

BEDFORD TOWNSHIP BOARD MINUTES
8100 JACKMAN ROAD, TEMPERANCE, MI 48182

July 19, 2016

7:00 pm

PRESENT:

Greg Stewart, Supervisor
Trudy Hershberger, Clerk
Paul Francis, Treasurer

Larry O'Dell, Trustee
Paul Pirrone, Trustee
Rick Steiner, Trustee
Nancy Tienvieri, Trustee

ALSO PRESENT: Phil Goldsmith, Lennard, Graham & Goldsmith, and Barry Buschmann, Mannik and Smith Group

The Regular Meeting of the Bedford Township Board was called to order by Stewart at 7:00 PM followed by the Pledge of Allegiance.

APPROVAL OF AGENDA – Tienvieri asked that item 3A, Approval of the July 5, 2016 Township Board meeting be removed from the Consent Agenda. Motion was made by Steiner, seconded by Hershberger to approve the agenda with the removal of item 3A, Approval of the July 5, 2016 Township Board Minutes removed from the Consent Agenda. Motion carried unanimously.

APPROVAL OF THE JULY 5, 2016 TOWNSHIP BOARD MINUTES

Tienvieri stated she did not feel the minutes properly reflected the correction to the June 21, 2016 minutes, the wording was not in context, and questioned why those corrected minutes were not in the board packet. Hershberger responded, stating the June 21, 2016 minutes were corrected, those corrected minutes were on the township website for everyone to see, and the information in the July 5th minutes properly reflected the change. Motion was made by Francis, seconded by Hershberger to approve the minutes of the July 5, 2016 Township Board meeting, as presented. Motion carried with 6 ayes and 1 nay.

CONSENT AGENDA

The Consent Agenda contained the following items for approval:

Acceptance of the General, Savings, Pooled Funds and CD Reports from the Treasurer

Approval of the Revenue/Expense Report and Balance Sheet for the period ending 6/30/2016.

Motion was made by Steiner, seconded by Hershberger to approve the consent agenda containing items 3-B and 3-C. Motion carried unanimously.

PUBLIC COMMENT

Logan Tisdale, 1308 Brandywine – asked the board and the public to remember the men & women who lost their lives in Dallas, Baton Rouge, and Nice, France, and to pray for their families during this difficult time.

Gail Keane, 1056 W. Temperance – commented on the pension/retirement contribution issue (6-B) on the agenda as well as the Communications Committee issue (6-C).

OLD BUSINESS

REQUEST FOR A DECISION REGARDING THE PROPOSED DEMOLITION AT 6280 TELEGRAPH ROAD (STAR MOTEL)

Attorney Goldsmith spoke, explaining to the board the status of this issue, informing the board that bids for the demo had been received, and the property owner and his new attorney had filed a petition with the court to ask for supervisory control and to stop the demolition. Goldsmith has been in contact with the property owner's attorney who states they would like additional time to renovate the two remaining buildings. Neither the property owner or his attorney are in attendance at this meeting and they have not submitted any plan, explained where the funding for the project is coming from, or how long the project would take if the township accepted their request. Goldsmith also stated that if the board approves the demolition of the buildings, Mr. Shah's attorney will follow through with the petition to stop it, but he is sure the judge will side with the township and affirm the order for demolition. If the judge makes the affirmation of the township's decision, the contractor can be contacted and the demolition can take place, with the cost of this demo to be paid by the township but a lien for those costs to be placed on the property. Discussion followed with board members commenting on how many years this issue has been going on, the fact the property is dangerous because it is currently being used by vagrants and drug dealers, and the property owner has made repeated promises to make repairs or clean the place up while stating he had no money to do so. Motion was made by Tienvieri, seconded by Steiner to accept the bid of \$32,000 from Peerless Contractors, and to move forward with the demolition of two buildings located at 6280 Telegraph Road. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

DISCUSSION OF STATUS/UPDATE REGARDING THE CHANGES TO RETIREMENT CONTRIBUTIONS EFFECTIVE 7/1/2016

Tienvieri spoke, expressing her concern over the status of this issue, which needs to be voted on by the board in order to move forward. Francis spoke, explaining the issue has been put in place; they are simply waiting for the necessary paperwork (wording changes) from Burnham & Flowers to downsize the contribution from 13% to 8% with the option to match up to 5%, for the township's 457 plan. It's possible the ordinance needs to be changed, the township attorneys are looking into that issue, and resolutions will have to be passed. Goldsmith addressed board members questions.

