

DRAFT
CHARTER TOWNSHIP OF FLUSHING

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

DATE: OCTOBER 8, 2015

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, Scott Matzke, Bonnie Jean Martinson, Scott P. Minaudo, and Attorney Steve Moulton
MEMBERS ABSENT: None

OTHER INDIVIDUALS PRESENT: Fifteen (15) other individuals present

ADOPTION OF THE AGENDA FOR OCTOBER 8, 2015:

TRUSTEE GAGE MOVED, supported by Trustee Minaudo, to adopt the agenda as presented.

TREASURER LEE MOVED, supported by Trustee Minaudo, to add to the agenda under New Business, Item I. a Resolution directing the Compensation Commission to meet in October and November, in time to make compensation recommendations for consideration by the Board at its December 10, 2015 Meeting.

ACTION ON THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson, to have approval of minutes and payment of bills moved to New Business as items J. and K.

SUPERVISOR BIRCHMEIER FURTHER MOVED, supported by Trustee Martinson, to have Trustee Gage give a report from the Planning Commission.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Birchmeier

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

MOTION FAILED

TRUSTEE GAGE MOVED, supported by Trustee Matzke, to remove Items A and B under Unfinished Business as these Items were not previously discussed at a Board Meeting.

TRUSTEE MARTINSON MOVED TO AMEND THE MOTION, supported by Supervisor Birchmeier, to move under New Business, Discussion on the Fiscal Quarterly Budget for June 2015 to Item L. and Discussion on the Agreement between Teamsters Local 214 and the Charter Township of Flushing regarding re-opening Agreement to Item M.

Treasurer Lee stated it was vague as to what action was being requested.

TRUSTEE MARTINSON REVISED THE AMENDMENT TO THE MOTION, supported by Supervisor Birchmeier, to revise or amend the Fiscal Quarterly Budget for June 2015.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Martinson, Birchmeier and Minaudo

NAYS: Gage, Lee, Matzke and Morford

MOTION FAILED

TRUSTEE MINAUDO MOVED, supported by Treasurer Lee, to adopt the agenda as amended.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Gage, Lee, Matzke, Minaudo and Morford

NAYS: Martinson and Birchmeier

MOTION CARRIED

TREASURER LEE MOVED, supported by Trustee Gage, to allow the Boy Scout in attendance to be the first speaker under public comments and to include under Reports, the Superintendent's Report as number 5. Trustee Martinson pointed out it would be number 6.

III. PUBLIC COMMENTS

7:25 P.M. OPEN FOR PUBLIC COMMENTS

One Individual gave comments

7:30 P.M. CLOSED FOR PUBLIC COMMENTS

IV. There were no items for Unfinished Business

V. NEW BUSINESS

1. The following items may be the subject and possible action of the Board:

A. Motion to approve the Timeline for the Budget Adoption for Fiscal Year 2016/2017

TREASURER LEE MOVED, supported by Trustee Gage, to approve the Timeline for the Budget Adoption for Fiscal Year 2016/2017 as follows:

Oct. 8 Board Meeting – Announce beginning budget process. Township officers and employees shall submit to the township Treasurer an itemized estimate for the next fiscal year of the anticipated expenditures of the township for township activities under his or her charge by Oct. 29.

Oct.29 Itemized estimates due to Treasurer

Dec.10 Board Meeting – The Treasurer shall have prepared a complete itemized Budget proposal for the fiscal year 2016/2017 and shall submit it to the township board.

Jan.14 Board Meeting – Public Hearing on the budget shall be held before its final adoption. Board may approve 2016/2017 Fiscal Budget.

Members of the public may submit their suggestions at any time before the January 14th date.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

B. Motion to approve an Amendment to the Resolution Restricting Supervisor's Authority and to designate Police Chief as Township Emergency Manager – Trustee Matzke

TRUSTEE MATZKE MOVED, supported by Trustee Gage, to approve an Amendment to the Resolution Restricting Supervisor's Authority and to designate Police Chief as Township Emergency Manager.

TRUSTEE MARTINSON MOVED TO AMEND THE MOTION, supported by Supervisor Birchmeier, by removing the last two sentences under number 2 as follows: (In the event the responsibilities of the position of Emergency Manager should increase, the Police Chief and the Township Superintendent shall discuss possible additional compensation for the increased responsibilities. Any additional compensation shall require approval of the Board.)

