

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

March 7, 2017

7:00 pm

PRESENT:

Paul Pirrone, Supervisor  
Trudy Hershberger, Clerk  
Paul Francis, Treasurer

Michelle Bork, Trustee  
TC Clements, Trustee  
Rick Steiner, Trustee  
Nancy Tienvieri, Trustee

ALSO PRESENT: Phil Goldsmith, Lennard, Graham & Goldsmith, Adam Massingill, Bedford Fire Chief, & Dan Adams, Faith Baptist Church, Barry Buschmann, Mannik & Smith Group, Michigan State Senator Dale Zorn

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

**PUBLIC HEARING**

**REQUEST FOR APPROVAL OF A RESOLUTION TO ESTABLISH THE LAMBERT ESTATES  
SUBDIVISION PUBLIC ROAD MAINTENANCE DISTRICT**

Motion was made by Steiner, seconded by Clements to open the Public Hearing to Request the Approval to establish the Lambert Estates Subdivision Public Road Maintenance District. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

Hershberger spoke, stating this resolution cannot go forward due to the fact several lot owners have come to her office and removed their names from the petition, bringing the total lot owners who signed the petition to go forward down to 45%, which is short of the 51% needed to proceed.

Deb Gasser, 7544 Hazel, spoke describing the poor condition of their roads and questioning a negative letter received from a resident to other residents regarding the proposed road improvement, and possibly selling the tot lot and using the money to help with the road improvement. Pirrone asked Goldsmith to respond to the issue.

Rob Johnson, 3894 Lucille, spoke, stating he started the petition and had the support of a majority of the lot owners until the negative letter was circulated, causing owners to remove their names based on incorrect or negative information. Goldsmith again responded to funding questions.

Kevin Tracy, 7498 Indian Road, asked if it would be possible for residents to get a tax reduction if they approved a special assessment district. Goldsmith responded to the question, stating the township has no authority to do so, Senator Dale Zorn spoke, stating the state is changing the funding mechanism for roads but it will take time to see the results, possibly as much as a year. Board members spoke to the issue, with Tienvieri asking the board to discuss the possible sale of tot lots in Lambert Estates and other subdivisions, at a future board meeting.

Motion was made by Steiner, seconded by Clements to close the Public Hearing to Request the Approval to establish the Lambert Estates Subdivision Public Road Maintenance District. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

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Motion was made by Hershberger, seconded by Tienvieri to deny approval to establish the Lambert Estates Subdivision Public Road Maintenance District due to a lack of adequate signatures and land area in support of the project. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

**REQUEST FOR APPROVAL OF A RESOLUTION TO ESTABLISH THE SANDYWELL DRIVE PUBLIC ROAD MAINTENANCE DISTRICT**

Motion was made by Steiner, seconded by Clements to open the Public Hearing to Request the Approval to establish the Sandywell Drive Public Road Maintenance District. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

Hershberger stated this district has 19 parcels, of which 12 lot owners have signed the petition. The total cost of this project is approximately \$228,180 or \$10,800 per parcel. This amount will be approved at the second public hearing.

No one came forward to comment.

Motion was made by Steiner, seconded by Clements to close the Public Hearing to Request the Approval to establish the Sandywell Drive Public Road Maintenance District. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

Barry Buschmann, from Mannik & Smith Group spoke, stating the drainage issues and the flattening of the hill to minimize problems with drivers stopping at the Smith/Sandywell intersection in bad weather. He then responded to board members comments and questions.

Motion was made by Hershberger, seconded by Steiner to approve the establishment of the Sandywell Drive Public Road Maintenance District, as presented. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

**REQUEST FOR APPROVAL OF A RESOLUTION TO ESTABLISH THE INDIAN ACRES SUBDIVISION PUBLIC ROAD MAINTENANCE DISTRICT**

Motion was made by Steiner, seconded by Clements to open the Public Hearing to Request the Approval to establish the Indian Acres Subdivision Public Road Maintenance District. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

Hershberger spoke, stating there are 134 parcels in the proposed district, 73 lot owners signed the petition which totals 55% of the parcels. The total cost is approximately \$905,000 or \$6,754 per parcel. This amount will be approved at the second public hearing.

Mary Pagels, 7515 Apache spoke, protesting the special assessment district, because she believes it will not increase the market value of properties, does not provide a specific benefit to residents, and will be a hardship to the elderly/limited income home owners. Buschmann responded to the remarks.

Ethel Mull, 7649 Apache, stated the road improvement is badly needed and she supports the improvement.

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Lewis Andrews, 7667 Seneca, questioned an error in the public hearing notice and questioned what areas of drainage will be done. Hershberger responded to the public hearing notice question and Buschmann responded to the question of drainage and who would be paying for the drainage repairs.

Logan Tisdale, 1308 Brandywine, commented on road funding in general and the need for changes at the state level. Senator Zorn responded to the comment.

