

CHARTER TOWNSHIP OF FLUSHING

6524 N. SEYMOUR ROAD

FLUSHING, MICHIGAN 48433

BOARD OF TRUSTEES MINUTES

DATE: OCTOBER 10, 2013

TIME: 7:00 P.M.

PHONE: 810-659-0800

FAX 810-659-4212

WEB PAGE:

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 7:00 p.m. by **SUPERVISOR RIAN R. BIRCHMEIER** with Roll Call and the Pledge of Allegiance to the American Flag.

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-one (21) interested individuals

ADOPT THE AGENDA: LEE MOVED, seconded by Morford, to adopt the Agenda for October 10, 2013 as presented.

MORFORD would like to amend the Agenda with the following changes: at 8:15 p.m., there will be a recess where coffee and cookies will be available; the Board will be finished with the meeting at 9:30 p.m; the Board will adjourn to go into Closed Session and then return to Regular Session to finish the meeting.

MARTINSON MOVED, seconded by Minaudo, four (4) different things to change: to postpone until the next meeting the following six (6) items designated under "Unfinished Business" and two (2) items under "New Business". Under "Unfinished Business":

1-a – *Update to Policy and Procedure Manual* including 1-a(i) to 1-a(vi) will be postponed until the next meeting also 1-b that needs to be written in and Under "New Business" 1-f and 1-g.

DISCUSSION:

Discussion was held on the method to approve the minutes and then move forward.

CALL THE VOTE.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Minaudo, Martinson and Birchmeier

NAYS: Matzke, Gage, Lee and Morford

MOTION FAILED.

FURTHER DISCUSSION:

Further discussion as to the specific reason for the postponement of the policies; postponement would shorten length of meeting; policies should come before the Policy Committee; wise decisions cannot be made on the snow removal without all the bids from the four companies; time to take action.

VOTE ON THE ORIGINAL MOTION – POSTPONEMENT. . . .

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Minaudo, Birchmeier and Martinson

NAYS: Morford, Lee, Gage and Matzke

MOTION FAILED.

MARTINSON MOVED, seconded by Minaudo, to amend the Agenda to remove the following three (3) items under “New Business”: 1-c,1-d,1-i ; and 1-l,1-m and 1-n can be removed completely because the concerns have been resolved.

DISCUSSION:

Discussed that 1-i and Closed Session were the same issues; the two (2) issues will be explained in Closed Session by Attorney Moulton; if a Board Member places an item on the agenda, that particular Board Member can also have the item removed.

**ACTION OF THE AMENDED MOTION TO REMOVE ABOVE ITEMS UNDER
“NEW BUSINESS”**

ROLL CALL VOTE:

AYES: Martinson, Birchmeier and Minaudo

NAYS: Gage, Lee, Morford and Matzke

MOTION FAILED.

MARTINSON MOVED, seconded by Birchmeier, to change the following words under “New Business”: 1-j-“Finance Director” to Treasurer or Bookkeeper and 1-k-“Personnel Committee” to Policy Committee. (Per Trustee Minaudo, Personnel Committee should have been Policy Committee.)

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Martinson, Minaudo and Birchmeier

NAYS: Matzke, Morford, Lee and Gage

MOTION FAILED.

MARTINSON MOVED, seconded by Minaudo, to add under “New Business” 1-p-Closed Session, MERC Opinion.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

BIRCHMEIER MOVED, seconded by Minaudo, to remove from “Unfinished Business”, 1-b-Policy and Procedure Manual.

DISCUSSION:

Discussion as to the intent of the issue; Supervisor and Clerk to discuss one-on-one; duplications of agenda items coming from three (3) different Board Members; item 1-b is a duplication of another agenda item.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

BIRCHMEIER MOVED, seconded by Minaudo, to remove under “New Business”, item 1-c Freedom of Information “Appeal” by Larry Birchmeier.

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 remove under “New Business” item 1-d Freedom of Information “Appeal” by Joe Martin.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

BIRCHMEIER MOVED, seconded by Minaudo, to remove item 1-m under “New Business”- Board Packets and Previous Minutes.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

BIRCHMEIER MOVED, seconded by Martinson, to remove under “New Business” item 1-n, Pictures taken from the Gerald Wood Auditorium, during painting of the walls, to be returned and aesthetically replaced in the Auditorium.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Lee

MOTION CARRIED.

BIRCHMEIER MOVED, seconded by Martinson, to remove item 1-l under “New Business”- Suggestions to Clerk for Reporting Meeting Minutes.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

BIRCHMEIER MOVED, seconded by Minaudo, to remove item 1-k under “New Business”- Possible Adjustment or Elimination of Personnel Committee.

