

**VILLAGE OF ELBERTA BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**—Minutes—**  
**December 18, 2014 • 7 PM**

The Village of Elberta Board of Trustees held a regular meeting on Thursday, December 18, 2014, at the Community Building, 401 First Street, Elberta, Michigan.

The meeting was called to order by president Diane Jenks at 7:05 p.m.

**Recitation of Pledge of Allegiance**

**Present:** Joyce Gatrell, Ken Holmes, Diane Jenks, Holly O'Dwyer, Bill Soper

**Absent:** Jean Sikes, vacant seat

**Public:** Lois Schram, Cathy Anderson, Richard Jenkins, Emily Votruba, Ken Bonney

**Approval of Agenda**

**Motion by Soper, seconded by O'Dwyer, to approve the agenda as presented. All ayes. Motion passed.**

**Agenda Conflict:** None stated.

**Public Input 7:05:** None.

**Approval of Minutes**

Minutes for August 28 special workshop meeting and October 16 and November 20 regular meetings approved with correction to November meeting minutes, p. 3, sale of Penfold Park \*may\* require a referendum.

**Motion by Soper, seconded by Holmes, to approve these minutes with November correction. All ayes. Motion passed.**

**CORRESPONDENCE**

Letter from Village attorney regarding renewed litigation from Loy Putney. Matter is "done for now."

**APPROVAL OF BILLS**

Clerk Dick Jenkins reviewed checks, revenue/expenditure report, and balance sheet. Bills this month totaled \$18,575.95, higher than usual. (1) Recommends payment of bill from State Auditor. (2) Bill from independent auditor Gabridge & Co., for additional fee, not recommended for approval. (3) Bills taking monthly expenses higher than usual this month recommended for approval. Discussion: Payment to Frankfort for fire and first responders (quarterly payment): \$3,677. BLUA: \$6,711. General Fund is \$672K in deficit. Major and Local Streets have a balance of \$170,255.85. Parks & Recreation [or Park Fund?]: \$936.99. Sewer Fund: \$2,258,720. February 28 is last day of '14/'15 fiscal

year. Budget, Finance and Audit Committee to have their recommendations ready for the January 2015 meeting. State Treasury charged \$250/hr for their consulting services.

**Motion by Soper, seconded by Holmes, to approve payment for (1) and (3). All ayes. Motion passed.**

**Old Business: Vacating Street**

Fee paid for vacating street, that process is finished (will result in increased tax revenue). Clerk will put notice in the paper.

**Old Business: Sale of Library**

For sale sign back up, no inquiries. No word from Gilmore Twp re: their intention to purchase.

**AGENDA 1: Committee Appointments and Meeting Schedule**

**Motion by Soper, seconded by Holmes, to accept appointment of Holly O'Dwyer as president pro tempore. All ayes. Motion passed.**

**Motion by Soper, seconded by O'Dwyer, to accept appointment of Gatrell and Holmes to the Water/Sewer Committee. All ayes. Motion passed.**

**Motion by Soper, seconded by O'Dwyer, to accept appointment of Gatrell and Holmes to the Fire & Safety Committee.**

**Motion by Holmes, seconded by O'Dwyer, to accept appointment of Bill Soper as Parks & Recreation Commission liaison, Betsie Valley Trail Authority rep, and Municipal Buildings Committee. All ayes. Motion passed.**

**Motion by Holmes, seconded by Soper, to accept appointment of O'Dwyer, Cathy Anderson, and Dick Jenkins to the Budget, Finance, and Audit Committee. All ayes. Motion passed.**

**Motion by Soper, seconded by Holmes, to appoint Christine Walkons, Diane Jenks, Joyce Gatrell to the Policies, Procedures, and Internal Controls Committee. All ayes. Motion passed.**

**Motion by Soper, seconded by Holmes, to appoint Gatrell and Jenks and Rosemary Tanner to the Employee Relations Committee. All ayes. Motion passed.**

Discussion:

Jenks mentioned Village needs a new Zoning Board of Appeals. Prefers that it not be the same as council. Recommends Mark Held and Art Melendez. Emily Votruba volunteered from audience. Committees should have meeting dates ready for January meeting and post in Post Office. Ken Bonney will be needed at BFA committee meetings.

