

# CHARTER TOWNSHIP OF FLUSHING

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

DATE: SEPTEMBER 11, 2014

TIME: 7:00 P.M.

PHONE: 810-659-0800

FAX 810-659-4212

WEB PAGE: <http://flushingtowship.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, Bonnie Jean Martinson, Scott R. Matzke, Scott P. Minaudo, and Attorney Steve Moulton

**MEMBERS ABSENT:** None

**OTHER INDIVIDUALS PRESENT:** Eighteen (18) other interested individuals

**ADOPT THE AGENDA FOR SEPTEMBER 11, 2014: MORFORD MOVED**, seconded by Gage, to adopt the Agenda as presented.

**MARTINSON MOVED**, seconded by Birchmeier, to approve the Agenda except for the change on Page 2 of "Public Comments" before "Board Comments."

## ACTION OF THE MOTION

### ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

**BIRCHMEIER MOVED**, seconded by Minaudo, to amend the Agenda to include the “Presentation by Plante Moran” to be first before “Unfinished Business.”

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**MINAUDO MOVED**, seconded by Matzke, to approve the Agenda with all the changes.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

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**THERE WAS A MOMENT OF SILENCE  
FOR THE INDIVIDUALS THAT LOST THEIR LIVES  
IN THE 9-11-2001 TRAGEDY**

\* \* \* \* \*

**APPROVAL OF PROPOSED MINUTES:**

- a. **August 14, 2014: MATZKE MOVED**, seconded by Birchmeier, to approve the Minutes from August 14, 2014 as presented.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

- b. **August 26, 2014: MATZKE MOVED**, seconded by Birchmeier, to approve the Minutes from August 26, 2014 as presented.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Morford, Birchmeier, Matzke, Martinson, Gage, and Lee

NAYS: Minaudo

MOTION CARRIED.

**APPROVAL OF PAYMENT OF BILLS: MATZKE MOVED**, seconded by Morford, to approve the payment of the bills as presented.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**III. 7:10 P.M. – OPEN FOR PUBLIC COMMENTS**

None

**7:11 P.M. – CLOSED FOR PUBLIC COMMENTS**

**IV. Presentation by Plante Moran – Auditors**

A Presentation was given by Plante Moran Auditors Crystal Simpson and Tadd Harburn on the “ Fiscal Year Budget” for the Charter Township of Flushing. (For more information check out the web site at [www.flushingtownship.com](http://www.flushingtownship.com) or contact the Clerk’s Office at 810-659-0800).

**V. UNFINISHED BUSINESS:**

**1-a. Burn Permit**

**MORFORD MOVED**, seconded by Matzke, to approve the one (1) year time frame and go with the recommendations of the Fire Chief.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**VI. NEW BUSINESS:**

**1-A. *TREASURER LEE READ THE CHARTER TOWNSHIP OF FLUSHING RESOLUTION REGARDING: MILLAGE LEVY (TRUTH IN TAXATION) FOR 2015 FISCAL YEAR.***

The Charter Township of Flushing will hold a public hearing to return its general fund operating levy to .5000 mill from .4942 mill, the rate rolled back by Genesee County Equalization. The difference is .0058 mills or 1.16% and returns our authorized mill to .5000 mill. The township is authorized to levy 1.0400 mills.

The township proposes to levy 3.4114 mills on the authorized 3.4114 mills approved for police operations. The present rate of 3.3721 mills, as rolled back by Genesee County Equalization, if returned to 3.4114 mills will represent a change of 1.15% or .0393 mills.

The truth in taxation hearing will be held at the regular township board meeting on September 11, 2014 at 7:00 PM to be held at the Flushing Township Hall, located at 6524 N. Seymour Rd.

