

**MINUTES OF THE BOARD OF COUNTY ROAD COMMISSIONERS  
MONROE, MICHIGAN  
January 25, 2016**

1. At a Regular Meeting of the Board of County Road Commissioners at their offices located at 840 S. Telegraph Road, Monroe, Michigan on Monday, January 25, 2016 the meeting was called to order by Chairman Iacoangeli at 5:30 p.m.
2. Roll Call by Deputy Clerk as follows:  
PRESENT  
Bruce R. Stammer, Jr.  
Dan Minton  
Stephen J. Pace  
Paul Iacoangeli  
EXCUSED  
Charles A. Londo  
A quorum being present, the Board proceeded to transact business.
3. Commissioner Iacoangeli led the Pledge of Allegiance.
4. Commissioner Iacoangeli led the Opening Prayer.
5. Commissioner Minton moved, seconded by Commissioner Stammer to approve the January 25, 2015 revised regular meeting agenda. Vote: Ayes: 4 Nays: 0 Excused: 1 Motion carried.
6. PUBLIC HEARING – Abandonment of Waucedah Avenue, Whiteford Township  
The public hearing for the vacating a port of Waucedah Avenue, Whiteford Township was opened at 535 p.m. by Chairman Iacoangeli.

Walter Ruhl, Whiteford Township Supervisor, presented a copy of the Whiteford Township January 19, 2016 meeting minutes showing their Board voted 5-0 against the abandonment of Waucedah Avenue. Mr. Ruhl stated the Township wasn't sure about the future development in the area and that paper street may be needed for access for future utilities. He also felt the paper street provided easier access for the fire department.

Michelle Delmotte, 4980 Onway Drive, indicated as part of the original petition the utilities and easements would be reserved, as well as access for the fire department. As far as sewer and water, natural gas lines were installed this past summer and nothing was put down that section of roadway. They have been there since April 2004, and they were told by the prior owners that it was never used and they maintained it as their driveway. Since April 2004, she and her husband have put down stone and plowed the snow to maintain it as a driveway, all at their expense. When the roads in the neighborhood were resurfaced in May 2004 that section was not touched. It was treated as a driveway. She also indicated that 10 other residences support the abandonment as adjacent property owners, which are 21 tax paying citizens.

Wilbur Dilbone, 4900 Onway, indicated Wolverine Gardens was originally set up for single family dwellings. The driveway is being used by a business and they don't want it. Kids play on this quiet street and the commercial traffic is causing a safety issue. This stub has been there since the 70's and hasn't been used and the residents don't want it used for a business entrance.

Brenda Fuleky, 4947 Onway Drive, indicated she has lived in Wolverine Gardens since 1992. During that time, she has watched three different owners (including the Delmotte's) maintain that road as a driveway. The drive has never been used for anything other than a driveway. This has always been a very quiet dead-end street. About a year ago, new people bought the property behind the subdivision, and now they want to use that driveway for their lawn and garden business instead of using their own driveway on Whiteford Road for their machinery.

John Kevern, 4960 Onway Drive, stated the current owners at 4980 Onway have always kept up that driveway because the county has never maintained it. His concern is not about what the owners of the adjacent property do, but for the commercial traffic coming off that adjacent property that creates a safety concern. It has added extra traffic that wasn't there before and this is a quiet neighborhood. There are a lot of kids that are walking and playing on these streets. He noted that there is a driveway off Whiteford Road that goes to this barn that the commercial traffic should be using.

Larry Futrell, 4950 Onway, stated even should the driveway be abandoned there could still be access should the fire department need to use it. Also the roads in their neighborhood are not built for heavy commercial traffic like the dump truck and trailer that has been coming in and out, plus they drag mud onto the other streets in the sub. He also indicated the owner of the lawn service dumps grass and weed clippings into the woods, lights fires in the back of their property and leaves it burning and the fire department has been called several times to put out the fires.

