). By State Law, all the pipes had to be inspected and manholes checked which was a five (5) year problem and was finished in 2010; the township was also obligated to video the lines.

- b. McKinley Road Repair: Before August 2012, McKinley Road, which is a major road, will be chip and sealed between Mt. Morris Road and Frances Road and will be taken care of by the Road Commission.
- c. Repair of Culvert on McKinley Road: McKinley Road will be closed between Mt. Morris Road and Stanley Road for the repair of a culvert. Date to be determined at a later date.

THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, JUNE 14, 2012 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

ADJOURNMENT: PURKEY MOVED, seconded by Morford to adjourn the Board Meeting at 8:45 p.m.

JULIA A. MORFORD, Clerk

TERRY A. PECK , Supervisor

APPROVED DATE: _____