

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

SPECIAL BOARD OF TRUSTEES MINUTES

DATE: DECEMBER 17, 2013

TIME: 6:30 P.M.

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WEB PAGE: <http://www.flushingtowship.com>

ADMINISTRATION MEMBERS

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

MEETING CALLED TO ORDER at 6:32 p.m. by **CLERK JULIA A. MORFORD** with Roll Call and the Pledge of Allegiance to the American Flag.

ROLL CALL: Julia A. Morford, Maryion T. Lee, Bonnie Jean Martinson, Scott R. Matzke, and Attorney Steve Moulton

MEMBERS ABSENT: Rian R. Birchmeier, Shirley D. Gage, and Scott P. Minaudo

OTHER INDIVIDUALS PRESENT: Four (4) other individuals

ADOPT THE AGENDA: MATZKE MOVED, seconded by Lee to adopt the Agenda as presented.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson, Lee, and Morford

NAYS: 0

ABSENT: Birchmeier, Gage, and Minaudo

MOTION CARRIED.

6:34 P.M. – OPEN FOR PUBLIC COMMENTS FOR NON-AGENDA ITEMS

None

6:35 P.M. - CLOSED FOR PUBLIC COMMENTS FOR NON AGENDA ITEMS

UNFINISHED BUSINESS:

1-a. Payment of Bills

LEE MOVED, seconded by Matzke to approve paying the bills as presented.

DISCUSSION:

The bills to be paid were to Bert Eastman for tree /brush removal and Roe Enterprise for the installation of gutters on the Flushing Township Hall.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Matzke, Martinson, Lee, and Morford

NAYS: 0

ABSENT: Birchmeier, Gage, and Minaudo

MOTION CARRIED.

1-b. Personnel Director

MATZKE MOVED, seconded by Morford to have Treasurer Lee be the Personnel Director of the Personnel Committee.

DISCUSSION:

Per Attorney Moulton, there were two (2) issues involved in the motion (from the Board Meeting of December 12, 2013): 1) with the resignation of the Supervisor from the Personnel Committee, it was felt that rather than have the Committee determine who would be the Chairperson, that the Board, as a whole, should determine who the Chairperson should be so the motion was made to designate the Treasurer as Chairperson of the Personnel Committee.

The Township's existing policy states the Supervisor is the Personnel Director which is a decision separate and apart from being Chairperson on the Personnel Committee, though in most cases the same person occupies both positions. Because it would be much more effective for the Personnel Director be a participant in the Personnel Committee, and with the Supervisor's resignation from that Committee, it was thought it might be best to appoint someone else to the position of Personnel Director separate and apart from the position of Chairperson of the Personnel Committee. Was it the Board's intent that the Treasurer serve both as the Chairperson of the Personnel Committee and as the Personnel Director? If so, then at the current meeting there needed to be two (2) separate motions to that effect. (A motion was made at the December 12, 2013 Board Meeting for the appointment of the Treasurer to be the Chairperson.) The only thing currently needed is for the appointment of the Treasurer as Personnel Director.

All rolls that the Supervisor have, other than Statutory, are done at Board direction. Part of the directions have come through the Personnel Committee and the other Administrative Committee. There has to be communication with the Board and the Supervisor. When the Board can't get answers to questions, and when policies were passed that were ignored or opposite directions were taken, there needed to be people in place that would carry out board policies and directions. Per Attorney Moulton, by statute the Township could designate another board member as Personnel Director or the Township could hire someone to serve in that administrative capacity; the statute specifically provides for that situation. In the *Policy and Procedures Manual* under "Personnel Administration" the first paragraph states:

Designation of Personnel Officer

"To provide for efficient and uniform administration of personnel matters, the township board appoints the supervisor as the township personnel officer."

MATZKE MOVED, second by Morford for Treasurer Lee to be the Personnel Director of the Personnel Committee.

DISCUSSION:

If the *Policy and Procedures Manual* stated that the Supervisor is the Personnel Director, how could the Board appoint someone else without first changing the Policy. Attorney Moulton stated the Policy made it clear that it is the authority of the Board to make the Personnel Officer the same as Personnel Director. The Policy doesn't have to be changed but it would be better if it was changed to indicate specifically that the Township's Personnel Director and Personnel Officer serve at the discretion of the Board. The Policy could be changed at any time. If the Board felt the Policy needed to be amended it could be done in two (2) steps: someone could make a motion to amend the existing policy that designated the Supervisor as Township Personnel Officer to provide that the Township Treasurer shall serve as Personnel Officer, but the decision was within the discretion of the Board. The Policy should be reworded so that the Personnel Director shall be elected by the Board as determined from time to time because there may be situations in the future when the Board would want the Supervisor to be the Personnel Director. Everyone has brought different skills to the table.