**ACTION ON THE AMENDED MOTION:
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY**

SUPERVISOR BIRCHMEIER MOVED, supported by Trustee Martinson, eliminate Paragraph Two of Resolution No. 15-25.

TRUSTEE MINAUDO MOVED TO AMEND THE MOTION, supported by Trustee Matzke, to change paragraph two to read as recommended by Attorney Moulton: "WHEREAS, the Supervisor has requested clarification of Resolution No. 15-21, the Board of Trustees believes the resolution Restricting Supervisor's Authority should be amended as stated below:"

**ACTION ON THE AMENDED MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY**

TRUSTEE MINAUDO MOVED, supported by Supervisor Birchmeier, approval of the amended resolution.

**ACTION ON THE MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY**

CHARTER TOWNSHIP OF FLUSHING
GENESEE COUNTY, MICHIGAN

RESOLUTION NO. 15-25

AN AMENDMENT TO THE RESOLUTION RESTRICTING
SUPERVISOR'S AUTHORITY AND TO DESIGNATE POLICE
CHIEF AS TOWNSHIP EMERGENCY MANAGER

WHEREAS, on August 13, 2015, the Board of Trustees of the Charter Township of Flushing adopted a Resolution Restricting Supervisor's Authority; and,

WHEREAS, the Supervisor has requested clarification of Resolution No.15-21 and the Board of Trustees believes the resolution Restricting Supervisor’s Authority should be amended as stated below;

IT IS RESOLVED:

The Resolution Restricting Supervisor’s Authority adopted August 13, 2015, is amended as follows:

- 1. Paragraph 3 of the Resolution is amended, in its entirety, to state:

The Supervisor and the Deputy Supervisor shall not be present at the Township offices from 8 AM-6 PM, Monday-Thursday, and shall only be present as reasonably necessary to conduct the limited duties reserved to the Supervisor under the Michigan Constitution and statutes, including voting on matters presented to the Township Board; chairing the meetings of the Board of Trustees; and, serving as the Township’s designated agent for service of process. Except as expressly amended as stated above, all provisions of the Resolution adopted August 13, 2015, remain in full force and effect.

- 2. The Township’s Police Chief is designated as the Township’s emergency manager and in this capacity shall report to the acting Township superintendent. The Police Chief shall fulfill the obligations of the position of Emergency Manager, without additional compensation.

YES:

NO:

ABSENT:

THE RESOLUTION IS DECLARED _____ ADOPTED _____ NOT ADOPTED

I certify that the foregoing is a true and accurate copy of a Resolution adopted by the Charter Township of Flushing Board of Trustees, Genesee County, Michigan, at its regular meeting held on _____, 2015, at the Charter Township of Flushing Hall, 6524 N. Seymour Road, Flushing, Michigan 48433.

 Maryion Lee
 Flushing Township Treasurer

Dated:

 Julia Morford,
 Flushing Township Clerk

Dated:

- C. Motion to approve the purchase of a Commercial Snow Blower from Flushing Lawn and Tractor for \$1,759.99, a Hitch Mounted Tailgate Spreader from Home Depot for \$899.00 and a Walk Behind Drop Spreader from Home Depot for

\$129.00 and to re-allocate \$3,000.00 from Capital Improvements to Equipment for the Park Department – Treasurer Lee

TREASURER LEE MOVED, supported by Trustee Gage, to approve the purchase of a Commercial Snow Blower from Flushing Lawn and Tractor for \$1,759.99, a Hitch Mounted Tailgate Spreader from Home Depot for \$899.00 and a Walk Behind Drop Spreader from Home Depot for \$129.00 and to re-allocate \$3,000.00 from Capital Improvements to Equipment for the Park Department.

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Morford, Lee, Gage, Matzke and Minaudo

NAYS: Birchmeier and Martinson

MOTION CARRIED

- D. Motion to approve the *Farmland and Open Space Preservation Program Agreement* for William J. and Linda M. Minarik – Clerk Morford

CLERK MORFORD MOVED, supported by Trustee Gage, to approve the *Farmland and Open Space Preservation Program Agreement* for William J. and Linda M. Minarik.

