

# CHARTER TOWNSHIP OF FLUSHING

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

DATE: SEPTEMBER 9, 2010 TIME: 7:00 P.M.

PHONE: 810-659-0800 FAX 810-659-4212

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 7:00 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, Scott R. Matzke, Scott P. Minaudo, Mark H. Purkey, and Attorney Steve Moulton

**MEMBERS ABSENT:** Gardner

**OTHER INDIVIDUALS PRESENT:** Twenty-eight (28) other individuals

## APPROVAL OF THE AGENDA:

**MINAUDO MOVED**, seconded by Noecker to approve the Agenda with the following additions:

- a. Solid Waste Services
- e. Seasonal Maintenance Personnel for Flushing Township Nature Park
- g. Consideration for Hiring Administrative Secretary for Police Department
- k. Recommendation of Appointment to the Planning Commission
- l. Recommendation of Appointment to the Zoning Board of Appeals
- m. Cemetery Contract

## ACTION OF THE MOTION:

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED.

## APPROVAL OF PREVIOUS MINUTES:

- a. **JULY 29, 2010: PURKEY MOVED**, seconded by Matzke to approve the Minutes of July 29, 2010 as presented.

## DISCUSSION:

The Clerk requested to change Page 3, Board Comments, paragraph 4, **from** "NOECKER – the people that. . . there to help Flushing Township" **to** "NOECKER – there were comments concerning the burning of the branches/limbs; since everyone was busy the day of the burning, PECK's relatives consisting of a U.S. Marine Corp Captain, a Southwest Airline Pilot, and four (4) well behaved young grandsons so graciously manned the fire. On another occasion NOECKER, who was on his way to an appointment, happened to arrive at the scene of an accident where there were five (5) Michigan State Police Cars, three (3) Flushing Township Cars, three (3) City of Flushing

Cars, one (1) Genesee County Paramedic, two (2) ambulances, and two (2) fire trucks on the scene.”

**MORFORD MOVED**, seconded by Purkey to amend the Minutes of July 29, 2010 with the change. MOTION CARRIED.

b. **AUGUST 12, 2010: MINAUDO MOVED**, seconded by Purkey to approve the Minutes of August 12, 2010 as presented.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED.

**NOTE:** Per the Open Meetings Act, the minutes of a meeting have to be prepared and ready for viewing eight (8) days after a meeting. At the next meeting, instead of asking for “Approval to Accept the Minutes” the language will be “if there is anyone that has a motion to amend or change the minutes.” The change will begin with the October Meeting.

**APPROVAL OF PAYMENT OF BILLS:**

**MINAUDO MOVED**, seconded by Matzke to pay the bills as presented.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**1-a Solid Waste Services** – One of the representatives called in to say that he would be late; the Board decided to proceed with the meeting and once the representative arrived, then the Solid Waste Services issue would proceed.

**1-b. Approval of Budget Amendments ending March 31, 2011**

**PURKEY MOVED**, seconded by Matzke to approve the Proposed Amendments ending March 31, 2011.

**DISCUSSION:**

Some of the line items of the budget had amendments. A question was asked as to why the “Printing and Publishing” budget was higher than normal. If the money is not used it will be folded back into the budget.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner MOTION CARRIED.

**1-c. TRUTH IN BUDGETING PUBLIC HEARING**

**7:20 P.M. OPENED FOR PUBLIC HEARING:**

**MINAUDO MOVED**, seconded by Morford to adjourn from the Regular Board Meeting so the Board can meet with regards to the **Truth in Budgeting Public Hearing** for approximately twenty (20) minutes.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner                      MOTION CARRIED.

The Treasurer read the Budgeting Notice which was placed in the Flint Journal:

**TRUTH IN BUDGETING NOTICE  
CHARTER TOWNSHIP OF FLUSHING  
GENESEE COUNTY**

The Charter Township of Flushing Board of Trustees will hold a Public Hearing on the proposed township budget for fiscal year 2011 at the Flushing Township Hall, 6524 N. Seymour Road, Flushing, Michigan 48433 on Thursday, September 9, 2010 at 7:00 p.m. **\*THE PROPERTY TAX MILLAGE RATE PROPOSED TO BE LEVIED TO SUPPORT THE PROPOSED BUDGET WILL BE A SUBJECT OF THIS HEARING.** A copy of the budget and the tax calculations will be available for public inspection at the above location during normal business hours. This notice complies with state statutes MCL 141.412 and MCL 211.24e.