DISCUSSION:

Was it the intent to replace Personnel with Policy? Due to a typing error, the language should have been “Policy” not “Personnel”. A prior motion to remove the item from the Agenda was made by Trustee Martinson but failed.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Birchmeier

MOTION CARRIED.

BIRCHMEIER MOVED, seconded by Martinson, to remove item 1-a (i) through (vi) under “Unfinished Business”.

DISCUSSION:

Discussion as to whether the motion was a re-consideration of the motion—needs a 2/3’s vote.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Martinson, Birchmeier and Minaudo

NAYS: Morford, Lee, Gage and Matzke

MOTION FAILED.

BIRCHMEIER MOVED, seconded by Minaudo, to accept the Agenda as presented with all the amendments.

DISCUSSION:

Discussed the confusion of the Agenda items.

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Lee, Gage, Matzke, Birchmeier and Morford

NAYS: Martinson and Minaudo

MOTION CARRIED.

APPROVAL OF PREVIOUS MINUTES: MARTINSON MOVED, seconded by Minaudo, to approve the September 12, 2013 Charter Township of Flushing Board Minutes as presented.

DISCUSSION:

Clerk Morford thanked “Trustee Martinson for being her expertise spell-checker”.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

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

DISCUSSION:

Discussed the cost of copier printing per page and the cost of cell phones per month.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

7:40 P.M. – OPEN FOR PUBLIC COMMENTS FOR NON-AGENDA ITEMS

One (1) individual gave a comment.

7:45 P.M. – CLOSED FOR PUBLIC COMMENTS FOR NON-AGENDA ITEMS

UNFINISHED BUSINESS:

1-a. Update to Policy and Procedure Manual:

- i. Ethics Policy Addendum (MTA) and Ethics Policy for Elected Officials*

MINAUDO MOVED, seconded by Birchmeier, to re-approve the *Ethics Policy for Elected Officials Policy* for which a new Addendum was added to make the Policy read smoother.

DISCUSSION:

Who should the Ethics Policies cover? Per Attorney Moulton “the original policy currently applies to only the Supervisor, Treasurer, Clerk and Trustees”and “no ethics policy identified in table of contents in Personnel portion of manual”; a Michigan Townships Association publication had been used as a resource in re-writing this policy; should the volunteers be given the Addendum?

ACTION OF THE MOTION

ROLL CALL VOTE:

AYES: Birchmeier, Minaudo and Martinson

NAYS: Matzke, Gage, Lee and Morford

MOTION FAILED.

ii. Expenditure Authorization Policy, Expenditure Control, and Emergency Spending Policy

MINAUDO MOVED, seconded by Birchmeier, to accept the policy for the *Expenditure Authorization Policy, Expenditure Control, and Emergency Spending Policy* as presented. Trustee Minaudo stated that the policies are works in progress and are always under the possibility of revision.

DISCUSSION:

Discussed placing caps on the spending for emergency; what is the definition of emergency and how are the funds to be used? Too much information is confusing. Definitions of “emergency” are different with different people; a technical cap does exist. The township credit card can also be used. Has anyone ever exceeded limit of \$500? Supervisor stated he was “not aware of anyone going over that amount.” Policy needs to go back to the Policy Committee for final approval.

MORFORD MOVED, seconded by Birchmeier, to amend the existing *Expenditure Authorization Policy* to change, in the first sentence, the \$500 to \$1,000 and the following sentences where mentioned for “allocations” to \$1,000 for Supervisor, Clerk and Treasurer; the \$1,500 would be reduced to \$1,000.

DISCUSSION:

What is reason for raising the fund amount from \$500 to \$1,000 if limit has never been exceeded? “Yes, limit has been exceeded a few times” (election materials and office supplies) from Clerk.

ACTION OF THE AMENDED MOTION

ROLL CALL VOTE:

AYES: Birchmeier and Morford

NAYS: Lee, Gage, Martinson, Matzke and Minaudo

MOTION FAILED.

ACTION ON THE ORIGINAL MOTION:

ROLL CALL VOTE:

AYES: Martinson, Gage and Minaudo

NAYS: Lee, Morford, Birchmeier and Matzke

MOTION FAILED.

iii. Use of Township Equipment, Labor, Premises, and Attorney

MARTINSON MOVED, seconded by Lee, that “the Township Supervisor, Treasurer and Clerk may contact the Township Attorney as is reasonably necessary to the performance of their duties as elected officials. If a Trustee believes it is appropriate to communicate with the Township Attorney regarding Township business, the Trustee shall first discuss the situation with the Township Supervisor. (The Supervisor may have the answer and contacting the Attorney would not be necessary.) The Police Chief and the Township Police Officers may communicate with the Township Attorney as is reasonably necessary in the performance of their duties.”

