

BEDFORD TOWNSHIP BOARD MINUTES
8100 JACKMAN ROAD, TEMPERANCE, MI 48182
November 19, 2013
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

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

PUBLIC HEARING

*REQUEST FOR A SPECIAL APPROVAL USE TO ERECT A WIRELESS
TELECOMMUNICATIONS TOWER ON PARCEL # 58-02-007-031-00 (10483 SECOR RD)*

Motion was made by Steiner, seconded by Hershberger to open the public hearing for the request for a special approval use to erect a wireless telecommunications tower on parcel #58-02-007-031-00 (10483 Secor Road). Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

Attorney Goldsmith spoke, explaining the new cell tower ordinance which follows state and federal laws requires a public hearing and township board approval for this type of request. He further explained the background of the request and that if the applicant meets the requirements, the township must approve the application. He then said that in his opinion, AT&T Mobility did meet those requirements.

Steve Wells, attorney for AT&T spoke to the issue on behalf of AT&T and produced exhibits showing the need for a telecommunications tower in this area. He then introduced Brad Riggs, an engineer for AT&T and John Romszak, a radio frequency engineer who spoke and answered questions.

Connie Swemba, 3377 W. Samaria, spoke in opposition to the proposed telecommunications tower, stating it was too close to many residences located on AG property.

Jason Sheppard, Monroe County Commissioner, Dist. 8 spoke to the tower issue, stating the proposed area is a "dead zone" for any communications for the Monroe County Deputies, who use AT&T for their communications, which constitutes a safety issue for both the deputies and residents if the tower is not approved.

Joseph Rombach, 3475 W. Samaria, is opposed to the approval, stating he believes a tower in that area will lower property values for neighboring properties and cited a possible exposure to electromagnetic interference. He also mentioned he had a petition signed by 23 residents in the area who were also opposed to the tower location.

David Swemba, 3377 W. Samaria, spoke, questioning whether AT&T had looked at other sites and if so where were they located.

Carl Breske, 10443 Secor, spoke, also questioning whether AT&T had looked at other sites and asked for locations.

Connie Swemba, 3377 W. Samaria spoke again, questioning the wording of the ordinance and how it was interpreted.

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Steve Wells, attorney for AT&T spoke again answering questions posed by the township attorney, residents and board members. Motion was made by Pirrone, seconded by Hershberger to close the public hearing for the request for a Special Approval use to erect a wireless telecommunications tower on parcel #58-02-007-031-00 (10483 Secor Road). Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

Board members questioned the township attorney and Mr. Wells, attorney for AT&T, asking for clarification on issues.

Motion was made by Pirrone, seconded by Francis to approve the special use to erect a wireless telecommunications tower on parcel #58-02-007-031-00 (10483 Secor Rd.) with the approvals of the Monroe County Drain Commission, Monroe County Road Commission, and Fire Department, as presented. Motion carried on a roll call vote as follows: Aye: Francis, O'Dell, Pirrone, Steiner, Tienvieri, Hershberger & Stewart. Nays: None. Excused: None

APPROVAL OF AGENDA – Motion was made by Steiner, seconded by Hershberger to approve the agenda, with the removal of item 6B- Appointment of new Interim Fire Chief, as presented. Motion carried unanimously.

CONSENT AGENDA

The Consent Agenda contained the following items for approval:

Approval of the November 5, 2013 Bedford Township meeting minutes.

Approval of the General, Savings, Pooled Funds & CD reports from the Treasurer.

Approval of the Revenue/Expense Report and Balance Sheet for the period ending October 31, 2013.

Acceptance of the Resignation of Jim Neorr at Interim Fire Chief.

Motion was made by Pirrone, seconded by Steiner to approve the consent agenda as published. Motion carried unanimously.

COMMENTS FROM THE PUBLIC

Lamar Frederick, 3254 Deer Creek, spoke regarding the streetlight special assessment resolution issue. He questioned the wording on the document regarding the 10% increase w/o notice, & whether gas & electric streetlights would be increased the same or differently.

Arvind Shah, 6905 Underhill – spoke regarding the streetlight special assessment resolution issue, suggesting the board look into new alternative lighting of the townships streetlights which would result in lower usage costs.

