

# CHARTER TOWNSHIP OF FLUSHING

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

DATE: OCTOBER 9, 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:** Twenty-three (23) other interested individuals

**ADOPT THE AGENDA FOR OCTOBER 9, 2014: MINAUDO MOVED**, seconded by Lee, to adopt the Agenda as presented for October 9, 2014.

**LEE MOVED**, seconded by Birchmeier, that 1) Logan Walther's request for Board approval for his Eagle Scout Project be placed on the Agenda among the first items as he would like to speak about his project. Per the Supervisor, it was suggested to be placed under "Unfinished Business" as the first item; AND 2) add under "New Business" *Closed Session*. Per the Supervisor, place "Closed Session" at the end of "New Business" to discuss pending lawsuit.

## ACTION OF THE MOTION

### ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

**BIRCHMEIER MOVED**, seconded by Martinson, to move letter J under "New Business," *Website Report and Recommendations* underneath "Committee Reports" as number 4.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Birchmeier and Martinson

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

MOTION FAILED.

**BIRCHMEIER MOVED**, seconded by Martinson, to move underneath “Reports” number 3, *Flushing Township Park and Recreation Committee* and number 4, *Flushing Area Senior Center* underneath “Committee Reports” as number 4 and 5.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Martinson and Birchmeier

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

MOTION FAILED.

**BIRCHMEIER MOVED**, seconded by Gage, to include Treasurer Lee as the individual under letter J, *Website Report and Recommendations*, as the speaker under those items.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**MINAUDO MOVED**, seconded by Matzke, to approve the Agenda for October 9, 2014 as presented with all the changes.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: Martinson and Birchmeier

MOTION CARRIED.

**APPROVAL OF PROPOSED MINUTES FOR SEPTEMBER 11, 2014: MATZKE MOVED**, seconded by Lee, to approve the Minutes from September 11, 2014 as presented.

**BIRCHMEIER MOVED**, seconded by Martinson, to amend the motion to include a motion to make change on Page 2: “There was a moment ...in the 9-11-2001 tragety” changed to “There was a moment of silence for the individuals that lost their lives in the 9-11-2001 tragedy”; Page 3: IV. Presentation by Plante Moran – remove “(For more information check out the web site at [www.flushingtowship.com](http://www.flushingtowship.com) or contact the Clerk’s Office at 810-659-0800); Page 3: V. “Unfinished Business,” Correction: 1-a. Burn Permit: the first original motion was “MORFORD MOVED, seconded by Matzke, to approve the one (1) year time frame and go with the recommendations of the Fire Chief”; what was actually said was: “MORFORD MOVED, seconded by Matzke, to approve the current permit and go with the one (1) year time frame.” A Roll Call never happened with this item because the issue was amended by the Clerk; she moved and seconded by Minaudo to keep the one (1) year time frame and include the Fire Chief’s words in red in the current permit and it passed unanimously; that was the last motion. Also to be

included in this motion, a *Resolution* be attached to VI. “New Business”, 1-A. Page 6: after the last Roll Call, the Supervisor did ask for it to be on record, that the Supervisor stated “that he would not be following the policy. If the truck is available, and he needs to use it to go to a Township Meeting or for Township Business, I will do so to save the Township money.” Also to be included in the motion, *XI*, the meeting adjournment time was not 10:20 p.m.; it was 9:52 p.m.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Minaudo and Birchmeier

NAYS: Matzke, Martinson, Gage, Lee, and Morford

MOTION FAILED.

**ORIGINAL MOTION: MATZKE MOVED**, seconded by Lee, to approve the Proposed Minutes from September 11, 2014 as presented.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: Martinson and Birchmeier

MOTION CARRIED.

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

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: Birchmeier

MOTION CARRIED.

**III. 7:25 P.M. – OPEN FOR PUBLIC COMMENTS**

Three (3) individuals gave their comments.

**7:35 P.M. – CLOSED FOR PUBLIC COMMENTS**

**IV. UNFINISHED BUSINESS:**

**1-a. Sponsorship of Logan Walther for Eagle Scout Project**

**MINAUDO MOVED**, seconded by Birchmeier, to sponsor Logan Walther for his Eagle Scout project of building Bat Houses for the Flushing Township Nature Park.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**1-b. Policy and Procedures Manual**

**LEE MOVED**, seconded by Matzke, to refer these policies for a review to a Committee consisting of Clerk Morford, Trustee Gage, and Trustee Matzke to insure these policies reflect prior Board action and report the approved policies for action at a future Board Meeting.

**MOTION TO END DISCUSSION:**

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: Birchmeier

MOTION CARRIED.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Gage, Lee, Matzke, and Morford

NAYS: Minaudo, Birchmeier, and Martinson

MOTION CARRIED.

**V. NEW BUSINESS:**

**1-A. Fiscal Quarterly Budget**

**LEE MOVED**, seconded by Morford, to approve the Fiscal Quarterly 2014/15 Budget as presented.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Gage, Lee, Matzke, and Morford

NAYS: Martinson, Birchmeier, and Minaudo

MOTION CARRIED.

**1-B. Approval of Budget Policy and Time Table**

**LEE MOVED**, seconded by Morford, to approve the *Timetable* and *Activities* for developing the 2015/16 budget as presented.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: Birchmeier and Martinson

MOTION CARRIED.