William J. Noecker  
Treasurer

\*This notice shall be printed in 11 point bold face type.

**NOECKER MOVED**, seconded by Minaudo to adopt the General Fund Budget for fiscal year ending March 31, 2012.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner                      MOTION CARRIED.

**MINAUDO MOVED**, seconded by Purkey to return to the Regular Board Meeting.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

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

NAYS: 0

ABSENT: Gardner                      MOTION CARRIED.

**7:30 P.M. - RECONVENED BACK TO REGULAR SESSION**

**CONTINUATION OF 1-a. Solid Waste Services**

Representatives from three (3) solid waste services gave their presentation. Present was 1) Gary Hicks from Republic Waste, 2) Joe Denzek from Waste Management, and 3) Dan Garmen from Richfield Waste . In order to make it fair for all the representatives, a number was given to each representative. Trustee Matzke read the number and Supervisor Peck showed the number to the Clerk for recording the number

for each representatives: No. 1 – Dan Garmen; No. 2 – Gary Hicks; and No. 3 - Joe Denzek. The order of presentation was No. 2, No. 1, and No. 3. After the presentation, the Board had an opportunity to ask questions.

**PURKEY MOVED**, seconded by Minaudo to accept Richfield’s Waste bid for solid waste pick up and management for Flushing Township subject to the parties reaching a mutual accepted contract and incorporating the bid specifications.

**DISCUSSION:**

It was suggested by the township attorney that the motion be to accept the bid subject to the parties reaching a mutual accepted contract and incorporating the bid specifications.

The bid price for the three (3) entities were as follows: 1) Republic Waste = \$418,110.00; 2) Richfield Waste = \$417,150.00; and 3) Waste Management = \$460,020.00.

All three (3) companies are very reputable. Richfield Waste Services will provide on a weekly basis: recycling, yard waste pickup, and large equipment and building supplies can be placed by the road on trash pick-up day. Additional free items that will be provided are: free monthly dump passes, extra dumpsters for the community, and leaf pickup to the subdivisions, as in the past.

The bid proposal contained a clause to where the township, at its sole discretion, would be able to terminate services with Richfield Waste within a sixty (60) day notice.

The waste pick up cost for Flushing Township for 2010 was \$531,060.00.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

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

NAYS: Morford

ABSENT: Gardner

MOTION CARRIED.

**1-d. Resolution to Consider Employee’s Purchase of Service Time**

**RESOLUTION**

The Charter Township of Flushing, member of the Municipal Employees’ Retirement System of Michigan (MERS), by its governing body, the Charter Township of Flushing Board of Trustees (EMPLOYER) hereby RESOLVES:

As provided by the MERS Plan Document, and in accordance with the Employer’s Policy thereunder, the additional credited service described in the attached Application for Additional Credited Service, signed by Member (EMPLOYEE), Menette Coe, dated August 27, 2010, is hereby granted this member.

This Resolution was considered and approved by the Charter Township of Flushing Board of Trustees, at its duly scheduled meeting held on September 9, 2010. In approving this Resolution, Employer understands that the calculation of service purchase cost is based on actuarial assumptions. Actual future events and experience may result in changes different from those assumed, and liability different than that estimated.

Terry A. Peck, Supervisor  
September 9, 2010

**MINAUDO MOVED**, seconded by Purkey to enter into the Resolution as read between Officer Menette Coe, Municipal Employees Retirement System (MERS), and the Charter Township of Flushing.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

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

NAYS: 0

MOTION CARRIED

ABSENT: Gardner

**1-e. AND 1-g WERE DISCUSSED AS ONE ISSUE:**

**1-e. Seasonal Maintenance Personnel for Flushing Township Nature Park**

The supervisor would like to hire two (2) Seasonal employees from now to November 11, 2010 to work at the Flushing Township Nature Park (Nature Park). Per the Teamsters Union Contract, the procedure would be allowed for up to six (6) months upon notification of the Teamsters.

The grant, received from the Genesee Regional Chamber of Commerce, would not allow the students to use power equipment so some of the projects that needed to be done could not be completed.

