

CHARTER TOWNSHIP OF FLUSHING

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REGULAR BOARD MEETING MINUTES

DATE: NOVEMBER 9, 2023 TIME: 7:00 P.M.

ADMINISTRATION MEMBERS

SUPERVISOR: Frederick R. Thorsby

CLERK: Wendy D. Meinburg

TREASURER: Terry A. Peck

TRUSTEES

William Bain

Linda Minarik

Joshua Upleger

Sharilynn K. Willette

I. DATE AGENDA POSTED: NOVEMBER 2, 2023

II. MEET CALLED TO ORDER at 7:00 P.M. by SUPERVISOR THORSBY with Roll Call and Pledge of Allegiance to the American Flag.

ROLL CALL: Willette, Thorsby, Peck, Upleger, Bain, Minarik and Meinburg Township attorney, John Ryan was also present.

MEMBERS ABSENT: 0

OTHERS PRESENT: 4 others present.

TREASURER PECK MOVED, supported by Clerk Meinburg to adopt the Regular Board Meeting Agenda for November 9, 2023.

THE MOTION CARRIED UNANIMOUSLY.

CLERK MEINBURG MOVED, supported by Treasurer Peck to approve the following previous minute:

- SPECIAL BOARD MEETING FOR OCTOBER 12, 2023
- REGULAR BOARD MEETING FOR OCTOBER 12, 2023
- SPECIAL BOARD MEETING FOR OCTOBER 17, 2023

THE MOTION APPROVED UNANIMOUSLY.

TREASURER PECK MOVED, supported by Trustee Willette to approve the payment of bills as presented.

ACTION ON THE MOTION

ROLL CALL:

AYES: Minarik, Upleger, Thorsby, Bain, Peck, Meinburg and Willette.

NAYS: None

THE MOTION CARRIED UNANIMOUSLY.

III. PUBLIC COMMENTS:

No Public Comments.

IV. UNFINISHED BUSINESS:

No unfinished business

V. NEW BUSINESS:

1. Public Hearing to offer Flushing area residents the opportunity to express comments on the Flushing Area Recreational Master Plan – Supervisor Thorsby

Supervisor Thorsby-Offering the Flushing Residents the opportunity to express comments on the Flushing Area Recreational Master Plan. This plan we look at every 5 years in conjunction with the City of Flushing and the Flushing School systems. So, we have met several times with Rowe Professional Services and go through the Master Plan. As required by law it is published, posted on the website, posted here in the office and tonight is the public hearing in case anyone would like to speak about our Master Plan.

OPENED PUBLIC HEARING at 7:05 P.M.

Resident – Is the Flushing Area Recreational Master Plan available?

Supervisor Thorsby – Absolutely

Clerk Meinburg – I will get one to you.

Trustee Willette – I did have a Township resident contact me and wonder about how you would participate in that, and if there was a way to do that and express things that they would like to see done projects and that sort of thing. Do we have any vehicle for that?

Supervisor Thorsby-Yeah, for the park itself? Or, the grand scheme of the plan?

Trustee Willette-The grand scheme.

Supervisor Thorsby-Well this would be the perfect place to do it, that is the purpose for the Public Hearing.

Clerk Wendy-The school put on a survey. We also had it our website. And the City of Flushing would have had it, too.

Supervisor Thorsby- Yeah, we put out a survey.

Clerk Meinburg- We actually got a few back.

Trustee Willette-The only one she saw was the one on the school website.

Supervisor Thorsby-Yeah, actually it seems like 5 years ago when we did it we had like 16 responses. This time we had about 350 responses.

Trustee Willette-And she may have done that. I suggested she do it.

Supervisor Thorsby-Yeah, hopefully she did. And in the park, there was a link that was posted for the link to the survey. I know there is no perfect answer to getting information out to people anymore. We try to get as many different varieties that can. But there is always somebody saying I don't look at Facebook or something.

Treasurer Peck-There is also a Public Hearing with the city and also the school systems.

Supervisor Thorsby-Did they tell you what is it was they were interested in? You can mention it for them.

Trustee Willette-The one thing that she was really, was something more appealing for kids. That we don't offer a lot for the 2-10's in there somewhere. Thinking something about some sort of water recreation, I know we had spoke about splash pads, I think that was one of your things. And where that should go or could go. How you would put that into a document like this? And then I wondered about all the appendixes and so forth on that and if that is where it would go?