The day to day operation of the township required a Personnel Director and that individual should also be serving on the Personnel Committee, which would be part of the continuity such as with Teamsters Contracts with regards to the process of

agreements. For the efficient administration of the Township’s business, especially employee relationships, someone on the Committee should be designated to be Personnel Director. The Treasurer is at the office full time and would be the logical choice.

Trustee Martinson felt the Supervisor should rescind his Memo about not being on the three (3) committees. The Supervisor should step forward and take his responsibilities back for those committees and therefore be on the committees. The issue could be reconciled and he could be the Personnel Director because when people voted in November, those were his responsibilities and that is what people are looking as the Supervisor being capable and willing to do. Per Attorney Moulton, the policy can be changed at a later date, if in fact, the individual should come forward and state that he was a little premature as to unilaterally withdrawing not only from the Personnel Committee but the Bids/Ground Committee and the Grievance/Negotiating Committee which are all key committees; however, not sure what motivated the Supervisor to resign but until he steps forward to resume the responsibilities, the Township business has to go forward to fill the gap. If circumstances change down the road, the Board could control what goes from there. Board Members could only work with what they have in front of them.

GAGE arrived for the meeting prior to the motion and was brought up to date by Attorney Moulton.

MATZKE MOVED, seconded by Morford to withdraw the motion. **MOTION CARRIED.**

LEE MOVED, seconded by Gage to amend the *Policy and Procedures Manual*.

DISCUSSION:

Could an issue be added to the Agenda for a Special Board Meeting when all of the Board is not present? The Board has complete authority over the policies. The policies are enacted for the Board to conduct its business and administer the township.

LEE WITHDREW HER MOTION.

GAGE MOVED, seconded by Matzke to appoint a Personnel Director and would like to appoint Maryion Lee, Treasurer.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Gage, Lee, Morford, and Matzke

NAYS: Martinson

ABSENT: Birchmeier and Minaudo

MOTION CARRIED.

1-c. Part-Time Maintenance Person

LEE MOVED, seconded by Gage to recommend the Board hire Mr. Norman Goddard as the part-time maintenance person.

DISCUSSION:

The third (3) applicant for the part-time maintenance person remained in the hospital and could not make the interview appointment; but would like to be considered in the future. Mr. Goddard received great recommendations.

Trustee Martinson stated that even though Mr. Goddard was recommended, would have liked to have seen Mr. Joe Martin, Flushing MI, do the maintenance on the building and the Nature Park then have a professional such as C.B. Lawn Care or one of the other companies that turned in snow removal bids do the snow plowing. Currently, Mr. Goddard is the only person doing everything, Martinson will vote “yes” with caution.

Trustee Gage wasn’t in on the interviews but trusts the fair judgment of the Personnel Committee.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

ABSENT: Birchmeier and Minaudo

MOTION CARRIED.

BOARD COMMENTS:

1. **MARTINSON:** would like to get together as soon as possible with Attorney Moulton on the issue talked about at the last meeting; Martinson has been in contact with Jane O’Dell and it was suggested Jane get in touch with the three (3) Administrative Members of the Board and arrange a Mediation with them first because the cost would only be \$225 instead of \$525 for the full board, and the Attorney and Videographer wouldn’t need to be in attendance. If it didn’t work out with the three (3) board members, then could go to the next step with all seven (7) board members at another time. Martinson thanked everyone for giving up their time at this very busy time of the year because it gives the board encouragement. It would be bad if no one attended the board meetings. Merry Christmas and hopefully everyone will spend time with family and friends just to enjoy the season of the year!
2. **MATZKE:** Merry Christmas to Everyone!
3. **MORFORD:** Merry Christmas and Happy New Year – hope next year will be better than this year.
4. **ATTORNEY MOULTON:** Wished everyone well!
5. **LEE:** looks like it is going to be a huge snowfall year; probably the Township needs to have at least one (1) snow removal company contracted so the Township has someone to fall back on; it could be very difficult for one (1) person to constantly do all the snow removal. It will be exciting to have someone to call on and say they would like to have something done such as removing furniture, etc. Wished everyone a good year and will continue working with everyone and seeing everyone at the meetings; looking forward to suggestions; Happy Holidays!
6. **GAGE:** apologized for being late – didn’t realize the meeting was at 6:30 p.m; have a Very Blessed Christmas and a Happy New Year! Thanks for coming to the meeting tonight.

7:20 P.M. OPEN FOR PUBLIC COMMENTS

Four (4) individuals gave their comments.

7:23 P.M. - CLOSED FOR PUBLIC COMMENTS

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

ADJOURNMENT: Due to lack of business issues, **CLERK MORFORD** adjourned the meeting at 7:24 p.m.

JULIA A. MORFORD, Clerk

RIAN R. BIRCHMEIER, Supervisor
The Supervisor was absent.

APPROVED DATE: _____
12/17/2013 SPEC Regular Min