**Committee/Department Reports**

*DPW*: Received DEQ water storage tank inspection report. The DEQ requires our wellhead protection be updated. It's been over 6 years; supposed to be updated every 5 years. Water tank needs to be recaulked on the inside every 1 to 2 years. Cost est. \$10,000. Needs a smaller screen, which Bonney can do. Roof sections, at \$3,000 per section, need to be replaced, because of people climbing on them. Need a higher fence around tank. The old tank needs to be repainted inside and outside, some trees need to be removed and some digging done around the foundation. Special paint for covering graffiti. Have pictures of inside of tank. Copy of this report is available in the Village Office.

Anderson: Will write letter inviting people to join Wellhead Protection Committee.  
Vandalism at Waterfront Park: Donuts in lawn, possible damage to sprinkler heads, No Dogs Allowed signs damaged. Bonney to look into a surveillance camera system for the park.

### **AGENDA 2 Code of Ethics/Conflict of Interest Policy**

Revision to policy to eliminate the fine for ethics violations. Fine would entail court costs.

**Motion by O'Dwyer, seconded by Soper, to approve the Code of Ethics and Conflict of Interest Policy. All ayes. Motion passed.**

### **AGENDA 3 Parks and Recreation Budget**

**Motion by Holmes, seconded by Gatrell to approve the proposed 2015 Parks and Recreation Commission budget and Elberta Dunes South Natural Area plan. All ayes. Motion passed.**

Holmes points out that he likes the new acronym "EDNA," as that was his mother's name.

### **AGENDA 4 LSS Bridal Show**

Motion by Gatrell, seconded by O'Dwyer, to approve a Bridal Show and Expo to be held April 12, 2015, proceeds of which will fund the LSS "Punch List." All ayes. Motion passed.

### **AGENDA 5 Act 51 Resolution [see Appendix]**

Resolution needed for sidewalk improvements, which must be made in order for Village to keep designated Act 51 money. Bonney: Could lose \$6,660/mo if improvements aren't made. Section 10K of the Act funds improvements to nonmotorized pathways. "Village has never used the money the right way." Considering a 10-year plan. Considering starting on Lincoln Avenue. Bike racks and sidewalks can be funded. Soper: Would like to see improvements to existing sidewalks rather than new ones.

**Motion by Holmes, seconded by Gatrell, to sign said resolution. All ayes. Motion passed.**

### **AGENDA 6 Audit**

Copies of audit included in Council members' packets.

*President's Report:* Nothing more to report.

*Planning Commission:* **Motion by Holmes, seconded by Soper, to approve Jen Whiting as a new Planning Commission member. All ayes. Motion passed.**

**Public Input open 8:40**

Bonney: Thanks to Bill O'Dwyer for helping put up Village Christmas lights.

Votruba: Tree sale last day is Sunday the 21st and a bonfire is scheduled to celebrate.

Also: concerned about poor air quality from low smokestacks and questionable burn materials around the Village. Jenks suggests writing a letter to Charlie Thompson the fire chief. Holmes: Chimneys are supposed to be a certain height. Jenks: Call Josh Mills, who is head of the fire board and see if you can get on the agenda for the next fire board meeting. Anderson: Call Steve Houghton with the Building Department.

Bonney: Reminder: no parking on the street from midnight to 6 am.

**Motion by Soper, seconded by Holmes, to adjourn the meeting at 8:46. All ayes. Motion passed.**

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Emily Votruba and Cathy Anderson compiled these minutes and submitted them to Elberta Village clerk Richard Jenkins. They were approved as presented at the January 15, 2015 Council meeting.