**7:50 P.M. – OPEN - PUBLIC HEARING**

1. **Jean Shingledecker, Johnson Road, Flushing MI** – “the property taxable value is actually the State Equalized Value (SEV), correct? PER ATTORNEY STEVE MOULTON: Not in all cases. Personal residence is taxed on taxable value. The taxable value increment is capped at five (5%) percent per year; the State Equalized Value is not capped. If you own your home during a period of time when the valuations are increasing rapidly, your taxable value will go up much slower than the SEV. When you go to sell your house, you will sell it paying taxes, for example \$1,500 a year, the sale of the home will result in the uncapping which will kick the taxable value up to the current SEV and the new owner could be paying taxes that could be significantly more than what the original owner was paying as a result of the uncapping.

**8:10 P.M. – CLOSED FOR PUBLIC HEARING**

**LEE MOVED**, seconded by Morford to approve the Resolution as read to override the Headley Roll Back.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: Martinson and Birchmeier

MOTION CARRIED.

**1-B. Approval of Seed Collection by William Schneider**

**BIRCHMEIER MOVED**, seconded by Lee, to approve the seed collection by Bill Schneider from Wildtype Design and Native Plants and Seeds in the Flushing Township Nature Park.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**1-C. Road Improvement Plan for Local Road System 2015-2017**

**BIRCHMEIER MOVED**, seconded by Martinson, to approve the Road Improvement Plan for Flushing Township for the Local Road System 2015-2017 as presented.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Birchmeier, Minaudo, Matzke, Martinson, Gage, Lee, and Morford  
NAYS: 0  
MOTION CARRIED.

**1-D. Notice of Rates to be changed for Water Supply for all Bills Rendered on and after October 2, 2014**

**BIRCHMEIER MOVED**, seconded by Morford, to approve the water consumption and readiness to serve fee increase pass through that is effective July 2014 consumption and October 2014 billing cycle. Water consumption will increase an additional .51 cents per 100 cubic feet with the new cost being \$4.88 per 100 cubic feet. Readiness to serve fees are based on meter size. The following is the increased amounts for a bi-monthly billing cycle for each specific meter size.

- 5/8-\$37.88 increase of \$.82
- 1-\$95.44 increase of \$2.04
- 1.5-\$182.90 increase of \$4.10
- 2-\$291.04 increase of \$6.54
- 3-\$619.70 increase of \$87.30
- 4-\$908.50 increase of \$20.50
- 6-\$1,817.00 increase of \$41.00

Lawn meters will also have an increase on the bi-monthly billing cycle based on meter size:

- 5/8-\$37.88 increase of \$.82
- 1 or larger - \$45.00 increase of \$1.22

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Matzke, Martinson, Lee, Morford, and Minaudo  
NAYS: Gage and Birchmeier  
MOTION CARRIED.

**1-E. Appreciation Plaques**

**LEE MOVED**, seconded by Morford, to get 2-36 plate plaques and 1-24 plate plaque for a total of \$615 plus the additional monies to do the engraving.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Gage, Lee, Morford, Minaudo, and Matzke  
NAYS: Martinson and Birchmeier  
MOTION CARRIED.

**1-F. Part Time Police Officers**

**BIRCHMEIER MOVED**, seconded by Lee, to authorize Chief Fairchild to establish two (2) new part-time police officer positions – one (1) to be filled immediately and the second (2<sup>nd</sup>) to be filled as the need arises.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**1-G. MTA Workshops:**

i. “Perfectly Legal: Disclosure and Lawul Expenditures”

**BIRCHMEIER MOVED**, seconded by Martinson, to approve anyone from the Board can attend the class “Perfectly Legal: Disclosure and Lawful Expenditures” for \$99. If an individual signs up but doesn’t attend or if an individual leaves early, the individual has to repay the Township at a cost of \$99.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

ii. “Financial Management”

