

# **CHARTER TOWNSHIP OF FLUSHING**

**6524 N. SEYMOUR ROAD**

**FLUSHING, MICHIGAN 48433**

**BOARD OF TRUSTEES MINUTES**

**DATE: JUNE 11, 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, Bonnie Jean Martinson, Scott R. Matzke, Scott P. Minaudo, and Attorney Steve Moulton  
**MEMBERS ABSENT:** None  
**OTHER INDIVIDUALS PRESENT:** Twelve (12) other individuals present.

## **ADOPTION OF THE AGENDA FOR JUNE 11, 2015:**

**TRUSTEE MATSKE MOVED**, supported by Clerk Morford to adopt the agenda.

**TRUSTEE MATZKE MOVED**, supported by Trustee Gage to add to the agenda adoption of amendments to the FOIA policy as prepared by Attorney Moulton and to place on the agenda under new business just before the Closed Session.

**TRUSTEE MARTINSON MOVED TO AMEND THE MOTION**, supported by Supervisor Birchmeier, that when it is approved, to include it in the Policy and Procedures Manual in its entirety, and to insert it in the back under appendix.

## **ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

**TRUSTEE GAGE MOVED**, supported by Trustee Matzke to remove items A-L under Unfinished Business.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Martinson, Minaudo and Birchmeier

**MOTION CARRIED**

**TREASURER LEE MOVED**, supported by Trustee Matzke to remove item M under new business as she had hoped to have more information.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

**TREASURER LEE MOVED**, supported by Clerk Morford to remove under New Business, items G, H and I.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Martinson, Minaudo and Birchmeier

**MOTION CARRIED**

**TREASURER LEE MOVED**, supported by Trustee Matzke to remove items C, D & E under New Business for a lack of interest and support. We have considered these items at almost every meeting and they always fail, bringing these items back meeting after meeting is time consuming, destructive to the working relations of the Board members, a waste of the public's time and obstructs the will of the majority.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Minaudo, Birchmeier and Martinson

**MOTION CARRIED**

**TREASURER LEE MOVED TO AMEND** her previous motion where she removed items G, H and I from New Business, it should have stated items H, I and J. The motion was supported by Trustee Matzke.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Minaudo, Birchmeier and Martinson

**MOTION CARRIED**

**TREASURER LEE MOVED TO AMEND** her previous motion to remove item M under New Business, it should have been item N, because of previous adjustments to the agenda. The motion was supported by Trustee Matzke.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Birchmeier, Martinson and Minaudo

**MOTION CARRIED**

**TRUSTEE MATZKE MOVED**, supported by Treasurer Lee, to approve the agenda as amended.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Martinson, Minaudo and Birchmeier

**MOTION CARRIED**

**III. PUBLIC COMMENTS**

**7:20 P.M. OPEN FOR PUBLIC COMMENTS**

Five (5) people gave comments

**7:28 P.M. CLOSED FOR PUBLIC COMMENTS**

Supervisor Birchmeier stated the next meeting of the Township Board was July 9, 2015 and announced the meeting adjourned at 7:30 p.m.

Supervisor Birchmeier left the meeting at 7:30 p.m.

After a brief discussion with Attorney Moulton and a review of Robert's Rules of Order, it was decided to appoint a Chairperson and continue with the meeting as a quorum was present.

**TRUSTEE GAGE MOVED**, supported by Trustee Matzke to appoint Clerk Morford as Chairperson. Clerk Morford declined.

**TRUSTEE MATZKE MOVED**, supported by Clerk Morford to appoint Trustee Minaudo as Chairperson.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Martinson

**MOTION CARRIED**

**IV. UNFINISHED BUSINESS:**

- A. Motion to approve Resolution to authorize Township Clerk and Treasurer as the designated officials to sign documents approved by the Board and which the Supervisor refused to sign within two (2) business days.

**TREASURER LEE MOVED**, supported by Trustee Matzke to authorize Township Clerk and Treasurer as the designated officials to sign documents approved by the Board and which the Supervisor refuses to sign within two (2) business days.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Martinson

**MOTION CARRIED**

**V. NEW BUSINESS**

- A. Motion to adopt amendments to the FOIA policy as prepared by Attorney Moulton.

Attorney Moulton recommended that the Policy and Procedures currently in effect with regard to the FOIA be deleted and replaced in their entirety by the proposed policy and procedures that he provided at the end of May which incorporates the Policy and Procedures recommended by the Michigan Township Association including the specific forms.

**TRUSTEE GAGE MOVED**, supported by Trustee Matzke that the Policy and Procedures currently in effect with regard to the FOIA be deleted and replaced in their entirety by the proposed policy and procedures that Attorney Moulton provided at the end of May which incorporate the Policy and Procedures recommended by the Michigan Township Association including the specific forms.