OLD BUSINESS

REQUEST FOR APPROVAL OF THE RESOLUTION TO CONFIRM, MODIFY AND CONTINUE THE STREETLIGHTING SPECIAL ASSESSMENT DISTRICTS IN BEDFORD TOWNSHIP

Goldsmith spoke, explaining the history and giving background information for this version of the resolution. He informed the board that state law mandates that assessment rates can only be increased up to actual costs for each assessment district, and assessments cannot change without a published notice. Board members spoke, questioning the length of the document, asking for assurances that the notice would be published each year if an increase was needed, and various other questions regarding the issue.

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Motion was made by Hershberger, seconded by Francis to approve the resolution to confirm, modify and continue the streetlighting special assessment districts in Bedford Township and to possibly delete some of the said districts, as presented. 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-\$40,811.66, Fire District-\$3,553.54, Police Fund-\$219.49, Park Fund-\$552.74, Library Operating Fund-\$668.87, EDC Fund-\$6.43, DDA Fund-\$1,672.52, Sewer Operation & Main. Fund-\$502.35, & Trust & Agency Fund-\$1,226.00, for a total of \$49,213.60. 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 2013 TAX PENALTY RESOLUTION

Francis explained this resolution is approved annually, which allows the board to assess a 3% late fee penalty for property taxes not paid after 2/14/2014 which is the last date taxes can be paid without penalty and before 3/1/2014, with the penalty being waived for senior citizens and other special groups.

Motion was made by Francis, seconded by Steiner to approve the 2013 Tax Penalty Resolution, 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 RESOLUTION ADOPTING GUIDELINES FOR POVERTY EXEMPTIONS IN 2014

Francis spoke explaining this resolution is also approved every year, follows the Federal poverty guidelines and allows the homestead of persons who, by reason of poverty, to be exempt in whole or part from taxation under the law.

Motion was made by Francis, seconded by Hershberger to adopt the resolution on poverty exemptions for 2014, 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 RESOLUTION AND AUTHORIZATION FOR CHANGE IN THE STANDARD LIGHTING CONTRACT WITH CONSUMERS ENERGY

Hershberger spoke, stating approval of this resolution will allow Consumers Energy to convert and replace several streetlights at large with upgraded higher efficiency lighting. There is no cost to the township for this change. Board members asked several questions for clarification of the issue.

Motion was made by Hershberger, seconded by O'Dell to approve the authorization for change in the standard lighting contract with Consumers Energy, 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

Jason Sheppard, County Commissioner, District 8 – gave the board an update on county issues, regarding the county's approval of their budget, grant monies approved for the county, and stated he is running for State Rep. in this area in 2014.

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Lamar Frederick, 3254 Deer Creek – again spoke to the board regarding his concerns about the approved streetlight special assessment district resolution.

REPORT FROM TOWNSHIP BOARD MEMBERS

Tienvieri – responded to Mr. Frederick’s comments. She also mentioned the lack of budget numbers in the monthly financial reports, the need to offer more services for residents, such as dumpsters for yard waste. She also questioned the status of the personnel policy update, questioned the number of booths the township uses at the Trade Fair, and mentioned the Treasurer’s memo on health care cost questions.

Pirrone – gave the board an update on Planning Comm. issues, and mentioned a possible site for the farmers market is being looked at.

Steiner – stated the Policy Comm. will be meeting with the Comm. of the Whole to consolidate the proposed changes and hope to be done by the end of the year.

O’Dell – commented on the Comm. of the Whole having completed half of the Policy Committees recommendations.

Francis – read the property tax information that will be published in the township newsletter and the memo he had written to the board regarding health insurance costs to the township.

Hershberger – stated videos of the township board meetings are now on the township website, explained how to access the information, and said the goal is to have the meetings posted by Thursday after the meeting. She also mentioned we will not be able to have live streaming of the board meetings unless we upgrade the system and purchase additional equipment. Hershberger wished everyone a Happy Thanksgiving and informed the public the township hall will be closed on Thursday the 28th and Friday the 29th for the Thanksgiving Holiday.

Stewart – mentioned he will be looking for residents who would like to serve on any of the townships boards or commissions, applications are available online and will be published in the next township newsletter. He also commented on the streetlight assessment resolution, and said he had visited Bozel North America for the ribbon cutting ceremony at their facility and was very impressed with the potential for jobs at that company.

ADJOURNMENT

The meeting adjourned at 9:30 p.m.

Trudy L. Hershberger
Bedford Township Clerk

Garnet Francis
Deputy Clerk/Recording Secretary