

BEDFORD TOWNSHIP BOARD MINUTES  
8100 JACKMAN ROAD, TEMPERANCE, MI 48182  
May 13, 2014  
7:00 pm

PRESENT:

Trudy Hershberger, Clerk	Paul Pirrone, Trustee
Paul Francis, Treasurer	Rick Steiner, Trustee
Larry O'Dell, Trustee	Nancy Tienvieri, Trustee

EXCUSED: Greg Stewart, Supervisor

ALSO PRESENT: Phil Goldsmith, Lennard, Graham & Goldsmith

The Regular Meeting of the Bedford Township Board was called to order by Hershberger at 7:00 PM followed by the Pledge of Allegiance and a moment of silence.

Hershberger asked for a motion to appoint a Moderator for the meeting in the absence of the Township Supervisor. Motion was made by Francis, seconded by Steiner to appoint Clerk Hershberger as Moderator for the meeting. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Tienvieri, Steiner, & Hershberger. Nays: None. Excused: Stewart.

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

**CONSENT AGENDA**

The Consent Agenda contained the following items for approval:

The April 15, 2014 township board minutes.

The General, Savings, Pooled Funds & CD Reports.

The Revenue/Expense Report & Balance Sheet for period ending 4/30/2014.

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

**OLD BUSINESS**

**REQUEST FOR APPROVAL OF THE MCRC 2014 CONTRACT FOR MINERAL WELL BRINE ON VARIOUS LOCAL ROADS**

Francis stated this contract is approved by the board every year, the cost of \$21,562.00 is the same as last year's contract, and if approved will authorize the road commission to apply a brine to the surface of the unpaved public roads in Bedford Township. Board members questioned the wording of the contract and asked which roads would be done and when. Hershberger asked if anyone from the audience would like to speak to the issue. No one came forward.

Motion was made by O'Dell, seconded by Tienvieri to approve the Monroe County Road Commission contract for Mineral Well Brine applications on various local roads at a cost of \$21,562.00 with the provision that the MCRC provide a list of roads that will be impacted, a schedule for applications on said roads, and the correct wording to reflect the intent of the agreement. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, & Hershberger. Nays: None. Excused: Stewart.

*REQUEST FOR APPROVAL OF THE MCRC 2014 CONTRACT FOR MOWING ALONG LOCAL ROADS*

Francis spoke, stating this contract is renewed annually, is for mowing along local roads, and the cost of \$19,200.00 is the same as last year. Discussion followed among board members, questioning the bidding process for this project, requesting a list of roads to be mowed, the wording of the contract, and clarification of the scope of the project. Hershberger asked if anyone from the audience would like to speak to the issue. No one came forward. Motion was made by O'Dell, seconded by Pirrone to table this contract until the next meeting, due to the incorrect wording of the contract and clarification of the scope of the project. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, & Hershberger. Nays: None. Excused: Stewart.

*REQUEST FOR APPROVAL OF A PLANNING SERVICES AGREEMENT WITH DENNIS JENKINS, PLANNING CONSULTANT*

Hershberger spoke, explaining the board approved the appointment of Mr. Jenkins as a planning consultant, and this is the agreement written by the township attorney under which Mr. Jenkins will perform his services to the township. Tienvieri questioned the length of time for the agreement and any possible liability issues the consultant or township may have. Attorney Goldsmith responded to those questions. Hershberger asked if anyone from the audience would like to speak to the issue. No one came forward. Motion was made by Francis, seconded by O'Dell to approve the planning services agreement with Dennis Jenkins, Planning Consultant, as submitted. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, & Hershberger. Nays: None. Excused: Stewart.

**NEW BUSINESS**

*REQUEST FOR APPROVAL OF OUTSTANDING INVOICES-* Motion was made by Francis, seconded by Steiner to approve the following vouchers for payment: General Fund-\$175,196.08, Fire District-\$11,904.47, Police Fund-\$2,313.13, Park Fund-\$5,684.95, Transit System Fund-\$27,064.00, Library Operating Fund-\$13,616.86, EDC Fund-\$9.77, Water Revenue Fund-\$3,140.77, Enchanted Forest Debt Fund-\$2,819.34, Road Capital Improvement Fund-\$5,442.40, DDA Fund-\$470.00, Sewer Operation & Main. Fund-\$23,147.34, & Trust & Agency Fund-\$21,571.06, for a total of \$292,360.17. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, & Hershberger. Nays: None. Excused: Stewart.

