

**DRAFT**  
**CHARTER TOWNSHIP OF FLUSHING**

**6524 N. SEYMOUR ROAD**

**FLUSHING, MICHIGAN 48433**

**SPECIAL MEETING OF THE BOARD OF TRUSTEES**

**DATE: February 16, 2016**

**TIME: 2:00 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 2:00 p.m. by **SUPERVISOR BIRCHMEIER** with Roll Call and the Pledge of Allegiance to the American Flag.
- II. ROLL CALL:** Bonnie Jean Martinson, Rian Birchmeier, Julia A. Morford, Maryion T. Lee, Shirley D. Gage, Scott Matzke, Scott P. Minaudo, and Attorney Steve Moulton

**OTHER INDIVIDUALS PRESENT:** Four (4) other individuals were present

**PUBLIC COMMENTS**

**2:05 P.M. OPEN FOR PUBLIC COMMENTS**

Four People gave comments

**2:08 P.M. CLOSED FOR PUBLIC COMMENTS**

**TRUSTEE MINAUDO MOVED**, supported by Trustee Matzke to approve the agenda.

**TRUSTEE MINAUDO MOVED**, supported by Trustee Matzke to move Items 2 and 4 to the end of the agenda since they will be discussed in closed session.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Birchmeier

**MOTION CARRIED**

**TRUSTEE MATZKE MOVED**, supported by Trustee Minaudo to approve the agenda as amended.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Birchmeier

**MOTION CARRIED**

**III. UNFINISHED BUSINESS:**

1. Motion to Consider Insurance Proposals – Treasurer Lee

**TREASURER LEE MOVED**, supported by Trustee Minaudo to approve the two straight policies for Public Officials through Ironshore, and the HCC Policy for a total of \$129,743.

**TRUSTEE MARTINSON MOVED TO AMEND THE MOTION**, supported by Supervisor Birchmeier to include the terrorism coverage for \$500 and the cyber coverage for approximately \$1,800 for a total of \$129,043.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY**

2. Motion to consider resolutions authorizing contracting with the Genesee County Road Commission to repair as follows: - Treasurer

- a) Duffield Road between Stanley Road and Coldwater Road
- b) Duffield Road between Carpenter Road and Coldwater Road
- c) Stanley Road west and east of Johnson Road (1,000')
- d) Johnson Road between Stanley Road and Coldwater Road

**TREASURER LEE MOVED**, supported by Trustee Martinson to consider resolution authorizing contracting with the Genesee County Road Commission to repair Duffield Road between Stanley Road and Coldwater Road for the sum of \$72,275.14

**SUPERVISOR BIRCHMEIER MOVED TO AMEND THE MOTION**, supported by Trustee Martinson because the Board received all the resolutions at the time of the meeting and because it is not a matter of urgency, to postpone this issue until March 10, 2016 at the Board of Trustees Meeting.

**ACTION ON THE AMENDED MOTION**

**ROLL CALL VOTE:**

**AYES:** Martinson, Birchmeier, Matzke and Minaudo

**NAYS:** Lee, Gage and Morford

**AMENDED MOTION CARRIED**

**TRUSTEE MINAUDO MOVED**, supported by Supervisor Birchmeier to postpone until the March 10, 2016 Meeting resolutions 2 through 5.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Lee

**MOTION CARRIED**

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| 3. Motion to consider approval of the specification for control of invasive trees and shrubs at Flushing Township Nature Park (FTNP) and to use specification to attract qualified bidders and provide competitive pricing to begin management of invasive species in Units A, B and C identified in the attached park map of the FTNP, with each priced separately. Flushing Township reserves the right to accept all, some, or none of the quotes. (The Board of Trustees previously received the Park Map) – Treasurer Lee |
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Treasurer Lee pulled Item 3 from the agenda in the interest of time.

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| 4. Motion to consider Resolution to Enforce Resolution 15-21 – Attorney Moulton/Treasurer Lee |
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| 5. Motion to consider Collective Bargaining Agreement with Teamsters Local 214 – Treasurer Lee |
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Attorney Moulton stated a motion was needed to go into closed session to consider the Collective Bargaining Agreement with Teamsters Local 214 pursuant to MCL 15.268 subsection C, Open Meetings Act and that must have a two-thirds vote. Further, to consider an opinion by the attorney under subsection H which does not require a two-thirds vote.

**TRUSTEE MINAUDO MOVED**, supported by Clerk Morford to go into closed session in regards to enforcement of Resolution 15-21 according to MCL 15.268, sub-paragraph H.

**SUPERVISOR BIRCHMEIER MOVED TO AMEND THE MOTION**, supported by Trustee Martinson to table the issue because the Board does not have the power to accuse any Board Member of allegedly in violation of Resolution 15-21

**ACTION ON THE AMENDED MOTION**

**ROLL CALL VOTE:**

**AYES:** Birchmeier and Martinson

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

**AMENDED MOTION FAILED**

**ACTION ON ORIGINAL MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Martinson and Birchmeier

**ORIGINAL MOTION CARRIED**

**TRUSTEE MINAUDO MOVED**, supported by Trustee Gage to go into closed session to consider Collective Bargaining with Teamsters Local 214 according to MCL 15.268 sub-section C requiring a two thirds vote.

**SUPERVISOR BIRCHMEIER MOVED TO AMEND THE MOTION**, supported by Trustee Martinson to table the issue until all three grievances issued by Teamsters Local 214 filed in 2015 against the Charter Township of Flushing and Resolution 15-21 are resolved.

**ACTION ON THE AMENDED MOTION**

**ROLL CALL VOTE:**

**AYES:** Martinson and Birchmeier

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

**AMENDED MOTION FAILED**

**ACTION ON ORIGINAL MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Martinson and Birchmeier

**ORIGINAL MOTION CARRIED**

**Closed Session 3:30**

**Return from Closed Session at 4:10**

**TRUSTEE MINAUDO MOVED**, supported by Trustee Matzke to go back into regular session.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

**MOTION CARRIED UNANIMOUSLY (Supervisor Birchmeier absent for the vote)**

Attorney Moulton asked if there was any opposition to Clerk Morford chairing the rest of the meeting in Supervisor Birchmeier's absence. There were no objections.

**TRUSTEE MINAUDO MOVED**, supported by Trustee Matzke to adopt Resolution 16-1.

Supervisor Birchmeier returned to chair the meeting.

**ACTION ON THE MOTION**

**ROLL CALL VOTE:**

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

**NAYS:** Birchmeier and Martinson

**MOTION CARRIED**

**IV. PUBLIC COMMENTS**

4:17 PM Open for Public Comments

One individual gave comment

4:20 PM Closed for Public Comments

**V. BOARD COMMENTS:**

Comments were heard from Trustee Martinson, Treasurer Lee, Trustee Minaudo, Clerk Morford, and Supervisor Birchmeier

**VI. NEXT REGULAR SCHEDULED MEETING: THURSDAY, MARCH 10, 2016 AT 7:00 P.M.**

**VII. ADJOURNMENT:** Meeting ended at 4:35 P.M. due to a lack of a quorum.

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JOYCE A. WILSON, Deputy Clerk

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RIAN R. BIRCHMEIER, Supervisor

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

02/16/2016 Spec. Mtg. Min.