\_\_\_\_\_  
Elberta Village Clerk

\_\_\_\_\_  
(date)

APPENDIX

RESOLUTION REGARDING ACT 51

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SYNOPSIS

VILLAGE OF ELBERTA SYNOPSIS  
REGULAR MEETING December 18, 2014

Meeting called to order at 7:05 pm by President Diane Jenks. Pledge of Allegiance. Present: Joyce Gatrell, Ken Holmes, Diane Jenks, Holly O'Dwyer, Bill Soper. Absent: Jean Sikes, vacant seat. Public: Lois Schram, Cathy Anderson, Richard Jenkins, Emily Votruba, Ken Bonney (DPW/Zoning Administrator). **Approval of Agenda:** Motion by Soper, seconded by O'Dwyer, to approve agenda as presented. All ayes. Motion passed. **Agenda Conflict:** None stated. **Public Input (7:05 pm):** None. **Approval of Minutes** Minutes for August 28 special workshop meeting and October 16 and November 20 regular meetings approved with correction to November minutes, p. 3, sale of Penfold Park **may** require a referendum. Motion by Soper, seconded by Holmes, to approve these minutes with November correction. All ayes. Motion passed. **Correspondence:** Letter from Village attorney regarding Putney litigation. **Approval of Bills:**

Motion by Soper, seconded by Holmes, to approve payment for some items presented. All ayes. Motion passed. **Old Business: Ag 1:** Vacating Street. **Ag 2:** Sale of Library. **New Business Ag 1:** Motion by Soper, seconded by Holmes, to accept appointment of Holly O'Dwyer as president pro tempore. All ayes. Motion passed. Motion by Soper, seconded by O'Dwyer, to accept appointment of Gatrell and Holmes to the Water/Sewer Committee. All ayes. Motion passed. Motion by Soper, seconded by O'Dwyer, to accept appointment of Gatrell and Holmes to the Fire & Safety Committee. Motion by Holmes, seconded by O'Dwyer, to accept appointment of Bill Soper as Parks & Recreation Commission liaison, Betsie Valley Trail Authority rep, and Municipal Buildings Committee. All ayes. Motion passed. Motion by Holmes, seconded by Soper, to accept appointment of O'Dwyer, Cathy Anderson, and Dick Jenkins to the Budget, Finance, and Audit Committee. All ayes. Motion passed. Motion by Soper, seconded by Holmes, to appoint Christine Walkons, Diane Jenks, Joyce Gatrell to the Policies, Procedures, and Internal Controls Committee. All ayes. Motion passed. Motion by Soper, seconded by Holmes, to appoint Gatrell and Jenks and Rosemary Tanner to the Employee Relations Committee. All ayes. Motion passed. **Committee/Department Reports:** DPW, Parks & Recreation **Ag 2:** Code of Ethics/Conflict of Interest Policy. Motion by O'Dwyer, seconded by Soper, to approve the Code of Ethics and Conflict of Interest Policy. All ayes. Motion passed. **Ag 3:** Parks & Recreation Budget. Motion by Holmes, seconded by Gatrell, to approve the proposed 2015 Parks & Recreation Commission budget and Elberta Dunes South Natural Area plan. All ayes. Motion passed. **Ag 4:** LSS Bridal Show. Motion by Gatrell, seconded by O'Dwyer, to approve a Bridal Show and Expo to be held April 12, 2015, proceeds of which will fund LSS repairs. All ayes. Motion passed. **Ag 5:** Act 51 Resolution. Motion by Holmes, seconded by Gatrell, to sign said resolution. All ayes. Motion passed. **Ag 6:** Audit. **Planning Commission Report:** Motion by Holmes, seconded by Soper, to approve Jen Whiting as a new Planning Commission member. All ayes. Motion passed. **Public Input:** Ken Bonney, Emily Votruba. **Adjournment:** Motion by Soper, seconded by Holmes, to adjourn meeting. All ayes. Motion passed at 8:46 pm. Complete minutes of these proceedings are available for inspection in the Village Office, 151 Pearson Street, Elberta, MI and at [villageofelberta.com/about-us/village-government/meeting-minutes/](http://villageofelberta.com/about-us/village-government/meeting-minutes/) Submitted to Record-Patriot by Emily Votruba January 16, 2015.