*REQUEST FOR APPROVAL OF A RESOLUTION FOR A ROAD CLOSURE FOR THE CELEBRATE BEDFORD PARADE ON JUNE 28, 2014*

Hershberger spoke to the issue, stating the township needed to approve this resolution for a road closure in Bedford Township to allow a parade on Saturday, June 28, 2014 for the Celebrate Bedford organization which will then be sent to the Monroe County Road Commission for their approval. Hershberger asked if anyone from the audience would like to speak to the issue. A resident from the township spoke and informed the board of the various organizations that are involved and the background of the decision to hold the Celebrate Bedford event. Detective Sargent Jeff Pauli, from the Monroe County Sheriff's Dept. also spoke to the board, explaining the parade route is from the Bedford School Administration building on Sterns Road, west to

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Jackman, north on Jackman to Dean, then west on Dean to the Bedford High School, and that the Monroe County Sheriff's Department has scheduled four deputies to assist with the road closure. Motion was made by Steiner, seconded by O'Dell to approve the resolution for a road closure for the Celebrate Bedford parade on Saturday, June 28, 2014, as presented. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, & Hershberger. Nays: None. Excused: Stewart.

**REQUEST FOR APPROVAL OF ITEMS 7C THROUGH 7H**

Attorney Goldsmith spoke, explaining the correlation between items 7C, 7D, 7E, 7F, & 7G. He stated all these items needed to be voted on independently and in order, if one of the items is not approved the whole project will fail. Prior to this issue coming to the board, Althaus Family Investors, LTD, the owners of the lots in question, and the public utilities involved all received approvals from the Bedford Township Board of Zoning Appeals, the Bedford Township Planning Commission, and the Monroe County Planning Commission. The end result of this project will allow Althaus Family Investors, LTD, owners of Unique Tool and Die to expand their property and operations. He also stated he encouraged having the entire project voted on at one time, and apologized to the board for the complexity of the issue. Hershberger asked if anyone from the audience would like to speak to any of the individual items. Kevin Romanko, representative on behalf of the Farren and Sliwka families (owners of 95 E. Sterns & 115 E. Sterns Road) spoke to the board further regarding the issue. Marty White, Buckeye Pipeline spoke, stating his support of the issues but expressing concern regarding his company's ability to access the pipelines and valves located on an easement on parcel no 5802-110-010-00. Attorney Goldsmith assured Mr. White all of the easements on that parcel will be assessable to the companies that hold the easements. Goldsmith answered various questions from Board members.

**REQUEST FOR APPROVAL OF A REQUEST FOR A WAIVER OF THE 4 TO 1 DEPTH TO WIDTH RATION OF PARCEL NO 5802-036-024-00, 115 E. STERNS ROAD**

Motion was made by O'Dell, seconded by Francis to approve the request of Mark & Terri Farren for a waiver of the 4:1 depth to width ratio for parcel number 5802-036-024-00 (115 E. Sterns), which will result in the Farren's remaining parcel having a depth to width ratio of 5.28 to 1. This motion is supported by the fact that the parcel retained by the Farren's, received an area variance from the BZA on 12/2/2013 and is further supported by the fact the Althaus Family Investors, LTD will combine the rezoned parcel 1B with parcel number 58-02-036-046-20 to eliminate the parcel from being landlocked. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, & Hershberger. Nays: None. Excused: Stewart.

**REQUEST FOR APPROVAL OF A REQUEST FOR A WAIVER OF THE 4 TO 1 DEPTH TO WIDTH RATION OF PARCEL NO 5802-036-025-00, 95 E. STERNS ROAD**

Motion was made by O'Dell, seconded by Francis to approve the 4:1 depth to width ratio waiver requested by Robert and Carol Sliwka for parcel no 5802-036-025-00 (95 E. Sterns) which will result in the Sliwka's remaining parcel having a depth ratio of 5.28 to 1. This motion is supported by the fact that the parcel retained by the Sliwka's's, received an area variance from the BZA on 12/2/2013 and is further supported by the fact the Althaus Family Investors, LTD will combine the rezoned parcel 2B with parcel number 58-02-036-046-20 to eliminate the

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parcel from being landlocked. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, & Hershberger. Nays: None. Excused: Stewart.