DISCUSSION:

At the next Policy Meeting, there will be other considerations for the “*Premises*” section of the policy.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

iv. Board Meeting Administration

MINAUDO MOVED, seconded by Birchmeier, to approve the *Board Meeting Administration* as presented by the Policy Committee--specifically “Meeting Agenda, Number 6.”

DISCUSSION:

Discussed the procedure for approving the agendas and minutes for a two (2) month period; streamlined minutes; and corrected agenda from the prior month.

MINAUDO MOVED, seconded by Martinson, to amend the original motion so the proposed policy in regard to item 6 will read “approve the corrected agenda and everything else the same.”

CALL TO VOTE TO SUSPEND DISCUSSION (*requires 2/3's majority vote*)

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Lee

MOTION CARRIED.

ACTION OF THE AMENDED MOTION

ROLL CALL VOTE:

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

NAYS: Lee

MOTION CARRIED.

v. Committee Appointment Policy

MINAUDO MOVED, seconded by Martinson, to approve the Committee Appointment Policy as presented by the Policy Committee.

DISCUSSION: Attorney Moulton read the Attorney General’s Opinion regarding the Open Meetings Act and what committees and commissions are required to abide by this Act.

The *Committee Appointment Policy* will be referred back to the Policy Committee for further work and review.

8:55 P.M. Recessed for Coffee and Cookies

GAGE MOVED, seconded by Minaudo, to recess for ten (10) minutes.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

9:05 P.M. Adjourned back to Regular Session

MORFORD MOVED, seconded by Matzke, to re-convene to the Regular Session.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

vi. Revision of Old Policy or Introduction of New Policy

MINAUDO MOVED, seconded by Martinson (that an issue needs to go to the Policy Committee before it is brought back to the Board, it would streamline everything; basically everything needs to come to the Policy Committee before it comes to the Board; the Policy Committee could vote on the proposed issue and make any corrections that needed to be added or subtracted and go from there; if an item needs to go to the Policy Committee like it is, no one has a problem with it, but the Policy Committee should first be informed so the Policy Committee can put in their “two cents”) -to approve the *Revision of Old Policy or Introduction of New Policy* as presented.

GAGE MOVED, seconded by Lee, to amend the motion with the substitution of “may” for the word “shall”.

DISCUSSION:

Discussed that the language is currently “may”; discussed the pros and cons as to the procedure for a sub-committee; policies can be made all the time; practice in the past has been that anyone can put something on the Agenda but it did not have to go through a Policy Committee.

ACTION OF THE AMENDED MOTION

ROLL CALL VOTE:

AYES: Matzke, Gage, Lee and Morford

NAYS: Birchmeier, Minaudo and Martinson

MOTION CARRIED.

1-c. Procedure as to how Supervisor would like Policies Submitted or Brought to the Board

MINAUDO MOVED, seconded by Morford to remove 1-c from the Agenda.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-d. Update on Movement of Records

Clerk’s Update: the Assessor and Clerk have been reviewing the “fireproof room” to determine the best floor plan arrangement for the shelving units and cabinets; everything on schedule; what to purge and/or merge being determined; an update of all the items that need to be stored in a “fire proof room” are being reviewed; plans are made daily to get the appropriate records in the fire-proof room on schedule.

NEW BUSINESS:

1-a. Approval of Fiscal Second Quarterly 2013-2014 Budget

MORFORD MOVED, seconded by Matzke, to approve the *Fiscal Second Quarterly 2013-2014 Budget*.

DISCUSSION:

From what line item of the Budget would the Leaf Collection be taken? Supervisor's answer—"Trash and Recycling Assessments".

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Minaudo

MOTION CARRIED.

1-b. Potential Buyer for Flushing Township Owned Property

BIRCHMEIER MOVED, seconded by Morford to approve Mrs. Norman's offer of \$1,000 to buy the Flushing Township owned property, Parcel No. 08-12-526-057.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

1-e. DNR Letter Dated September 25, 2013 – RE: RP 11-440 Flushing Township Nature Park Improvements Regarding Mandated Proposals, Agenda, and Minutes due by October 31, 2013

BIRCHMEIER MOVED, seconded by Morford, to accept and recommend the Park and Recreation Committee's recommendation for number 2, to repurpose the existing passport grant scope items for public use which states "if motorized access to the water was removed, how would the scope items be re-purposed for public use?"; this would be on the DNR Letter Analysis by Treasurer Lee; AND the second documentation following the DNR Proposal Number 2, 1-10 from the Park and Recreation Committee, which will be on the second page. (Flushing Township Park and Recreation Committee, October 6, 2013, DNR Proposal #2).