**TRUSTEE MARTINSON MOVED TO AMEND THE MOTION**, supported by Trustee Matzke, to include that the new FOIA policy be inserted in the back of the Policy and Procedures Manual.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY.**

- B. Closed Session

Attorney Moulton stated the MCL guidelines for the Board that should be used to go into a closed session.

**TRUSTEE MATZKE MOVED**, supported by Trustee Gage that the Board meet in closed session for the following reasons stated by Attorney Moulton:

1. To Evaluate with possible resolution with respect to the pending litigation as provided under MCL 15.268 (e) which allows the Board to meet in closed session in order to consult with the attorney in regards to trial strategy or action with specific pending litigation with lawsuit of Ken Bueche against Flushing Township, and
2. To discuss the pending grievance filed on behalf of the Teamsters with regards to a settlement or how to proceed with that matter and the basis for that exemption is MCL 15.268 (a) & (e).

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

*7:56 P.M. Trustee Matzke left the meeting.*

**7:56 P.M. - ADJOURNED TO CLOSED SESSION**

**CLERK MORFORD MOVED**, supported by Trustee Gage to go back into regular session.

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

**8:53 P.M. – RETURN TO REGULAR SESSION**

**CLERK MORFORD MOVED**, supported by Trustee Martinson that the Township resolve the lawsuit filed by Kenneth Bueche by agreeing to a proposed settlement of \$2,250 to be paid by the Township to Mr. Bueche. The payment would be all inclusive including any attorney fees, otherwise paid to Mr. Bueche's attorney with the understanding that there is no insurance coverage so if a settlement is approved, it will be paid by the Township.

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

**TREASURER LEE MOVED**, supported by Clerk Morford to have the Personnel Director, Treasurer Lee, approach Mr. Joel Gutzki ask that there be a written agreement between the Township, as employer and the union to hold the status of the pending grievances in abeyance with the understanding that the Township Attorney will locate the article Mr. Gutzki forwarded to him and provide that to the Township Board Members and review with the Board Members to formulate a response to his request.

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

- C. Adjustment of Member's Compensation for Attendance at Board Meetings

Trustee Martinson agreed to drop this item from the agenda. Therefore, the following item becomes C.

- C. MTA Class "Money Matters and Better Budgeting"

**TREASURER LEE MOVED**, supported by Clerk Morford to approve all members of the Board to attend the class entitled, "Money Matters and Better Budgeting" if they so desire. If you sign up to attend, but don't attend, you will reimburse the Township the full amount.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

- D. Motion to approve contracting with Goyette Mechanical Engineers for a Heating and Cooling Contract for the Township Offices.

**CLERK MORFORD MOVED**, supported by Treasurer Lee to contract with Goyette Mechanical Engineers for a Heating and Cooling Service Contract for the Township. After a brief discussion, it was decided to postpone and bring back at the next meeting with more information.

- E. Motion to approve hiring two (2) Election Inspectors to work on Election issues in preparation for the August, 2015 Election.

**CLERK MORFORD MOVED**, supported by Treasurer Lee to hire two Election Inspectors to work on Election issues in preparation for the August, 2015 Election.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

- F. Motion to approve the LiveScan Purchase between the City of Flushing and the Charter Township of Flushing.

Chief Fairchild pointed out this would not be an additional cost in his budget, the money was there but he wanted the Board to be aware of the expenditure.

- G. Motion to approve the Building/Grounds/Bid Committee seek quotes for the cost to install a generator for the Flushing Township Police Department; further I move that the Committee bring the quotes to the Board for a final decision.

**TREASURER LEE MOVED**, supported by Clerk Morford to have the Building/Grounds/Bid Committee seek quotes for the cost to install a generator for the Flushing Township Police Department; further I move that the Committee bring the quotes to the Board for a final decision.

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

**VI. REPORTS**

1. Flushing Township Police Department – Chief Fairchild
2. Flushing Area Senior Center – Clerk Morford
3. Financial Report – Treasurer Lee

**VII. COMMITTEE REPORTS:**

No Committee Reports Given

**VIII. PUBLIC COMMENTS**

9:22 p.m. - OPEN FOR PUBLIC COMMENTS  
One person gave a comment  
9:23 p.m. – CLOSED FOR PUBLIC COMMENTS

**IX. BOARD COMMENTS**

Five Board Members made comments

**X. THE NEXT REGULAR SCHEDULED BOARD OF TRUSTEES MEETING WILL BE THURSDAY, JULY 9, 2015**

**XI. ADJOURNMENT:**

**TRUSTEE GAGE MOVED**, supported by Trustee Minaudo to adjourn the meeting at 9:37 p.m. The motion carried unanimously.

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JOYCE A. WILSON, Deputy Clerk

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RIAN R. BIRCHMEIER, Supervisor

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

06/11/2015 Regular Min