

MINUTES

Regular Meeting of the Elberta Village Council

401 First St (Community Building) Elberta

July 20th, 2017

7:00 PM

Call to Order at 7:03 pm by President Pro Tempore O'Dwyer

Roll Call. Present: Ken Holmes, Holly O'Dwyer, Bill Soper, Joyce Gatrell. Absent: None. One Vacancy

Motion by Soper, seconded by Holmes to approve Agenda as amended. All Ayes. Motion Carried.

Motion by Soper, seconded by Gatrell, to approve Minutes of June 15th, 2017 Regular Council Meeting as amended. All Ayes. Motion Carried

No conflict of interest was stated.

**Correspondence:**

1. Art Moseler's proposal for the VoE to vacate the unimproved section of Acre St. east of M-22. O'Dwyer introduced the issue. Stated there is a lot to consider. The Village cannot just abandon it. Mentioned the potential for future development and uses. Holmes disagreed. The Village has not done anything with that section of Acre St. for over 100 years. Let him build. Referenced the past precedent when west end of Acre Street was vacated.

Motion by Gatrell, seconded Soper, to approve Art Moseler's proposal for the Village of Elberta to vacate the unimproved section of Acre St. East of M-22. Roll Call: Ayes - Soper, Holmes, Gatrell; Nays - O'Dwyer

2. Frank Post - Director of Benzie County Office of Emergency Management addressed Council about a new Emergency Notification System the County is pursuing, which will utilizes digital forms of communication (smart phones, text messaging email, telephone, etc.). He is approaching the villages in Benzie County that have municipal water systems to gauge their interest in participating. He detailed the system potential/capabilities, primarily the precise delivery of emergency notifications. Stated the tentative financial commitment from the Village would approximately \$250-500 per year. Village involvement would be strictly voluntary. O'Dwyer asked about proration based on population. Community members provided input.

**Public Input:** Jennifer Wilkins questions the appropriateness of Council action on Moseler proposal under "Correspondence."

**Approval of Bills.** Motion by Soper, supported by Holmes to approve bills. All Ayes. Motion Carried.

**Financial Report** was received.

**Old Business**

1. O'Dwyer introduces the new Village Clerk, Coury Carland.

1        2. The Village continues to search for a Zoning Administrator.

2        **New Business**

3        1. Ron McPherson - O'Dwyer stated that repeated attempts to communicate with Mr.  
4        McPherson about the condition of the Crapo St. had failed. Referenced Road  
5        Maintenance Report. Crapo is on the list to be repaired. O'Dwyer proceeded to list the  
6        issue which limit the Village's ability to rectify the situation, including the Critical Dune  
7        designation. She provided contact information for Robin Schmidt at Michigan  
8        Department of Environmental Quality, (231) 383-5952.

9        Ron McPherson denied that attempts were made to contact him. Proceeded to link the  
10       current state of Crapo St. to work done by the Village on the sewer line. Requests that  
11       the VoE cleanup and repair the south end of Crapo St. Accepts that a wall cannot be  
12       built. No action from Council.

13       2. Audit - Council accepted the 2016-17 financial audit without comment.

14       3. Budget Amendment - An amendment to the 2017-18 Budget, transferring funds to pay  
15       for heating and cooling upgrades at the Community Building. Motion by Gatrell,  
16       seconded by Holmes to approve the budget amendment. Roll Call: Ayes - Soper, Gatrell,  
17       Holmes, O'Dwyer Nays - none. Motion Carried.

18       4. Community Building (HVAC Bids) - Bids to upgrade the heating and cooling units at the  
19       Community Building were discussed. O'Dwyer stated that she was leaning toward the  
20       80% efficiency proposal from Team Bob's. DPW Supervisor Pritchard stated that several  
21       of the vendors recommended 80% efficient units. He recommended going with D & W  
22       Mechanical. Felt the work they did quality work on the Village Office renovation.  
23       Motion by Soper, seconded by Holmes to approve the bid from D & W Mechanical for  
24       \$5,830 to replace the air conditioner and furnace at the Community Building. Roll Call:  
25       Ayes - Soper, Gatrell, Holmes, O'Dwyer. Nays - none. Motion carried.

26       5. Water Meter Reader - Council was informed that the receiver for the Water Meter Reader  
27       needs to be replaced. Holmes asked why? Wasn't that replaced recently? DPW  
28       Supervisor Pritchard explained the system is old will need to be replaced. The new  
29       receiver will allow him to continue to use the system to read meter, but eventually all of  
30       the components will need to be replaced. Holmes stated that he does not like computers.  
31       Village Treasurer Kalbach mentioned the possibility of paying for the receiver now and  
32       then finding out if the Village can roll the cost of a new system in with the upcoming  
33       Water Project. Will look into it. Motion by Soper, seconded by Gatrell to purchase a  
34       new water meter reader receiver for \$2,100. Roll Call: Ayes: Soper, Gatrell, Holmes,  
35       O'Dwyer, Nays - none. Motion Carried.