**MORFORD MOVED**, seconded by Birchmeier, to approve anyone on the Board that would like to attend the “Financial Management” Class on October 27, and October 28, 2014 or for a one (1) day class, in Lansing MI be allowed to do so; the two (2) day class would be \$250 or the one (1) day class is \$125.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

iii. “2015 MTA Educational Conference & Expo” Housing Reservations

**MORFORD MOVED**, seconded by Birchmeier, to approve anyone that would like to attend the “2015 MTA Educational Conference & Expo” be allowed to stay at the Amway Grand for the three nights (January 28, 29, and 30, 2014) at a cost of \$160 per night which includes the occupancy tax.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**1-H. Building/Grounds/Bid Committee**

i. Cell Phone for Maintenance Person

**LEE MOVED**, seconded by Matzke, that the Township fund a phone for the maintenance person.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Morford, Lee, Gage, and Matzke

NAYS: Minaudo, Birchmeier, and Martinson

MOTION CARRIED.

ii. Use of Township Truck for Supervisor

**LEE MOVED**, seconded by Matzke, that the Township truck be available for the Maintenance Person and the Assessor while they are doing work for the Township. I further move that the Supervisor continue to be paid for mileage by the Township for him to use his own vehicle when going to meetings.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Gage, Lee, Morford, and Matzke

NAYS: Martinson, Birchmeier, and Minaudo

MOTION CARRIED.

iii. Web Site Issues

**LEE MOVED**, seconded by Morford, to continue having Gordon Yurk do the video taping of the meetings until the Building/Grounds/Bid Committee can continue working with MuniWeb and will come back to the Board with ideas on cost cutting and where we go from here which will be a report where a decision will be made.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Morford, Lee, Gage, and Matzke

NAYS: Birchmeier, Martinson, and Minaudo

MOTION CARRIED.

iv. Refrigerator for the Kitchen

**LEE MOVED**, seconded by Gage, that the Township be authorized to buy a refrigerator for the kitchen for no more than \$1,000.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Matzke, Gage, Lee, and Morford

NAYS: Minaudo, Martinson, and Birchmeier

MOTION CARRIED.

**1-I. Closed Session – Update on Pending Lawsuits Regarding Open Meetings Act and the Freedom of Information Act**

9:05 P.M. – Adjourned to go into Closed Session

**MINAUDO MOVED**, seconded by Lee, that the Board meet in Closed Session to consult with the Attorney regarding the Pending Litigation; such a meeting will be authorized pursuant to MCL 152.68(e) of the Open Meetings Act.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

9:22 P.M. – Reconvened to Regular Session

**MINAUDO MOVED**, seconded by Birchmeier, to reconvene to Regular Session.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**VI. REPORTS WERE GIVEN BY:**

1. Flushing Township Police Department - Chief Brian Fairchild
2. Flushing Fire Department Report from Chief Michaels – Supervisor Birchmeier
3. Flushing Township Park and Recreation Committee – Treasurer Lee
4. Flushing Area Senior Center – Clerk Morford
5. Financial Report – Treasurer Lee - Reviewed and Accepted.

**VII. COMMITTEE REPORTS:**

1. Roads, Bridges, and Ditches – Supervisor Birchmeier
2. Sewer and Water – Supervisor Birchmeier
3. Township Emergency Manager – Supervisor Birchmeier

**VIII. PUBLIC COMMENTS:**

**9:35 P.M. - OPEN PUBLIC COMMENTS:**

Two (2) individuals gave their comments.

**9:40 P.M. - CLOSED PUBLIC COMMENTS**

**IX. BOARD COMMENTS:**

Board Comments were given by Trustee Martinson, Clerk Morford, Supervisor Birchmeier, Treasurer Lee, and Trustee Minaudo.



**X. THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, OCTOBER 9, 2014 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.**

**XI. ADJOURNMENT:** Supervisor Birchmeier adjourned the meeting at 10:20 p.m.

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JULIA A. MORFORD, Clerk

\_\_\_\_\_  
RIAN R. BIRCHMEIER, Supervisor

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

09/11/2014 Regular Min