Mark Santa-Maria, 7632 Indian, questioned how the width of the proposed road repair is 18 ft. instead of 16 ft., the costs of the road improvement could not be more than 10% of what, and who would move and replace the mail boxes. Hershberger and Buschmann responded to the questions.

Larry Oehlers, 7756 Apache, questioned comments made by resident Mary Pagels regarding the special assessment district and commented on the width of the roads in the subdivision.

Kathy Hassen, 7588 Apache, commented that she was the petitioner and how difficult and time consuming it was to go thru the process, thanking Hershberger and her department for all of their assistance.

Motion was made by Steiner, seconded by Clements to close the Public Hearing to Request the Approval to establish the Indian Acres Subdivision Public Road Maintenance District. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

Tienvieri commented/questioned the report of a broken cross tile in the Indian Creek Subdivision, and questioned reports of construction traffic on the road. She also commented on the possibility of selling tot lots in Indian Acres Sub. Both Hershberger and Buschmann spoke to the issue.

Motion was made by Hershberger, seconded by Francis to approve the establishment of the Indian Acres Subdivision Public Road Maintenance District, as presented. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

**APPROVAL OF AGENDA** – Motion was made by Tienvieri, seconded by Clements to approve the agenda as presented. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

**CONSENT AGENDA**

The Consent Agenda contained the following items for approval:

The minutes of the February 21, 2017 Township Board meeting.

Motion was made by Tienvieri, seconded by Steiner to approve the consent agenda as published. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

**PRESENTATIONS**

Michigan State Senator Dale Zorn presented a memorial tribute to Michelle Bork and her daughter on behalf of her recently deceased husband, Todd Bork. Bork responded, thanking Senator Zorn for the tribute.

Senator Zorn then spoke to the board, giving a short report on pending bills in the Senate and inviting Vietnam veterans to come to the Bedford Trade Fair on Sunday March 11 at 11:00 am when he will be presenting pins to veterans.

**STAFF REPORTS**

**REQUEST FOR APPROVAL OF THE SALARY FOR THE FULL TIME FIRE MARSHAL POSITION**

Fire Chief Massingill gave a short report on the recent fire at Bridgepoint Church, stating the fire department personnel did an excellent job, they were assisted by 14 other fire departments, the sheriff's department, the Red Cross, and many community residents and businesses supplying food and water. An investigation is in process as to the cause of the fire. Massingill then spoke to the issue of the salary for Fire Marshal Whipple, saying he had assumed the extra duties of Fire Chief until Massingill was hired. Massingill stated he had checked with other communities regarding the salary for a fire marshall with 20+ years' experience and the request is comparable, the fire departments current budget will allow for this request and next year's budget request allows for this increase as well. Discussion followed with Tienvieri questioning why no job description was included with this request.

Motion was made by Tienvieri, seconded by Clements to table this request for approval of the salary for the fulltime Fire Marshal to the March 21, 2017 board meeting and have a job description for the position provided to the board. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

**PUBLIC COMMENT**

Mark Santa-Maria, 7632 Indian, commented on and questioned the Indian Acres informational meeting regarding whether the width of the road would be 16 ft. or 18 ft.

Mary Pagels, 7515 Apache, requested a firm commitment from the Road Commission that they would repair the broken cross tile at their expense.

Sandy Nichols, thanked the community for their support of her daughter, Michelle Bork, on the loss of her husband.

**OLD BUSINESS**

**REQUEST FOR APPROVAL OF THE EMPLOYEE EVALUATION SYSTEM**

Clements spoke, stating this system had been postponed from an earlier meeting and some minor changes have been made, and thanked board members for their comments and suggestions. He then offered to answer any questions board members may have.

Motion was made by Clements, seconded by Steiner to support the Employee Evaluation System as presented in the original submission date with the additional supporting materials from February 14, 2017. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

**REQUEST FOR APPROVAL TO GO FORWARD WITH THE DEMOLITION OF STAR MOTEL BUILDINGS**

Pirrone spoke, stating he had received a price to remove the asbestos from the Star Motel buildings before the demolition. The cost of removal will be \$23,300, and he has contacted the owner of the property to see if he will pay for this so that it will not become a lien on the

property. This will make the total cost of the demolition more than \$55,000, which is more than the property is currently worth, and he asked the board for direction. Tienvieri questioned whether levied fines could be added to the tax roll as an additional lien on the property. Goldsmith spoke to the issue, giving the board additional information on this case. Motion was made by Tienvieri, seconded by Steiner to proceed with the removal of the Star Motel and any other buildings at a cost of \$55,800.00. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. 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-\$92,932.99, Fire District-\$14,324.12, Police Fund-\$2,321.73, Park Fund-\$1,069.03, Transit System Fund-\$18,4728.00, Library Operating Fund-\$6,141.55, Water Revenue Fund-\$3,980.00, Downtown Development Authority-\$600.00, Sewer Operation & Main. Fund-\$74,832.75, & Trust and Agency Fund-\$613.40 for a total of \$210,600.11. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

#### REQUEST FOR APPROVAL OF A RESOLUTION FOR A CHARITABLE GAMING LICENSE FOR BREAKING BARRIERS FOUNDATION

Hershberger spoke stating the Breaking Barriers Foundation, a local charitable organization is applying for a charitable gaming license from the state. Michigan requires the local jurisdiction recognize the organization by approving the attached resolution. She further noted the organization has submitted all of the proper paperwork attesting to their nonprofit status.