Supervisor Thorsby-Well it would absolutely go into the minutes and attach to this whole process. Because honestly Rowe Engineering, they are the ones that put all of this together and they will take all we come up with tonight and put it in that document. I don't know where exactly, but it will be in there.

Trustee Willette-I looked again, and I looked a couple of days again, then I couldn't find it today, but it said something about, I know, part time maintenance person, so. I am assuming we do have that.

Supervisor Thorsby-Yeah.

Trustee Willette-But I thought is said in there something in the nature park and part time naturalist, or something? Is that in the scheme of things?

Supervisor Thorsby-Oh yeah, absolutely.

Trustee Willette-We use to have a full time Naturalist, back in the dark ages.

Supervisor Thorsby-Yeah, we did. And that certainly could be something we can put in there. Someone else also mentioned a kayak launch.

Trustee Willette-Well we tried to grant for that didn't we?

Supervisor Thorsby-We did, and we can re-apply. We recently applied under a specific grant for playground equipment. That was denied, because don't meet their target, people in need criteria that they wanted for that grant.

Trustee Willette-Target population.

Supervisor Thorsby- Yeah, it was a different demographics. But they did say we could reapply under this normal passport grant. So that it is something. And did come up in the survey, updating the playground.

Trustee Willette-I know my grandkids, don't want to go there.

Supervisor Thorsby-They don't like the 1950's playground equipment?

Trustee Willette-We go other places.

Trustee Minarik-You have lots of choices.

Trustee Bain-Is there a general idea for the kayak launch to be disability accessible for veterans and that?

Supervisor Thorsby-Not for Veterans specifically. It was going to be a handicap accessible.

Trustee Bain-We could still pursue that avenue to see if we can get some grant money in that regard.

Supervisor Thorsby-Sure. The DNR's issue at the time was the whole issue of, yeah, we can put the kayak in at the Flushing Park, but where will they get out at? They're in the river until they hit the Saginaw Bay or something. So, we have recently talked maybe about doing possibly a joint project with the city or something. You can put your kayak in at theirs and get out at ours.

Trustee Willette-The little park that comes in off River Road. Is that ours or theirs?

Supervisor Thorsby-That is theirs.

Treasurer Peck-Use to be ours.

Trustee Willette- Did it?

Treasurer Peck-We gave it to the city for a dollar.

Trustee Willette-But I mean that seems like that might be a logical place to put in something and pull it out at the Nature Park.

Supervisor Thorsby-Right, sure. If that's what they want to do.

Treasurer Peck-There are people that put in there and get out at the band shelter.

Supervisor Thorsby-But we need to have more conversation with them about that.

Trustee Willette-But wasn't that the Flint River Rafters or watershed? I mean it seems like there was a group. Were you not connected with that?

Trustee Bain-I was just in with what Fred had tried to propose there. And I thought it was a great idea. Because I mean, some people can kayak they may have disabilities, but it opens up a whole new world. For them to partake in that, so.

Supervisor Thorsby- And at that area of the river is a lot of boulders. And is very difficult to get in get out there. There's no signage there, you can hardly even see it.

Supervisor Thorsby-Anyone else? Anyone have anything to add? Alright if there is no other discussion, we can close the Public Hearing.

PUBLIC HEARING CLOSED at 7:14 P.M.

2. Public Hearing to offer Flushing Area residents the opportunity to express their ideas on the use of the 2025-2027 Genesee County Community Development Grant Plan (CBDG) – Supervisor Thorsby

Supervisor Thorsby informed the public on the Rules and Regulations for the Genesee County Community Development Grant.

OPENED PUBLIC HEARING at 7:22 P.M.

Supervisor Thorsby-So we have specific issues of low to moderate income. Addressing needs of somebody in that area, senior citizens, blight removal and handicap accessibility barrier removal projects.

Treasurer Peck-He said we might be able to use it also on our properties that we got from the land bank. On the two structures on those two lots.

Supervisor Thorsby- Yep, we could use it to tear those down.

Trustee Willette-That would take a big chunk, wouldn't it? Isn't that quite costly? Tear downs?

Supervisor Thorsby-It's more expensive than just hiring a contractor to go out and do it, because of all the federal requirements. We tore down two houses a few years ago that were \$50,000 for both of them. These houses are not any where's near what those two houses were.

Trustee Minarik-Wasn't one, a stone house or something?