John Spencer, 4980 Tawas Drive, indicated he agrees with all the comments made by those speaking. He also stated people use these streets thinking it is a short cut looking for Smith Road. He supports the abandonment.

Norm West, 6480 Waucedah, indicated he has lived there 15 years. He indicated that the kids use that dead end as area to play. This is a great neighborhood and they don't want commercial traffic. There is access for the fire department so that isn't a concern. He stated there is no benefit to the residents of the subdivision for commercial vehicles who run the stop sign which creates safety issues. The neighbors shouldn't have to deal with one homeowner wanting to access his business located at the back of his property at the detriment of others in the subdivision. He feels it is ridiculous to open that road to commercial traffic. He has also seen these commercial vehicles run the stop signs at the corner which causes safety concerns. The roads were not built for commercial traffic and it is already breaking off the sides of the asphalt. His main concern is public safety.

Ryan Bennett, Whiteford Road, indicated he is the adjacent property owner that has the pole barn that everyone has talked about. As far as employees, it is just himself and he doesn't use it every day at all. The building is used for storage and the enclosed trailer he uses for his lawn business is upfront. The pole barn was built with the proper permits with the understanding that the driveway would be an access point should there be a fire. He stated he has two children and no one races in and out. He talked with people on the road to explain he would be in and out. Employees don't run in and out of there and they don't run the stop sign. I am the employee with one part-time helper. I use the barn for more personal storage. There is not material (stone, mulch, etc.) stockpiled and it isn't used as a store front or business. Mr. Bennett again stated the pole barn is used for personal storage only and has a stone floor in it.

Brenda Fulekey, 4947 Onway Drive, stated the business does use what the neighbors always believed was a driveway and the drop mud on the road and they do run the stop sign. This is a quiet neighborhood with only two side streets. The trucks do drag mud on the road more in the summer. That driveway has never been maintained by the county – never plowed or stoned. She felt that since the Road Commission never maintaining this road it is already considered abandoned.

Ryan Bennett asked what would be the process if the Road Commission grants the abandonment. Is there a standard protocol about how the property is divided?

Chairman Iacoangeli indicated that would be a question for the staff or legal counsel. The decision would probably not be made tonight.

Joe Orr, 5014 Onway, stated he knew that was a road since he moved there in 1998. He agreed that Mr. Delmotte has maintained the road. Mr. Bennett doesn't use that driveway very often as he uses that barn for storage and has cleaned the property better than it was before and the neighbors use Bennett's property but he isn't complaining about it. He feels it should stay as a road and not allow it to become a driveway.

Jason Delmotte, 4980 Onway, indicated he lives next to the proposed abandonment. He stated he has been home and seen two trucks drive in and out of Bennett property. He explained when they bought the property they didn't know it wasn't a driveway. They later found out about it being county property until much later, and it was never an issue because there were trees along the back of the driveway making it impossible to use. Not until the adjacent property was purchased and that property cleared of the trees could you access that driveway. The road has never been maintained by the county. There is no reason to have a road since it was never used, never maintained and it is only a 2 track.

With no further comments, the Public Hearing on the Vacating a portion of Waucedah Avenue, Whiteford Township was closed at 5:51 p.m.

Commissioner Pace asked if this is considered a seasonal road, and asked about zoning requirements. Mr. Assenmacher indicated it is considered a paper street. Subdivisions that were platted included these stubs for future interconnectivity. It is public property since it is part of the plat. There are numerous paper streets in the county that are not certified roads that receive ACT 51 monies.

Walter Ruhl, Whiteford Township Supervisor, stated the township zoning ordinance doesn't consider it a business with 2 or less employees, they can operate out of their home.

Commissioner Minton asked the last time the Road Commission maintained this road. Mr. Assenmacher stated never. Abandoning this road only means the Road Commission releases their interest in the property. There is another process for interested parties should they wish pursue the property.

Commissioner Pace asked that staff go out and physically look at the area before the next regular board meeting and provide the Board with the pros and cons. Mr. Assenmacher indicated the staff would provide facts and information from a public safety and road network perspective.