As long as the procedure met the Policies and Procedures Manual, nothing needed to be done, but if not, then changes needed to be made.

**1-g. Consideration for Hiring Administrative Secretary for Police Department**

Attorney Moulton discussed the *Policies and Procedures Manual* regarding the process to fill the position of Police Secretary. The *Policies and Procedures Manual* (Pages 17 and 18) requires the position be posted and published; the Township Supervisor, as the Personnel Officer, 1) would review the applications for the position; 2) screen and recommends the best candidate to the Personnel Committee for interviews, 3) the Committee selects the best candidate and then 4) presents the applicant to the Board for possible employment. The procedure is governed by the *Policies and Procedures Manual* and is not State Law and could be overridden.

The *Policies and Procedures Manual* makes reference to the Police Chief selecting the Police Officers but not the Police Secretary. The Attorney felt the Police Chief should have input into selecting the Police Secretary.

Currently, a procedure needed to be discussed as to how to fill the position. It was recommended to place the issue in the *Policies and Procedures Manual* so that the Chief and the Supervisor have the authority to hire.

**NOECKER MOVED**, seconded by Morford to accept the three (3) positions as stated. (The positions will be for two (2) seasonal employees at the Flushing Township Nature Park and one Police Secretary).

**DISCUSSION:**

The Police Secretary position will be on a part time basis. The new applicant will be on a three (3) month probationary basis at the pay rate of \$12.00 per hour. At the end of three (3) months, the issue will come back to the Board for final approve to hire on a part time, at will basis (from 8:00 a.m. to 1:00 p.m.) and the pay rate will be set at that time.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

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

NAYS: 0 MOTION CARRIED

ABSENT: Gardner

**1-f. Consideration of Vacant Position on the Parks and Recreation Committee**

There is one remaining *Parks and Recreation Committee* Meeting for 2010. The Supervisor's goal will be to have individuals responsible, on a daily basis, for different areas of the park such as equipment, buildings, flowers/gardens, keeping paths trimmed, etc.

It was discussed who could and could not be on the Committees as there have been several volunteers that would like to be on the *Parks and Recreation Committee* and have been turned down. The Supervisor felt there should not be two (2) close relatives on the same committee. The next *Parks and Recreation Committee* Meeting will be held in October.

Since the 2011 Committee Appointments will be made in December, the Supervisor would like input from the whole board.

**NOECKER MOVED**, seconded by Purkey to postpone any consideration of any vacant position on the *Parks and Recreation Committee* until December.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

AYES: Minaudo, Purkey, Peck and Noecker

NAYS: Matzke and Morford

MOTION CARRIED

ABSENT: Gardner

**1-h. Review of Flushing Township Brush and Campfire Permit for 2010**

Starting October 1, 2010, residents that would like a burn/campfire permit, will have to come to the Township Office and fill out a form and will receive a permit number and the rules and regulations of open buring. The permit will be good for one (1) year.

The project will be on a yearly basis. It was suggested to delete the permit issue. It was determined the issue will be reviewed at the end of the year as to the progress.

**1-i. Consideration of Attendance at the Fall 2010 Michigan Townships Association (MTA) Regional Meeting on October 6, 2010 in Frankenmuth, MI**

**MINAUDO MOVED**, seconded by Noecker that any Board Member who wants to attend the “Fall 2010 Michigan Townships Association Regional Meeting” on October 6, 2010 be allowed to do so, and if you sign up and don’t attend, you will be responsible to repay the township.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

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

NAYS: 0

MOTION CARRIED

ABSENT: Gardner

**1-j. Consideration of Attendance at the January 2011 Michigan Townships Association (MTA) Conference in Grand Rapids, MI**

**PURKEY MOVED**, seconded by Noecker that the township pay for one (1) night at the Convention plus parking.

**DISCUSSION:**

It was mentioned that last year some of the officials shared a room with other officials from other municipals which reduced the cost. On Thursdays at the Conference, there is a full day of classes and it would be late at night when officials would be leaving the Conference. It was discussed that the township would only pay \$100.00 per head for each official that would be attending the Conference.

It was recommended to postpone the issue and when the time came to make the hotel reservations, proceed and the issue would be brought up at the next Board Meeting.

**1-k. Recommendation of Appointment to the Planning Commission**

**NOECKER MOVED**, seconded by Morford to appoint Robert Gensheimer to the vacant position on the Planning Commission left by Eric Swanson and would be for the remainder of the term.