DISCUSSION REGARDING THE STATUS/UPDATE OF THE COMMUNICATIONS COMMITTEE

Stewart spoke, explaining his reasoning for not finishing the appointments to the Communications Committee. He also stated he is concerned this committee does not have a written description of purpose, of what is required of the committee and what they can and cannot do. He is asking for a consensus of opinion from the board on how to proceed. A lengthy discussion followed with board members offering differing suggestions on how and what needs to be done in order to move forward on this issue. Motion was made by O'Dell seconded by Steiner to appoint three board members to a sub-committee to work on guidelines for the Communications Committee, review the existing applications for the committee, and to bring the

Page 3
Bedford Township
July 19, 2016

issue back to the board at the next meeting. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

NEW BUSINESS

REQUEST FOR APPROVAL OF OUTSTANDING INVOICES- Motion was made by Hershberger, seconded by Francis to approve the following vouchers for payment: General Fund-\$29,671.05, Fire District-\$2,084.49, Police Fund-\$66.64, Park Fund-\$3,959.11, Transit System Fund-\$26,054.00, Library Operating Fund-\$7,702.96, Downtown Development Authority-\$14,262.14, Sewer Operation & Main. Fund-\$2,180.39, and Trust and Agency Fund-\$737.00, for a total of \$86,717.78. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

REQUEST FOR APPROVAL OF THE MCRC CONTRACT FOR ROAD IMPROVEMENT FOR THE CHAPEL CREEK SPECIAL ASSESSMENT DISTRICT

Hershberger spoke, stating this contract was for the road improvement for the Chapel Creek Special Assessment District. The project was bid out and the low bidder was Cadillac Paving, a company that has done work in Bedford before. The cost will be \$133,500.00, with the Road Commission paying \$2,400.00 and the township paying the rest. Motion was made by Hershberger, seconded by Francis to approve the Monroe County Road Commission contract for a special assessment district in Chapel Creek subdivision in the amount of \$133,500.00 with the township's portion to be \$131,100.00, for a cold milling and HMA resurfacing, as presented. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

REQUEST FOR APPROVAL OF THE CONTRACT FOR ROAD IMPROVEMENTS FOR THE WILDHAVEN PARK SPECIAL ASSESSMENT DISTRICT

Hershberger spoke, stating this special assessment district is for a private road known as Wildhaven Park, and because it is private, the contract will not be handled through the Road Commission. The low bid was from Pavex Corporation, for \$55,208.20, and Mannik & Smith, the township engineers, recommend the board approve this bid. Tienvieri questioned the inspection fees and Barry Buschmann from Mannik & Smith responded. Motion was made by Hershberger, seconded by Francis to approve the contract with Pavex Paving for the special assessment district for Wildhaven Park, a private road, at a cost of \$55,208.20, as presented. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

REQUEST FOR APPROVAL OF A ROAD INSPECTION CONTRACT FOR 2016 WITH MANNIK&SMITH GROUP

Buschmann spoke, explaining this contract would cover inspections for 6 projects, which covers 4.1 miles of roadway as part of the 2016 Road Construction Projects program. The roads are: Sterns, Adler to Quail Hollow, Cover Lane, Smith to the State line, Ivor Lindsay, Lewis Avenue to the dead end, Section Road, between Whiteford and Secor, Substation Road between Crabb and Minx, and Substation from Crabb to the dead end. He then explained what the inspections cover and answered board members questions. Motion was made by Hershberger, seconded by Francis to approve the contract with Mannik & Smith the supervision and inspection of 6 named

Page 4
Bedford Township
July 19, 2016

projects, at a cost of \$15,405.00, as presented. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

COMMENTS FROM THE PUBLIC

Phil Goldsmith, Attorney for Bedford Township – stated he was asked to look into an allegation of improper use of township credit cards by a township board member. He said he found no evidence of this by any board member, and explained what did happen with regard to trustee Paul Pirrone and his wife, Stephanie when she purchased personal items at the Do-It-Best Lambertville Hardware, twice in August of 2015. When completing her purchase, Mrs. Pirrone asked about the availability of a “discount” for her purchase because her husband is a township trustee. The store employee allowed the purchases to be put under the township’s account, with Mrs. Pirrone paying the costs herself, but because the township is exempt from sales tax, all of her purchases were sales tax exempt. This error was discovered when the township clerk received copies of the bills. The township clerk then contacted the hardware store and informed them they had charged the expenses to the township account in error. Mr. Oswalt, owner of the store, stated he would take care of the problem, and the clerk believed this issue was resolved. This issue came to light again when it was part of a FOIA request for information. The township clerk then contacted the township attorney and asked him to investigate the issue, at which time it was discovered the Pirrones had not paid back the sales tax to the hardware store. Mr. Pirrone was advised he should do so, which he did. Goldsmith stated the township clerk handled this entire issue properly and the allegation of the improper use of township credit cards is not true, the issue is resolved.

Michele Bork, 8153 Jackman - asked for details regarding the sidewalks being installed at Secor/Sterns, and questioned road improvement inspections.

Lamar Frederick, 3254 Deer Creek – commented on the pension contribution issue.