7. Public Comment –

Gail Keane, 1056 W. Temperance Road, inquired about her request on the Downtown Temperance district for a speed study, parking and crosswalk marking as outlined in their streetscape plan. As acting member of the Temperance Action Committee, she has not received any response on the plan presented. She also mentioned there are rumors about a left turn lane again at the intersection of W. Temperance and Lewis Avenue, and stated that is not conducive to the wellbeing of the Downtown Temperance District.

Fred Ruspaj, 7306 Twin Canyon Drive, Lambertville, indicated the snow plows keep taking out his sprinkler system and 2-3 feet of grass. He called the Road Commission and was told these items are in the right of way, but he is requesting the items be replaced. It has happened every year for the last 6 years. He talked with Greg Stewart at Bedford and he suggested he attend a meeting.

Chairman Iacoangeli asked if Mr. Ruspaj had submitted a formal written service request and he responded he has called only to be told the items are in the road right-of-way. He asked why the trucks are out plowing when there is no snow.

Chairman Iacoangeli asked that Mr. Ruspaj submit a formal written service request so the staff can go out and look at the situation and evaluate the request.

8. The following items were listed on the Consent Agenda: *(with immediate effect)*

- 1) Approval of Minutes- January 11, 2016 Regular Meeting Minutes  
January 13, 2016 Special Meeting Minutes

- 2) Approval of Journal Entry

No. 10 Vendor Checks #67605-67618	\$ 107,898.02
Void Check #67490	\$ 45,100.81
No. 25 Payroll Checks #62908-62917 & Advice #18143-18231	\$ 245,529.42
4 <sup>th</sup> Qtr Cafeteria Pmts & Signing Bonuses Cks#62918-62946	\$ 23,061.15
No. 26 Vendor Checks #67619-67669	\$ 216,070.33
No. 48 Vendor Checks #67670-67711	\$ 337,594.24

- 3) Township Contracts - None

Commissioner Stammer moved, seconded by Commissioner Minton to approve the January 25, 2015 Consent Agenda as presented. Vote: Ayes: 4 Nays: 0 Excused: 1 Motion carried.

9. Unfinished Business – None.

10. New Business –

- 1) Discussion on participation and funding for 2016 Bedford Trade Fair and 2016 Monroe County Fair.

Commissioner Pace moved, seconded by Commissioner Minton to approve the participation in the 2016 Bedford Trade Fair and authorize the expenditure of \$495 for the booth rental, and table the Monroe County Fair discussion until more information is available. Vote: Ayes: 4 Nays: 0 Excused: 1 Motion carried

- 2) Appointment of Board alternate to VEBA Trust Board.

Commissioner Iacoangeli moved, supported by Commissioner Stammer to appointment Charles A. Londo as VEBA Trust Board alternate. Vote: Ayes: 4 Nays: 0 Excused: 1 Motion carried

- 3) Discussion on Resolution on Opposition to SB 571.

Commissioner Minton moved, seconded by Commissioner Stammer to approve the Resolution to support the Opposition to Public Act 269 (SB 571) as presented. Vote: Ayes: 4 Nays: 0 Excused: 1 Motion carried

11. Report of Officers –

*Randy Pierce* (Managing Director/Superintendent of Maintenance) – Mr. Pierce had nothing additional to report.

*Phillip C. Masserant* (Director of Finance) – Mr. Masserant had nothing additional to report.

*Scott Assenmacher* (County Highway Engineer) – Mr. Assenmacher stated he felt attending the trade shows and county fair provided a great opportunity for the Road Commission to share successes and promote interaction with citizens in a positive environment. He also mentioned the article on Samaria Road in the Monroe News.

*Camden Regis* (Human Resource Director) – Ms. Regis had nothing additional to report.

*Philip Costello* (General Counsel) – Mr. Costello indicated he provided his legal opinion on the ethics/award questions. He is also working with the staff to clarify the property being purchased from Berlin Township for the salt shed.