Supervisor Thorsby-Yeah, one was a stone brick home over here with stuff in it. The one on Duffield that was a huge piece of property and nice house.

Treasurer Peck-When they knocked that house down, they cleared the lot that had several vehicles. Had a couple tractors, they thought they had it all, but had to come back.

Supervisor Thorsby-Pools, motorhome.

Supervisor Thorsby-So the Senior Center asked us to consider fixing their roof and a few other items that they listed that I think we can attach.

Trustee Willette-Are we going to do something with our handicap door here?

Supervisor Thorsby-That would certainly be something we need to consider as we go into the construction with remodeling the building. We could apply some of those funds to updating the handicap access to the building.

Trustee Willette-Another one at the Senior Center on the outside it quite nice. You just wave your hand and the door opens.

Treasurer Peck-From your car?

Trustee Willette-As you walk by.

Treasurer Peck-I didn't notice that.

Supervisor Thorsby-Somebody said that this one here should have two switches and we have one switch and we should have switches on both doors.

Trustee Willette-I don't know, I haven't used the restroom here in a long time. But I was thinking there are low toilets in there, too.

Supervisor Thorsby-No, actually didn't we have them come up here and look at those?

Treasurer Peck-No.

Supervisor Thorsby-OK, we could always do that, too.

Supervisor Thorsby-And then like I said the road improvements that the Road Commission was asking for more in our low or moderate areas.

Trustee Willette-But if nobody lives there. You know, if its farm or something, I mean. Don't you want to just put the money where somebody going to use it?

Supervisor Thorsby-Yeah, you would think.

Trustee Minarik-The farmer would use it.

Trustee Willette-Well, yeah with his heavy equipment. He would probably happier to put his cultivator on a gravel road, wouldn't he? I don't know.

Supervisor Thorsby-Fence expansions for the cows or something?

Supervisor Thorsby-Alright, anything else? If it's not mentioned in this hearing, we cannot do anything later.

Trustee Minarik-Consider it later.

CLOSED PUBLIC HEARING AT 7:27 P.M.

2024-27 FASC POTENTIAL BLOCK GRANT PROJECTS

PROJECT / EQUIPMENT	PROJECTED COST
NEW FLOORING –	\$25,000.00

LUNCHROOM & ANNEX	
ELECTRICAL UPGRADES – LUNCHROOM & ANNEX	\$17,500.00
RESTROOM UPGRADES – LUNCHROOM & ANNEX	\$36,800.00
NEW BACKDOOR AWNING	\$4,800.00
NEW WINDOWS – ANNEX	\$9,000.00
NEW CEILING SYSTEM W/LIGHTS – ANNEX	\$25,000.00
NEW FOLDING WALL DIVIDER - ANNEX	\$12,000.00
NEW STORAGE ROOM – LUNCHROOM	\$40,000.00
TWO NEW ADA POWER DOOR OPENERS – LUNCHROOM & ANNEX	\$13,000.00
UPDATED PAINTING – LUNCHROOM & ANNEX	\$7,300.00
NEW A.C. UNIT & CEILING BLOWER – LUNCHROOM	\$7,000.00
UTILITY SINK W/INSTALLATION	\$1,400.00
UPDATED SERVICE DRIVE & PARKING LOT	\$32,000.00
UPDTATED BUILDING & STREET SIGNS	\$2,500.00
INDOOR/OUTDOOR CAMERA SYSTEM	\$12,500.00
UPDATED AV SYSTEM W/SCREEN – LUNCHROOM	\$12,000.00
UPDATED WOODSHOP EQUIPMENT/SUPPLIES	\$10,000.00

3. Closed Session for the purpose of discussion pertaining to Flushing Township Police Union Contract – Supervisor Thorsby

CLERK MEINBURG MOVED, supported by Treasurer Peck to go into Closed Session to discuss Flushing Township Police Union Contract. Per MCL15.268(c)

ACTION ON MOTION

ROLL CALL:

AYES: Thorsby, Willette, Minarik, Upleger, Peck, Meinburg and Bain

NAYS: None

THE MOTION CARRIED UNANIMOUSLY.

ENTERED INTO CLOSED SESSION AT 7:31 P.M.

RETURNED FROM CLOSED SESSION AT 7:51 P.M.