DISCUSSION:

Discussed the recommendation from the Supervisor regarding the Flushing Township Park and Recreation Committee Proposal #2; the proposal is a safer use for motorized access to the river.

LEE MOVED, seconded by Birchmeier, to amend to present both Proposal #1 which would include Engineer Jack Wheatley of Rowe Professional Services on the signage proposal and Proposal #2 to the DNR. (Flushing Township Park and Recreation Committee, October 6, 2013, Proposal #1 and DNR Proposal #2).

DISCUSSION:

Discussed how a handicapped individual could use a hand cart to transport his/her boat as mentioned in the DNR Proposal #2, number 4, because the grant states the river has to be accessible to the handicapped.

ACTION OF THE AMENDED MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTON CARRIED.

ACTION OF THE AMENDED MOTION TO SUBMIT BOTH PROPOSALS #1 AND #2 TO THE DNR

ROLL CALL VOTE:

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

NAYS: 0

MOTON CARRIED.

1-f. Flushing Township Nature Park Governance Policy

LEE MOVED, seconded by Gage, that “the Flushing Charter Township Board shall have all authority over the administration, operation and expenditures of the Flushing Township Nature Park. The Board may appoint a Flushing Township Parks and Recreation Committee, consisting of seven (7) people, which shall serve at the discretion of the Township Board in accordance with policies and procedures established by the Township Board. The Flushing Township Parks and Recreation Committee may confer between Board Meetings with the Building/Grounds and Bid Committee. The consultations will become part of the monthly report to the Board.”

DISCUSSION:

Discussed the positions of the seven (7) people on the Parks and Recreation Committee; very appreciative of the amount of work that has been put into the park issue; six (6) committee members plus two (2) trustees, plus supervisor as an ex-officio member now on committee. Trustee Minaudo inquired if the Supervisor had replaced him (Trustee Minaudo) because he had resigned from the Parks and Recreation Committee in order to comply with the proposed new Governance Policy —the Supervisor had not, so the number seven (7) was correct.

CALL TO VOTE.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Martinson

MOTION CARRIED.

ACTION OF THE MOTION FOR THE FLUSHING TOWNSHIP GOVERNANCE POLICY

ROLL CALL VOTE:

AYES: Gage, Lee, Morford, and Matzke

NAYS: Martinson, Birchmeier and Minaudo

MOTION CARRIED.

1-g. Snow Removal Quotes for the Township Office, Police Department, and Nature Park and Pathway

BIRCHMEIER MOVED, seconded by (NONE), to accept the Township quote from Elite Lawn and Landscape for the plowing of drives, lots, and walks at \$100 per push, salting of drives, lots and walks at \$75 per salting (Township Office and Police Department); Nature Park - plowing of drives and lots at \$75 per push; salting of drives and lots \$50 per salting; since the Nature Park is open seven (7) days a week, from dusk to dawn, and there are people that use the cement walkways, the Nature Park Walk plowing would be \$50 per push and \$25 per salting.

MOTION FAILED DUE TO LACK OF A SECOND.

LEE MOVED, seconded by Gage, for the need for a part-time maintenance person that can be used for the snow removal; lawn, cutting and maintenance of the building and grounds; there is money in the budget as well as there is a Fund Balance; the need for snow removal service demonstrates the need for a part-time person to do snow removal as well as the other jobs that haven’t been done; if the individual worked twenty (20) hours per week for fifty-two (52) weeks per year, it would be under \$11,000 per year.

DISCUSSION:

Discussed that instead of having someone do the plowing, hire a part-time maintenance person to do the maintenance and the snow plowing; there is a need for a part-time maintenance person but the issue is not on the agenda.

MATZKE MOVED, seconded by Minaudo, to postpone for consideration the hiring of a part-time maintenance person until our next board meeting.

DISCUSSION:

Discussed who will be responsible for getting the snow plowing quotes for our meeting for next month; all bid details were not available to the Board Members; there will be a comparison made between the snow removal bids vs a part-time maintenance position.

MATZKE MOVED, seconded by Minaudo, to amend the motion to refer the issue back to the Building/Grounds and Bids Committee and brought back for recommendation at the next Board Meeting.