ACTION ON THE MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

- E. Motion to approve a Resolution to designate representatives to attend Governmental Meetings on behalf of Flushing Township

TREASURER LEE MOVED, seconded by Trustee Matzke, to approve a Resolution to designate representatives to attend Governmental Meetings on behalf of Flushing Township.

ACTION ON THE MOTION

ROLL CALL VOTE:

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

NAYS: Martinson and Birchmeier

MOTION CARRIED

CHARTER TOWNSHIP OF FLUSHING
GENESEE COUNTY, MICHIGAN
RESOLUTION NO. 15-26

A RESOLUTION TO DESIGNATE REPRESENTATIVES TO
ATTEND GOVERNMENTAL MEETINGS ON BEHALF FLUSHING
TOWNSHIP

WHEREAS, it is necessary to the efficient administration of the township's business that representatives of the Charter Township of Flushing attend meetings of other governmental entities, including, but not limited to the monthly meetings of the Genesee County Road Commission and the Genesee County Drain Commission Division of Water and Waste;

IT IS HEREBY RESOLVED:

1. The Treasurer is designated as the representative and the Clerk is designated the alternate representative to attend on behalf of Flushing Township the regular and any special meetings of the Genesee County Road Commission. The representative or alternate shall keep the Board informed of any relevant information received from the Genesee County Road Commission.

2. The Clerk is designated as the representative and the Treasurer is designated as the alternate representative to attend on behalf of Flushing Township the regular and any special meetings of the Genesee County Drain Commission Division of Water and Waste. The representative or alternate shall keep the Board informed of any relevant information received from the Genesee County Drain Commission Division of Water and Waste.

3. To the extent the Acting Superintendent deems it advisable for a representative of Flushing Township to attend any meeting of any other governmental entity, including, but not limited to the Genesee County Board of Commissioners, the Acting Superintendent may attend such meeting on behalf of Flushing Township or may designate another elected Township official to attend such meeting.

YES:

NO:

ABSENT:

THE RESOLUTION IS DECLARED _____ ADOPTED _____ NOT ADOPTED

I certify that the foregoing is a true and accurate copy of a Resolution adopted by the Charter Township of Flushing Board of Trustees, Genesee County, Michigan, at its regular meeting held on _____, 2015, at the Charter Township of Flushing Hall, 6524 N. Seymour Road, Flushing, Michigan 48433.

Maryion Lee,
Flushing Township Treasurer

Dated:

Julia Morford,
Flushing Township Clerk

Dated:

F. Motion to extend the current Emterra Contract, at the current price, through 2019.

TREASURER LEE MOVED, seconded by Trustee Minaudo, to extend the current Emterra Contract, at the current price, through 2019.

SUPERVISOR BIRCHMEIER MOVED, seconded by Trustee Martinson, to amend the motion to state that to extend the contract as presented with the clause of thirty (30) day out, and in the meantime, the Contract Negotiating Committee work with the Building Grounds Bids Committee review the other two (2) options with Republic and Waste Management and have them attend the meeting following and have presentations done by each company.

ACTION ON THE AMENDED MOTION

ROLL CALL VOTE:

AYES: Martinson and Birchmeier,

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

MOTION FAILED

ORIGINAL MOTION: TREASURER LEE MOVED, seconded by Trustee Minaudo, to extend the current Emterra Contract, at the current price, through 2019.

ACTION ON THE AMENDED MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED

- G. Motion to approve Tricity Computer Services LLC to: 1) upgrade the exiting ten (10) year old server, 2) install a new back-up system, and 3) add more memory at a cost of \$4,460.

CLERK MORFORD MOVED, seconded by Trustee Gage, to approve Tricity Computer Services, LLC to: 1) replace the existing ten (10) year old server, 2) install a new back-up system, and 3) add more memory at a cost of \$4,460.

ACTION ON THE AMENDED MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier and Martinson

MOTION CARRIED

- H. Motion to approve the registration and housing for the 2016 MTA Conference per the new procedure which has been adopted by MTA.

CLERK MORFORD MOVED, seconded by Gage, to approve the registration and housing for the 2016 MTA Conference per the new procedure which has been adopted by MTA.