Motion was made by Hershberger, seconded by Tienvieri to approve the resolution recognizing the Breaking Barriers Foundation as a non-profit organization in Bedford Township, as presented. Motion carried on a roll call vote as follows: Aye: Francis, Bork, Clements, Steiner, Tienvieri, Hershberger & Pirrone. Nays: None. Excused: None

#### **COMMENTS FROM THE PUBLIC**

Ken Gonyea, 8311 Lambert – commented on the repaving of Monroe Road and the edges of the road breaking down already, asked who is in charge of or responsible for the fire lanes in front of the Kroger and Dollar stores, suggested the board consider extending the Lewis Avenue water line north to at least Erie Road, stated that demos of dangerous buildings should not take 5 years to do, and the board should negotiate a cheaper price for the demolition job at Star Motel.

Mike Balazs, 825 Eagle Ridge – spoke regarding the planned Ribfest in July of 2017, explaining previous comments he had made and stating he had no objections to the ribfest being held.

Mary Pagels, 7515 Apace – questioned what is done with the interest income from special assessment districts.

#### **REPORT FROM TOWNSHIP BOARD MEMBERS**

Tienvieri Thanked Senator Zorn for his support of veterans, stated she is disappointed with the lighting problems at the library, said maintenance is doing an excellent job of installing the

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lighting, and hoped the completion of the policy manual wouldn't be forgotten but be on a future board agenda.

**Clements** – stated he is proud of the community for their support of the Bridgepoint Church, and hopes it continues. He also thanked the board for their approval of the employee evaluation system.

**Steiner** – stated he is also proud of the community's support of Bridgepoint Church, commented he supports the ribfest but had some concerns, the new fire chief is doing a great job after only one week on the job, and complemented the fire department personnel on the great job they did on the weekend.

**Bork**- thanked everyone for their help and support during this difficult time.

**Francis** – explained that the revised sections 1 & 2 of the proposed policy manual are listed under Information in the board packet and suggested it would be better to continue working on the rest of the manual at Committee of the Whole meetings and not take up valuable board meeting time. He also commented on the fire at Bridgepoint Church, saying it's only a building, the church will go on.

**Hershberger** – answered questions posed during the public comment portion of the meeting, stating the SAD informational meetings she offers are a courtesy, not required by law and Lambert Estates had two info meetings. She also stated the Road Commission dictates many issues, such as width of roads, type of paving, etc. The funding for SAD's is either bonded, which costs more, or the township board has been allowing her to borrow the money against the Water fund, the interest goes to pay off the loan. With regard to taking water on Lewis Avenue north to Erie, there have been many SAD's started for that purpose but all have failed due to the cost and difficulty of bringing the water line under the RR tracks on Lewis. In addition, she informed the board she will be in classes at Mt. Pleasant all next week, and will miss the first budget meeting.

**Pirrone** – stated the 5 year road improvement plan has been finalized and will be brought to the board for approval at the next board meeting.

He reminded the board and public the Bedford Trade Fair will be held this weekend on Saturday and Sunday, inviting everyone to come.

Regarding the Wiseman drain issue, the Drain Commission will be doing an SAD to take care of the drainage problem, the cost is expected to be between \$20,000 and \$30,000.

He has been meeting with the Farmers Market to get them organized for this year, they will probably be selling more than just produce items.

Library lights issue. Voss Lighting is taking care of the problems with the lights at the library, it's mostly issues with ballasts, electrical volunteers will be completing the job.

The policy manual will be worked on in televised Committee of the Whole meetings.

Fire Lane parking – Chief Deputy Heath Velliquette was asked to come to the podium and speak to the issue. He stated the Sheriff's Dept does patrol the areas in question, but the department needs to be called using the non-emergency 911 phone number, if anyone sees a violation.

Hershberger stated that regarding the asbestos issue at Star Motel, the issue was mentioned in the demolition proposal, but the contractor does not do asbestos removal.

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**ADJOURNMENT**

The meeting adjourned at 9:22 p.m.

Trudy L. Hershberger  
Bedford Township Clerk

Garnet Francis  
Deputy Clerk/Recording Secretary