Commissioner Pace moved, supported by Commissioner Minton to authorize the County Highway Engineer to attend a conference in Florida to accept the award on behalf of the Road Commission at no cost to the Road Commission. Vote: Ayes: 4 Nays: 0 Excused: 1 Motion carried

12. Public Comment -

John Kevern, 4960 Onway asked whom the citizens should talk with about vacating this driveway. He feels safety is a huge concern.

Chairman Iacoangeli indicated any of the administrative staff.

Jason Delmotte, 4980 Onway Drive, stated he tried to talk with Supervisor Walt Ruhl back in October 2015, and he was told he was too busy with the sewer project to deal with it. All the neighbors have seen the lawn equipment trucks drive in and out. They ran out of room with all the neighbors who wanted to sign the petition. This was never an issue until Mr. Bennett purchased and had the property surveyed to clear trees. Should someone ever try to develop that road, it would create flooding for the neighbors.

John Kevern also indicated the water levels are high and most homes have crawl spaces instead of basement. He again stressed the need for public safe and not allowing commercial vehicles on these roads.

Gail Keane, 1056 W. Temperance Road, felt the Bedford Trade Fair was good showcase for the Road Commission. She felt it was good for the Road Commission to be able to talk with Bedford citizens at this event. She also felt that the Road Commission should hold office hours once a month again at the Bedford Township offices with the Drain Commission. This is a more personal approach.

She also stated the Adopt a Road program was off to a good start in Bedford Township. She also mentioned that by state law subdivisions have to have a snub street put in for future development, and avoid land lock. She suggested they check with County Planning and Whiteford Township Planning to see what was permitted when he built the pole barn. She also stated the homeowners don't automatically have a right to the snub street.

Jason Delmotte indicated Mr. Bennett has full access to his property off Whiteford Road. Mr. Bennett said when he built the barn that he didn't want to ruin his property so he was using the driveway as his access.

13. Commissioners' Comments -

*Commissioner Pace* had nothing additional to report.

*Commissioner Stammer* indicated that he holds hours in Bedford Township in conjunction with the Drain Commissioner. He would like Bedford to post or advertise the hours for the 3<sup>rd</sup> Thursday of the month.

Commissioner Stammer would like to know the start-up costs for a weighmaster position, including vehicle and equipment. He suggested contacting the larger townships to help offset the cost of that position since they are making big investments in the road system. He stated truck drivers and steel haulers are ignoring the "No Thru Trucks" signage and he feels a weighmaster would be worth the money spent, especially if the townships will dedicate money to help offset our costs. At least the tickets issued would give money back to the townships.

Commissioner Pace stated they tried the weighmaster in the 90's and it didn't last. Commissioner Stammer would like to see the start-up costs for this position.

*Commissioner Londo* was excused.

*Commissioner Minton* asked for the physical address of the driveway on Waucedah so he could go look at it himself. The location is west of 4980 Onway and looks like a 2 track driveway.

Commissioner Minton felt Commissioner Stammer made a good point with the weighmaster. He sees trucks all over Plank Road. He questioned how much the truck route would help with the trucks using unmarked roads. Mr. Assenmacher explained there is still a lot of work to be done on the truck ordinances. He also pointed out that the truck ordinances and weighmaster are two separate thoughts. He did explain that a weighmaster could enhance the effort of the truck ordinances, and all fees would then go to the townships instead of the library. Commissioner Pace reminded everyone that there is a lot of training to be a weighmaster.

*Commissioner Iacoangeli* reminded everyone that the agenda and board packets are now on the Road Commission website the day of the meeting. The decision on the abandonment of Waucedah Avenue would be on the next meeting agenda.

14. Adjournment -

Chairman Iacoangeli stated if there are no objections, the meeting is adjourned at 6:40 p.m.

*Cheryl A. U'Ran*

-----  
Cheryl A. U'Ran, Deputy Clerk