*REQUEST FOR APPROVAL OF A REZONING OF A PORTION OF PARCEL NO 5802-036-024-00 FROM AGRICULTURAL TO I-2 LIGHT INDUSTRIAL, 115 E. STERNS ROAD*

Motion was made by Steiner, seconded by O'Dell to approve the rezoning of a portion of parcel no 5802-036-024-00 from agricultural to I-2 light industrial subject to the terms and conditions explained by the township attorney, with approvals by township and county planning commissions. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, & Hershberger. Nays: None. Excused: Stewart.

*REQUEST FOR APPROVAL OF A REZONING OF A PORTION OF PARCEL NO 5802-036-025-00 FROM AGRICULTURAL TO I-2 LIGHT INDUSTRIAL, 95 E. STERNS ROAD*

Motion was made by Steiner, seconded by O'Dell to approve the rezoning of a portion of parcel no 5802-036-025-00 from agricultural to I-2 light industrial subject to the terms and conditions explained by the township attorney, with approvals by township and county planning commissions. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, & Hershberger. Nays: None. Excused: Stewart.

*REQUEST FOR APPROVAL OF A REZONING OF PARCEL NO 5802-110-010-00 FROM R-2A, SINGLE FAMILY RESIDENTIAL TO I-2 LIGHT INDUSTRIAL, A VACANT PARCEL ADJACENT TO 95 E. STERNS ROAD*

Motion was made by Steiner, seconded by O'Dell to approve the rezoning of parcel no 5802-110-010-00 from R-2A, single family residential, to I-2, light industrial, a vacant parcel in the Albert Acres subdivision, subject to the terms and conditions written by township attorney Goldsmith, with approvals by township and county planning commissions. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, & Hershberger. Nays: None. Excused: Stewart.

*REQUEST FOR APPROVAL OF A COMBINATION RESTRICTION AGREEMENT BETWEEN BEDFORD TOWNSHIP AND ALTHAUS FAMILY INVESTORS LTD, BETWEEN PARCELS 5802-110-010-00 AND THE NEWLY CREATED ALTHAUS FAMILY INVESTORS LTD PARCEL*

Motion was made by O'Dell, seconded by Francis to accept the combination restriction agreement between Bedford Township and the Althaus Family Investors LTD between parcels 5802-110-010-00 and the newly created Althaus Family Investors LTD parcel, as presented. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, & Hershberger. Nays: None. Excused: Stewart.

**COMMENTS FROM THE PUBLIC**

Jason Sheppard, 7235 Bentcreek, County Commissioner District 8 spoke to the board about a meeting he attended in Samaria between Samaria residents and the Monroe County Road Commission regarding the proposed repaving of Samaria Road between US-23 and I-75. He discussed the costs related to the project, & expressed concerns over the funding and timing of the project. Board members discussed and expressed their concerns regarding several aspects of this project, and thanked him for attending the meeting and keeping the board informed.

**REPORT FROM TOWNSHIP BOARD MEMBERS**

Tienvieri – questioned the township attorney regarding the recently approved noxious weeds ordinance, mentioned the Supreme Court ruled prayer in open board meetings to be constitutional, requested a townhall meeting on June 5<sup>th</sup> with roads as the subject, asked to have the Monroe County Sheriff come to a board meeting and explain the monthly report the board receives, mentioned the information received in the latest MTA update regarding state legislative issues.

Pirrone – thanked Jason Sheppard for attending the board meeting and providing the information on Samaria Road, and mentioned the Farmer’s Market would be opening on May 24<sup>th</sup>, with 10 to 12 vendors participating and activities for children.

Steiner – congratulated Mr. Althaus on investing in the Bedford Community and the State. He also mentioned the dates for recycling in Bedford, and the dates for hazardous waste collection and paper shredding in Bedford. He also spoke to the regulation of the Tannerite explosive, in Michigan.

O’Dell – thanked Jason Sheppard for attending the meeting and providing information on Samaria Road paving, thanked Karen Kincaid for her help in explaining the Althaus waivers and rezonings, and thanked Attorney Goldsmith for his information and assistance.

Francis - no report

Hershberger – stated she is checking on costs for live streaming of board meetings, the community clean-up day on 5/31/2014 from 8 am til 4 pm, at Indian Creek park, and reminded residents of this being the Peddler/Solicitor season and what to do if someone comes to your door to sell products.

**ADJOURNMENT**

The meeting adjourned at 8:50 p.m.

Trudy L. Hershberger  
Bedford Township Clerk

Garnet Francis  
Deputy Clerk/Recording Secretary