**1-C. Authorization for Change in Standard Lighting Contract**

**MORFORD MOVED**, seconded by Minaudo, to approve the *Authorization for Change in Standard Lighting Contract* with Consumers Energy, for the replacement and conversion of

street lights for 1) Elms Road/Flushing Road, 2) 10515 W. Mt. Morris Road, and 3) 5307 Applewood Drive.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**1-D. Adoption of the Genesee County Hazard Mitigation Plan Update**

**MORFORD MOVED**, seconded by Matzke, to approve the Resolution for the *Adoption of the Genesee County Hazard Mitigation Plan Update* per the Genesee County Planning Commission.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**1-E. Flushing Area Recreation Five Year Master Plan**

**LEE MOVED**, seconded by *Minaudo*, to approve Flushing Township Board and Flushing Township Park and Recreation Advisory Committee to participate in the updating of the Flushing Area Recreation Five Year Master Plan and to approve the expenditure of \$2,700 for the Township’s one-third share of the cost for contracting with Rowe Professional Services Company to assist in the development of the plan.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: Martinson

MOTION CARRIED.

**1-F. Park Regulations**

**LEE MOVED**, seconded by Minaudo, to approve the “Park Regulations” taken from the Flushing Township Park Ordinance to appear in the park’s kiosk, the Township Hall and posted on the website.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**1-G. Fire Ordinance**

A Report was given by Chief Brian Fairchild regarding updating the ordinance for burning permits. Chief Fairchild and Attorney Steve Moulton will review the ordinance and bring an updated version back to the Township Board for review.

**1-H. Policies and Procedures Manual**

**MARTINSON MOVED**, seconded by Birchmeier, to have Trustees Matzke and Gage responsible for keeping the “Policy and Procedures Manual” current until our terms expires in 2016 and to provide Rowe Engineering, *Plante & Moran PLLC*, and Genesee County with a copy of the current manuals.

**GAGE MOVED**, seconded by Lee, to amend the motion to state each Board Member shall be assigned the responsibility of maintaining their own “Policies and Procedure Manual;” the Clerk shall assist by distributing the Boards’ new and revised policies to the members. Attorney Moulton stated he would keep his policy book updated both digital and print copy and will show revisions by date of occurrence and there will not be any additional charges for his maintenance of the Policy Manual.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Gage, Lee, Matzke, Minaudo, Morford

NAYS: Martinson and Birchmeier

MOTION CARRIED.

**1-I. Water Fund Reimbursement**

**MARTINSON MOVED**, seconded by Birchmeier, to accept the adjusted amount from Chart 2, under “line item” Supervisor Rian Birchmeier, to be paid from the Water Fund to the General Fund for the administration of the Water Fund at a reduced amount of \$130,000.

**ACTION OF THE MOTION**

**ROLL CALL VOTE**

AYES: Birchmeier, Minaudo, and Martinson

NAYS: Morford, Matzke, Gage, and Lee

MOTION *FAILED*.

**1-J. Website Report and Recommendations**

**LEE MOVED**, *seconded* by Morford, that Flushing Charter Township continue with Municipal Web Services and enter into a contract with *Visual Reflection Video* to video tape Flushing Township Board Meetings for the cost of \$9,720 for twelve (12) 2 ½ hour meetings. This agreement will continue on condition that the Board is successful in altering the length of the board meetings. The Board will review the web site cost after three (3) months of proposed new conditions.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: Birchmeier and Martinson

MOTION CARRIED.

**LEE MOVED, seconded** by Gage, to adopt the following meeting administration policies to increase productivity and efficiency of meetings: 1) Consent agenda; 2) Agenda/New Business items shall state actions sought; 3) Board Members be prepared; 4) "Public Comment" time limited to three (3) minutes each; 5) adhere to "Rules of Debate."

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Matzke, Gage, Lee and Morford

NAYES: Minaudo, Martinson and Birchmeier

MOTION CARRIED.

**LEE MOVED, seconded** by Matzke, to appoint a new Website Committee composed of up to four (4) citizens which may meet as needed.

**MOTION TO END DISCUSSION:**

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

AYES: Matzke, Gage, Lee, and Morford

NAYES: Martinson, Birchmeier, and Minaudo

MOTION CARRIED.

**MINAUDO MOVED, seconded** by Birchmeier, to postpone the issue until more information is available.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYES: 0

MOTION CARRIED.

**1-K. Closed Session**

**9:20 P.M. –ADJOURNED TO CLOSED SESSION:**

**MINAUDO MOVED, seconded** by Birchmeier, to meet in Closed Session pursuant to MCL 15.268(e) to discuss the strategy of the pending lawsuit.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**9:45 P.M. – RECONVENED TO REGULAR SESSION:**

**MINAUDO MOVED**, seconded by Birchmeier, to bring the Board back to order.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: 0

MOTION CARRIED.

**LEE MOVED**, seconded by Morford, to grant to Attorney Steve Moulton the authority, as the Township Attorney, to contact Attorney Kim Higgs and to indicate that the Township will accept the settlement offer that was proposed by Mr. Higgs on behalf of Joseph Wisniewski.

**ACTION OF THE MOTION**

**ROLL CALL VOTE:**

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

NAYS: Martinson and Birchmeier

MOTION CARRIED.

**VI. REPORTS GIVEN:**

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 GIVEN:**

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

**VIII. PUBLIC COMMENTS:**

**9:50 P.M. - OPEN FOR PUBLIC COMMENTS:**

Two (2) individuals gave their comments.

**10:00 P.M. - CLOSED FOR PUBLIC COMMENTS**

**IX. BOARD COMMENTS:**

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

**X. THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, NOVEMBER 13, 2014 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.**

**XI. ADJOURNMENT:** Supervisor Birchmeier adjourned the meeting at 10:22 p.m.



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JULIA A. MORFORD, Clerk

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RIAN R. BIRCHMEIER, Supervisor

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

10/09/2014 Regular Min

***PLEASE NOTE: THE CORRECTIONS FROM BONNIE ARE IN BOLD ITALIC.***