Gail Keane, 1056 W. Temperance – read the board’s approved Principle of Government statement and then stated instances where it was not followed. She also mentioned the township board meetings have become a comedy show to residents and to other communities. Carol Frederick, 3254 Deer Creek gave her time to Ms. Keane.

Darlene Calgie, 406 Vienna – informed the board she felt the BZA decision made in April 2016 regarding her variance request was not consistent with other decisions made by that board, gave an example, and asked that those inconsistencies be reviewed.

James Calgie, 406 Vienna gave his time to Ms. Calgie.

Logan Tisdale, 1308 Brandywine – stated he had no political agenda, asked for righteousness in the Township, and stated his appreciation for the stewardship of Francis, Hershberger & Stewart.

Stephanie Pirrone, 2652 W. Temperance – Spoke to the credit card/hardware store issue and commented on the BZA issue.

Robyn Bush, 215 W. Substation – spoke to the board on behalf of residents who fear retribution if they speak regarding a board member’s unethical behavior and gave examples of that behavior.

James Krieger, 4130 Hill gave his time to Ms. Bush.

Dale Track, 2842 Sanibel – commented on his own absence from board meetings, and spoke to board members campaign promises and decisions on township financial issues.

Linda Wilson, 2549 Sandpiper –commented on her son-in-law Mr. Pirrone being a good father & husband. She then quoted from Psalm 56 urging the board to work together.

Mark Ellsworth, 1420 Winding Way – stated he is County Commissioner for District 8 and reminded voters they could only vote one party or the other in the upcoming August 2, 2016 election, no crossover voting is permitted.

Mike Sprott, 8872 Tanglewood – commented on the townships excellent real estate information available on the township website, stated he would hate to see any major changes in employment in the township, and sees a need to upgrade the townships ordinances to encourage business growth.

REPORT FROM TOWNSHIP BOARD MEMBERS

Tienvieri – stated she is thankful for the residents having the freedom to speak and give their opinions, thanked Corey Welch (aide to Senator Zorn) for his work getting the Dean & Jackman traffic road light repaired, expressed her concern regarding the special use ordinance revisions changing the permitted hours of operation, mentioned a blight grant she had found online and gave a copy to the township supervisor, and asked if the township audit had been scheduled.

Pirrone – spoke to the issues/concerns brought to the board by Ms. Bush and Ms. Calgie, stated if these persons had a problem they should go to the person with the issue. He explained the Farmer's Market issue, the RCR track issue, and said his record speaks for itself. He referred the BZA issue to Steiner, and asked Goldsmith to comment. He also mentioned the litigation issue was his brother's address.

Steiner – Steiner stated we need to think about the people in this country and asked for a moment of silence for all those who have lost their lives recently.

O'Dell – stated the importance of clarity over the many issues that have come before the board, and the need for Tienvieri, Steiner and himself to meet to work on the Communications Committee guidelines.

Francis – answered question regarding inspections of bidders for road projects, stating the township engineers do these inspections, there is no overlap in engineering costs between the road commission's engineers and ours, it probably costs less to do it this way. He also reminded the board that the township's 5 year asset management plan for roads needs to be updated in order to be continued. He then commented on the portion of resident's property taxes the township keeps, which is .79 mills, plus any special local millages, which are fire, police and local transportation, all of the rest of your tax dollars goes to the county and state.

Hershberger – stated absentee ballots are still available to residents who wish to vote in the August 2, 2016 election but cannot go to the polls, reminded voters they cannot cross-over vote (vote for both democratic and republican candidates) and if they have done so on their absentee ballot and want more than the proposals on the ballot to count, they need to contact her office for a replacement ballot. She also stated mosquito pellets are still available to township residents, Adopt-A-Road pickup will be this weekend, July 22nd, 23rd and 24th, and she has placed voting

Page 6
Bedford Township
July 19, 2016

instructions on cable, the township website, Facebook, the cable station, and is posted in various locations.

Stewart – answered questions regarding the sidewalks at Secor/Sterns, informing the board this is a DDA project and is being paid for with DDA funds, and went on to explain what the DDA is and how it is funded. The DDA is also putting solar lighting in at the location, it was bid out and local companies were invited to bid. He also mentioned Cadillac Paving has done much of the repairs on the township's roads and does excellent work. He thanked the Road Commission, Consumers Energy, State Senator Dale Zorn and his aide Corey Welch, and State Rep. Jason Sheppard for their help in getting the intersection light at Jackman and Dean repaired much more quickly than originally expected. He also reminded candidates to please keep their political signage out of the road right of way. In closing, he again mentioned Bedford High School Girls Volleyball Coach, Jodi Manore, and congratulated her on being named National Girls' Volleyball Coach of the Year, and stated she declined any further township recognition.

ADJOURNMENT

The meeting adjourned at 9:17 p.m.



Trudy L. Hershberger
Bedford Township Clerk

Garnet Francis
Deputy Clerk/Recording Secretary