36       6. Rotary Charities Seed Grant Application Resolution - Clerk Carland explained the  
37       resolution was needed in support of a grant application being submitted on behalf of the  
38       Village to Rotary Charities to secure funds to cover the match component of the NRTF  
39       Grant the Village is also seeking. Motion by Soper, seconded by Holmes to approve

- 1 Resolution No. 2017-004. Roll Call: Ayes - Soper, Gatrell, Holmes, O'Dwyer. Nays -  
2 none. Motion carried.
- 3 7. Sewer Project Update - Ken Mlcek of Fleis & VandenBrink updated Council on the  
4 status of the sewer improvement project. Elmer's has completed the first leg from M-168  
5 to Sherman St. It will take 1-2 weeks to complete the second leg. Two crews are  
6 working. One is installing the main. The other is installing the lateral connections.  
7 O'Dwyer asked a question about sewer pipe diameter. Asked about check valves.  
8 Charlie Thompson pointed spoke about the need to maintain access for Fire and EMS  
9 services while the construction continues.
- 10 8. Sewer Draw Approval - Ken Mlcek explained that this is the first payment for the project.  
11 Everything is in order. Needed Council approval of the draw before USDA would  
12 release funds to pay for engineering and legal bills. The next bill cycle will include  
13 construction costs from Elmer's. Motion by Soper, seconded by Gatrell. Roll Call: Ayes  
14 - Soper, Gatrell, Holmes, O'Dwyer. Nays - none. Motion carried.
- 15 9. Solstice - O'Dwyer discussed Soper's deposit for the LSS for Solstice. Solstice did not  
16 take place. She stated that Soper is seeking a partial refund for deposit. A portion of the  
17 \$500 deposit was paid to the LSS manager. Soper clarified that he was not seeking the  
18 refund personally but doing so on behalf of the Elberta Solstice Foundation. Motion by  
19 Holmes, seconded by Gatrell to pay partial reimbursement in the amount of \$324 of the  
20 original \$500 deposit to the Elberta Solstice Foundation. Roll Call: Ayes - Gatrell,  
21 Holmes, O'Dwyer. Nays - none. Abstain - Soper. Motion carried.
- 22 10. Jim Barnes - Barnes thanked the Village for its support in his efforts. He recapped recent  
23 history and status of work. Asked the Village to sign a Property Access Consent Form to  
24 permit the DEQ to perform an environmental assessment of Village property adjacent to  
25 his proposed project area. Barnes recapped again. Asked the Village to sign form and  
26 write letter of support. Motion by Holmes, seconded by Soper. Roll Call - Soper,  
27 Gatrell, Holmes, O'Dwyer. Nays - none. Motion carried.
- 28 11. Jen Wilkins (Parks and Recreation) - Wilkins wants to join the Elberta Parks &  
29 Recreation Commission. Motion by Holmes. Seconded by Gatrell. Roll Call: Ayes -  
30 Soper, Gatrell, Holmes, O'Dwyer. Nays - none. Motion carried
- 31 12. Personnel Liaison - O'Dwyer discussed Robin Rommell's role as Personnel Liaison for  
32 the Village. Originally a six month agreement. Things have worked out well. O'Dwyer  
33 looked for approval to extend for an additional six months. Motion by Soper, seconded  
34 by Holmes to extend the Personnel Liaison contract with Robin Romell for an additional  
35 six months. Roll Call: Ayes - Soper, Holmes, O'Dwyer. Nays - Gatrell. Motion carried.
- 36 13. Flower Pots (Sheer Class) - O'Dwyer discussed planters and parking signs by Sheer Class  
37 Salon. She asked if these are permissible? Holmes said they are not. Take them down.  
38 There is a 50' public right of way. Discussion with audience took place. O'Dwyer stated  
39 that she had spoken with Jenks. She will not take them down. Discussion continued.  
40 Holmes said the Clerk should write a letter to Jenks asking that the signs be taken down.

1 Reports to Council

2 County Commissioner – Sauer. County worked on Planning Commission Ordinance.  
3 Once completed the Commissioners will go to the planning commissions to become a  
4 part of it. Veteran's Memorial dedication ceremony/picnic on August 13th, 2 PM.  
5 Memorial almost completed. The County Commission voted to increase the recycling  
6 fee from \$22.00 to \$25.00. He voted no. Tire pick-up this coming Saturday in  
7 Thompsonville on Lindy Road 9:00 - 1:00 PM. The County is budgeting. Everyone  
8 wants more. Going to have to make some adjustments.

9 DPW – Pritchard. Written report was submitted

10 Planning Commission - Holmes. Written report submitted. Robin Rommell reminded  
11 those in attendance about a meeting on August 15th from 6-8 PM to discuss the results of  
12 the Master Plan Survey. There were 98 responses to the survey, which she thought was a  
13 pretty good response.

14 Parks & Recreation Commission - Soper. No report.

15 BFA - O'Dwyer. O'Dwyer discussed possible discrepancy about the bill for the office  
16 remodel. The treasurer said the bill reflects the estimate to the penny. The Clerk  
17 explained from where the funds are to come to pay for the remodel. O'Dwyer said this  
18 will be straightened out next week. The General Fund cannot make a donation.

19 BLUA/Fire Board/Water Committee - Holmes & Gatrell. Holmes asked why he pays  
20 twice for fire protection?

21 Personnel Committee - Rommell. Written report submitted. Glad to have Coury on  
22 board.

23 Building Committee – Soper. Community Building needs a roof. DPW Supervisor  
24 stated there is a leak he can patch, but a new roof is needed down the road.

25 Zoning Administrator/Code Enforcement Officer report - Tanner. No report

26 No Announcements

27 Public Comment: A question was asked of Charlie Thompson pertaining to burning the Village  
28 limits. O'Dwyer stated that the Village Burning Ordinance is copied from Frankfort. Permits to  
29 burn are issued by the Fire Chief. Thompson said Village residents can contact him if they  
30 suspect burning is taking place without a permit.

31 Kristi Mills spoke on an issue dealing with a rental and potential damage. Prepared a report with  
32 documentation about how she has sought to resolve the matter. She had concerns about who has  
33 access to the LSS. Wanted the Village to look into it further. Amy Kregel spoke about the  
34 damage issue. O'Dwyer and Mills discussed the chain of command for communicating issues  
35 related to the LSS. A discussion ensued about who has keys to the LSS. DPW stated the LSS  
36 was recently rekeyed.

37 O'Dwyer adjourned the meeting at 8:58 PM.

Coury Carland  
Village Clerk