ACTION OF THE AMENDED MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTON CARRIED.

1-h. Liability Insurance Policy Renewal

MORFORD MOVED, seconded by Matzke, to accept the policy renewal from the Ted Hartleb Agency for risk insurance at a total cost of \$31,549 for next year.

DISCUSSION:

Discussed how the insurance premium is broken down into different categories.

CALL FOR THE VOTE.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTON CARRIED.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: Martinson

MOTON CARRIED.

1-j. Quote to Replace the Current Systems for the Assessor and Finance Director

MORFORD MOVED, seconded by Matzke to approve the purchase of two (2) updates for the Assessor and Accountant at a cost of \$1,823.74 for the two (2) positions.

DISCUSSION:

Discussed the opinions of the Assessor and Accountant regarding the updates; would the updates be sufficient for the Assessor and Accountant since due to technology computers are outdated so quickly?

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTON CARRIED.

1-o. (Potential) Code of Ethics Violation of a Board Member

1-p. Closed Session – Possible Consideration and Extension of Police Department Collective Bargaining Agreement

10:30 P.M. - Adjourned to Closed Session

MORFORD MOVED, seconded by Matzke, that the Board meet in Closed Session to consider the Patrol Officers' request to extend the existing Collective Bargaining Agreement and to consider the decision issued by the Michigan Employment Relations Commission (MERC) on September 13, 2013. There are two (2) Sections covered under the Open Meetings Act: the first being 8C and the second being 8E.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

10:55 P.M. – Reconvened to Regular Session

MORFORD MOVED, seconded by Matzke, to re-convene to Regular Session.

ACTION OF THE MOTION

ROLL CALL VOTE:

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

NAYS: 0

MOTION CARRIED.

REPORTS:

COMMITTEE REPORTS:

1. Flushing Township Police Department: Report given by Flushing Township Police Chief Brian Fairchild
2. Flushing Fire Department: In September the Township had 7 fire calls – 2 structure fires, 3 PI accidents, 1 fire alarm and 1 open burn.
3. Flushing Area Senior Center: There will be a meeting on Thursday, October 17, 2013, at 4:00 p.m. at the Flushing City Offices with the Township Attorney and the Flushing Senior Center Board Members to discuss the future for the Flushing Area Senior Center.

FINANCIAL REPORT: Treasurer Lee presented the Financial Report.

BOARD COMMENTS:

1. **MARTINSON:** hoping to streamline Board Minutes and other issues for the future; was hoping to have a Special Board Meeting on October 24, 2013.
2. **MATZKE:** it is 11:00 p.m.
3. **MINAUDO:** if the Board has something to change with the Policies, please let him know because he has no problems changing anything the Board would like changed; presented a *Press Release* from Attorney Mike Edmunds, which read:
“On September 24, 2013, an Administrative Law Judge (ALJ) with the Michigan Employment Relations Commission (MERC) issued an order dismissing the unfair labor practice (ULP) charge that had been filed by the Police Officers' Labor Council (POLC) against Flushing Township. The order represents a complete victory for the Township and concludes the last pending labor dispute between the parties.

The POLC had accused the Township of retaliating against the police officers in response to their participation in activity protected by PERA--the Michigan Labor Law which governs unionized Public Employees. Specifically, it claimed that the Flushing Township Board outsourced the police department to the Genesee

County Sheriff’s Department because the police officers kept filing grievances and because they supported the recall of several Township Board members.

The ALJ found that while there was evidence that some Board members were unhappy that the police officers kept filing grievances and repeatedly tried to recall them, that the “motivating factor” in the decision to outsource the police department was financial, not the political activity of the police officers.

The union can appeal the ALJ’s decision until October 27, 2013. After that, it will become final.”

- 4. **LEE:** not sure if *Press Releases* should be put in the minutes; very happy to get the Governance Policy passed; expressed concerns regarding the policies; sometimes the Policies have too much in them and are hard to understand; the Agenda needs to be cut down.

11:05 P.M.--OPEN FOR PUBLIC COMMENTS

One (1) individual gave a comment.

11:06 P.M. --CLOSED FOR PUBLIC COMMENTS

THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, NOVEMBER 14, 2013 AT 7:00 P.M. AT THE FLUSHING TOWNSHIP HALL.

ADJOURNMENT: Due to lack of business issues, **SUPERVISOR BIRCHMEIER** adjourned the meeting at 11:06 p.m.

JULIA A. MORFORD, Clerk

RIAN R. BIRCHMEIER, Supervisor

APPROVED DATE: _____