ACTION ON THE AMENDED MOTION

ROLL CALL VOTE:

MOTION CARRIED UNANIMOUSLY

I. Motion to approve the Compensation Commission

TREASURER LEE MOVED, seconded by Minaudo, to approve a Resolution to Convene Compensation Commission.

**ACTION ON THE AMENDED MOTION
ROLL CALL VOTE:
MOTION CARRIED UNANIMOUSLY**

CHARTER TOWNSHIP OF FLUSHING
GENESEE COUNTY, MICHIGAN

RESOLUTION NO. 15-27

A RESOLUTION TO CONVENE COMPENSATION COMMISSION

WHEREAS, the Charter Township of Flushing by ordinance adopted pursuant to MCL 42.6a, created a Compensation Commission to consider and make recommendations to the Board of Trustees concerning the compensation of elected officials; and,

WHEREAS, pursuant to the statute and ordinance, the Compensation Commission “shall meet for not more than 15 session days in each odd numbered year and shall make a determination within 45 calendar days of the first meeting...”; and,

WHEREAS, pursuant to the statute, “The township board may implement... by resolution... the date for convening the commission...”; and,

WHEREAS, the township board believes it would be appropriate for the Compensation Commission to convene in this odd-numbered year, 2015, during the months of October-November, in such time to present recommendations concerning elected official’s compensation at the regularly scheduled meeting of the Township Board to be held December 10, 2015;

IT IS HEREBY RESOLVED the Compensation Commission shall convene during the month October, 2015, at such dates and times as determined by the Compensation Commission to hold hearings in conformity with the Open Meetings Act to consider and determine recommendations to be made to the Charter Township of Flushing Board of Trustees concerning elected official’s compensation, with such meetings of the Compensation Commission to be scheduled to timely make recommendations to the Board at its regularly scheduled meeting for December 10, 2015.

YES: 7

NO: 0

ABSENT: 0

THE RESOLUTION IS DECLARED xxx ADOPTED _____ NOT ADOPTED

I certify that the foregoing is a true and accurate copy of a Resolution adopted by the Charter Township of Flushing Board of Trustees, Genesee County, Michigan, at its regular meeting held on 10/08/, 2015, at the Charter Township of Flushing Hall, 6524 N. Seymour Road, Flushing, Michigan 48433.

Maryion Lee,
Flushing Township Treasurer

Dated: 10/08/2015

Julia Morford,
Flushing Township Clerk

Dated: 10/08/2015

J. PROPOSED MINUTES FROM SEPTEMBER 10, 2015:

TRUSTEE MATZKE MOVED, seconded by Supervisor Birchmeier, to approve the proposed minutes from the September 10, 2015 Board of Trustees Meeting as presented.

ACTION ON THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier and Martinson

MOTION CARRIED

K. PAYMENT OF BILLS:

TRUSTEE MATZKE MOVED, supported by Trustee Gage to approve payment of bills as presented.

ACTION ON THE MOTION

ROLL CALL VOTE:

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

NAYS: Martinson

MOTION CARRIED

VI. REPORTS:

1. Supervisor's Report – Supervisor Birchmeier
2. Flushing Township Police Department – Chief Fairchild
3. Flushing Fire Department – Supervisor Birchmeier
4. Genesee County Road Commission – Treasurer Lee
5. Flushing Area Senior Center – Clerk Morford
6. Genesee County Water and Waste – Clerk Morford
7. Superintendent's Report – Superintendent/Treasurer Lee

VII. COMMITTEE REPORTS;

1. Flushing Township Nature Park Advisory Committee – Treasurer Lee

VIII. PUBLIC COMMENTS:

10:16 PM – OPEN FOR PUBLIC COMMENTS

One person gave comment

10:18 PM – CLOSED FOR PUBLIC COMMENTS

IX. BOARD COMMENTS:

Three Board Members gave comments

X. NEXT REGULAR MEETING: THURSDAY, NOVEMBER 12, 2015 at 7:00 P.M.

XI. ADJOURNMENT: Meeting adjourned at 10:26 PM

JOYCE A. WILSON, Deputy Clerk

RIAN R. BIRCHMEIER, Supervisor

APPROVED DATE _____

10/08/2015 Regular Min