ROLL CALL: Bain, Willette, Minarik, Meinburg, Thorsby, Upleger and Peck

ABSENT: None

4. Possible motion pertaining to Flushing Township Police Union Contract – Supervisor Thorsby

Supervisor Thorsby informed us that in the closed meeting they discussed a letter of agreement that would give Senior Officers higher pay than the new hires. And Officer Secretary's are part-time will receive a dollar raise. Total package will cost the Township \$15,981.00.

TREASURER PECK MOVED, supported by Trustee Upleger to approve the Flushing Township Police Union Contract – Supervisor

ACTION ON THE MOTION

ROLL CALL VOTE:

AYES: Upleger, Thorsby, Willette, Meinburg, Minarik, Peck and Bain

NAYS: None

THE MOTION CARRIED UNANIMOUSLY

5. An annual approval of the Flushing Township use of fees – Supervisor Thorsby

Zoning Administrator Czyzio-Read details from Flushing Township Fee document attached to Meeting packet. This basically brought our fees to

CLERK MEINBURG MOVED, supported by Trustee Willette to approve the annual approval of the Flushing Township use of fees – Supervisor

Much discussion was made on fees from other townships and how our fees if passed will land somewhere in the middle.

ACTION ON THE MOTION:

ROLL CALL VOTE

AYES: Peck, Bain, Meinburg, Thorsby, Upleger, Minarik and Willette

NAYS: None

THE MOTION CARRIED UNANIMOUSLY.

VI. REPORTS:

1. Supervisor's Report – Supervisor
Monthly Building Report
Zoning and Code Enforcement Report
Fire Department Report
FANG Activity Report
Supervisor Thorsby-also voiced concern on the possible closing of out County Court Houses. And how it will affect everyone. Not just our community.

Announced Zoning Administrator Czyzio and Chief Dennie reached their 1 year at the Township. And mentioned Brooke is doing an amazing job with our finances.

2. Clerk's Report – Clerk
Summary on November 7th, 2023 election.

Mentioned new hire Taylor Bair, for Tax Clerk has started training this week.

3. Treasurer's Report – Treasurer
Financial Report October 2023
Water Report
4. Flushing Township Police Department – Chief
Chief thanked the Board on behalf of himself and the Police Department.

VII. PUBLIC COMMENTS:

- Supervisor Thorsby was asked the total cost for the Police Department raises. Which was \$15,981.00
- New Resident-introduced himself, and was supportive of the township

CLOSED PUBLIC COMMENT AT 8:38 P.M.

VIII. BOARD COMMENTS

- Trustee Bain shared a document that he read from. Which is attached below.
- Other Board members had mentioned being unhappy with Solar and Courts not being Township or City choices.

**Prepared Statement by Flushing Township Trustee Bill Bain
Regarding the passage of House Bill Package 5120-5123
November 9, 2023**

I hold to the opinion that the above-mentioned State Legislation is unconstitutional. It undermines local "Representative government," It silences the voice of residents and violates their First Amendment Rights.

"The United States is a Constitutional Republic" "We The People" elect our local "representative government", These duly elected officials are who we go to voice local concerns which affect the citizens of the community.

The passage of House Bill Package 5120-5123, "violates the right of the people to self-govern. It subverts the vote of the people and takes their right to local representation. It strips away the people's right to have local issues decided by their local duly elected representatives.

This back door attempt by the State of Michigan undermines the Constitution of the United States of America, taking away local elected authority by giving that authority to an "unelected" state board or regulatory unit, thus subverting the will of the people's vote.

The people's right to duly elect representative government is recognized in Article 1 of the United States Constitution.

Further, the state's actions violate the "implied premise" of the Separation of Powers as found in the footnotes of (James Madison) which are the very reasons for the Separation of Powers included in the Constitution. As stated below:

Separation of Powers, Excerpts from Footnotes of (James Madison)

- 1. THE FEDERALIST No. 48 (James Madison) ("The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny").**

Footnotes (cont)

IX. NEXT REGULAR MEETING:

DECEMBER 14, 2023 AT 7:00 P.M.

ADJOURNMENT Trustee Bain, moved, supported by Trustee Minarik to adjourn meeting at 8:53 P.M.

THE MOTION CARRIED UNANIMOUSLY.

WENDY D. MEINBURG, Clerk

APPROVAL DATE

FREDERICK R. THORSBY, Supervisor

**RECORDING SECRETARY: Jeanette Sizemore
11/09/2023**