**ACTION VOTE**

ROLL CALL

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

NAYS: 0

ABSENT: Gardner                      MOTION CARRIED

**1-l.    Recommendation of Appointment to the Zoning Board of Appeals**

**NOECKER MOVED**, seconded by Minaudo to appoint Richard Buell to the vacant position on the Zoning Board of Appeals left by Eric Swanson.

**ACTION VOTE**

ROLL CALL

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

NAYS: 0

ABSENT: Gardner                      MOTION CARRIED

**1-m.   Cemetery Contract**

**NOECKER MOVED**, seconded by Purkey to notify the City of Flushing that Flushing Township will not be renewing the Cemetery Maintenance Contract with the City.

**DISCUSSION:**

The cost to maintain the Flushing City Cemetery is a 50/50 project between the City and the Township. In the past the Township and City residents received a discount when they purchase cemetery lots or had a funeral. This year the City changed the rules so everyone will be paying \$700.00 for lots. It was determined there wouldn't be any advantage for the township to help pay for the maintenance since the township residents wouldn't receive a benefit. The township will pay the bill that is currently owed by the township.

**ACTION OF THE MOTION:**

ROLL CALL VOTE

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

NAYS:                                      MOTION CARRIED

ABSENT: Gardner

**COMMITTEE REPORTS:**

None

**REPORTS:**

**1. Treasurer's Report:**

- a. **PURKEY MOVED**, seconded by Minaudo to accept the Treasurer's Report. **MOTION CARRIED.**
- b. The Township sold the house on Frances Road which was received from the Genesee County Land Bank, for \$7,829.00. Due to the foreclosure issue, the township had to go through a Title Company in California to get the matter resolved.
- c. A \$2,500.00 bid was received to remove nine (9) inches of dirt from the two (2) indentations adjacent to the Township Office. The bid was for removal of the dirt and replace with three (3) inches of asphalt so the joints would be professional. It would make room for six (6) additional parking spaces.

**8:50 P.M. – OPEN FOR PUBLIC COMMENTS**

Three (3) people gave their comments.

**9:05 P.M. – CLOSED FOR PUBLIC COMMENTS**

**BOARD COMMENTS:**

1. **NOECKER** felt it would be a better to wait on the vacant appointment to the *Parks and Recreation Committee* since there is one (1) remaining meeting.
2. **MORFORD** gave out the FEMA website so that residents who receive letters from their insurance company regarding flood insurance would be able to read up on the issue.
3. **PECK** 'S comments:
  - a. **School Resource Officer – PECK** and the Police Chief have met with the Superintendent and have come to an agreement that Sergeant Fairchild will be in the school; the school will be paying more than for the Patrol Officer but less than the amount of Sergeant Fairchild’s wages.
  - b. **Contributions** – Accountant Karla Carpenter has sent out letters to the individuals who gave contributions for Police uniforms and side arms. Due to some confusion, if anyone wanted to be reimbursed for their contribution all they have to do is contact Karla Carpenter at Flushing Township.
  - c. **Paving of Carpenter Road** – Genesee County Road Commissioner John Daly and 7<sup>th</sup> District County Commissioner Archie Bailey met with residents that live on Tahquamenon Trail/Chickasaw Trail to discuss Carpenter Road. The estimate received to pave Carpenter Road was between \$700,000.00 and \$1,000,000.00. A recent bid was received back from the Road Commission for \$210,000.00 to pave Carpenter Road from McKinley Road to the River and to replace the curb and gutters as needed. During 2010, monies have been spent on Morrish Road, Johnson Road, and Deland Roads, for paving and gravel.

County Commissioner Archie Bailey will be setting up a meeting to see if there are other resources in order to obtain money to pave Carpenter Road. The meeting will be open to the public with elected officials to include Road Commission Director John Daly, County Commissioner Archie Bailey and Drain Commissioner Jeff Wright.

**THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING IS THURSDAY, OCTOBER 14, 2010 AT 7:00 P.M.**

**ADJOURNMENT: PURKEY MOVED**, seconded by Minaudo to adjourn the meeting at 9:15 p.m.

\_\_\_\_\_  
JULIA A. MORFORD, Clerk

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TERRY A. PECK , Supervisor

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