

MINUTES

Regular Meeting of the Elberta Village Council  
401 First St (Community Building) Elberta  
August 16, 2018  
7:00 PM

Call to Order at 7:02 pm by President O'Dwyer.

Pledge of Allegiance

Roll Call. Present: Ken Holmes, Bill Soper, Joyce Gattrell, Jennifer Wilkins, Holly O'Dwyer

Absent: none.

The July 19, 2018 Regular Council Meeting Minutes were discussed. Question asked by H.

O'Dwyer, when was it changed from 2 peach trees to 3 peach trees from the July meeting?

Motion by B. Soper, seconded by J. Wilkins, to approve the Minutes of July 19, 2018 Regular Council Meeting. Ayes - B. Soper, K. Holmes, J. Gattrell, J. Wilkins. Nays - none. Motion Carried.

Motion by B. Soper, seconded by J. Wilkins, to approve Agenda as amended. All Ayes.

Motion Carried.

No Conflict of Interest.

**Correspondence:**

Received an email from Frank Post regarding the 4th of July and Verizon's coverage and the response from Verizon.

Received a letter from Linda Manville regarding her request for the area between the sidewalk and the street on her property to be returned to its original condition. H. O'Dwyer reported that Chris will take care of it before the next council meeting.

Received a letter from Robin Rommell.

Received an email from Rob Frankenberger regarding parking areas for his rentals on Lincoln Ave., Frankfort Ave. and Grant St. Council stated that C. Pritchard had said that the Grant St. parking wouldn't work in the winter because of plowing. Council suggested that Mr. Frankenberger do diagonal parking on Lincoln Ave. enough for 5 parking spaces. Mr. Frankenberger also requested that if there is an issue with the parking, to contact him so he can take care of it.

**Public Input:**

There was a request for 2 - 25 mile an hour speed limit signs to be added to Furnace Ave., one by the old Mitchell building and the other on the hillside coming from the beach by The Trick Dog.

**Approval of Bills.** A comment was made that we are running out of money. P&R is over for signs in the budget. Need a Budget Meeting. Chris is making too many trips to Traverse, when he doesn't have time to answer questions. Make a list of what is needed. Honor is closer than Traverse City. The Village is operating at a deficit. Discussion of the attorney bill/cost for policies that are for personal agendas. Motion by B. Soper, seconded by K. Holmes, to approve paying the bills on the check register in the amount of \$13,825.85. Roll Call: Soper-yes, Gattrell-

1 yes, Holmes-yes, Wilkins-yes, O'Dwyer - yes. Motion Carried. Motion by B. Soper, seconded by  
2 J. Wilkins to approve paying the credit card bills. All Ayes. Motion carried.

3 **Financial Report** was received and accepted.

4 **Old Business**

- 5 1. Loan Emergency Sewer Repair: We received the email that we are able to use the  
6 \$100,000 loan.
- 7 2. Elberta Public Hearing: Sarah Lucas is willing to mediate a public hearing. There may be  
8 a small cost involved. We need to let her know when we would like to hold the hearing.  
9 We will hold off on it for now, but will need to have it done by 180 days before April's  
10 council meeting. A survey and postage will cost about \$2000.
- 11 3. Key: It was agreed that the ELSS would be re-keyed. This is about security of the  
12 building.
- 13 4. Peach Tree: Holly & Chris went to look where Ed Higgins Peach trees were cut down.  
14 They were by his garage under the overhang, not by the hillside where the village had  
15 trees cut down for the water project. After talking with neighbors, they were told that  
16 they were pretty sure that Consumers Energy cut the trees. Discussed replacing 2 peach  
17 trees. J. Gatrell suggested that the village not to pay for the replacement of Mr. Higgins'  
18 peach trees. Council decided not to purchase 2 peach trees.
- 19 5. Water Project: Closing was August 15th. The contractors are starting by the end of the  
20 month and the project is scheduled to be finished in November. It was stated that the  
21 Water Committee needs to be updated and know when meetings are.
- 22 6. Committees: President O'Dwyer removed Becky from the Policy & Procedures  
23 Committee.
- 24 7. Furnace Ave: K. Mlcek from F&V about the Preliminary planning of extending Furnace  
25 Ave. He suggested that the Village have DEQ send a representative out to look at the site  
26 & get special permits, see if the area is designated at Critical Dune. Contact ELHC and  
27 see if they would be willing to part with the land. Have environmental tests done. Council  
28 thanked Ken & F&V for what he did on the preliminary planning. Ken said to let him  
29 know if there was anything else that F&V could do. Motion by K. Holmes, seconded by  
30 J. Gatrell, to recommend that the Grant Committee pursue a meeting with ELHC. All  
31 Ayes. Motion Carried.

32 **New Business**

- 33 1. ELSS Rate Change: Asking for the rental rate of the Elberta Life Saving Station Fee  
34 Schedule to show an increase of \$200 in the rent per day and an increase in the discount  
35 for residents. The Fee Schedule is on page 3 of the ELSS Rental Contract. This is to be  
36 effective following the approval from Council. Motion by J. Wilkins, seconded by J.  
37 Gatrell, to approve the new ELSS Contract to be effective immediately. All Ayes. Motion  
38 Carried.
- 39 2. MNRTF Grant, Resolution #2018-015 & Spicer Group Contract: Target date is to be  
40 done by the time of the first Farmer's Market in May. There is a timeline in the contract.  
41 Will need to meet & work with The Betsie Valley Trail. J. Wilkins asked about Mary and  
42 her work times and amount for writing checks. Motion by B. Soper, seconded by K.

- 1 Holmes, to approve the Resolution #2018-015 to Designate Prime Professional and  
2 Authorized Official for Michigan Natural Resources Trust Fund Grant #TF17-0036 For  
3 Improvements at Penfold Park as presented. Roll Call: Soper-yes, Gatrell-yes, Holmes-  
4 yes, Wilkins-no, O'Dwyer - yes. Motion Carried. Motion by J. Wilkins, seconded by K.  
5 Holmes, to approve the contract with Spicer Group on the Penfold Park Grant and to have  
6 President O'Dwyer sign the contract. Roll Call: Soper-yes, Gatrell-no, Holmes-yes,  
7 Wilkins-yes, O'Dwyer - yes. Motion Carried.
- 8 **3.** Dune Road: Tabled.
- 9 **4.** Rollo Hook-up: Discussion of Rollo's paying for water/sewer for the past few years that  
10 wasn't billed because a meter wasn't installed. It was an oversight on the Village's part in  
11 not having a meter installed. Motion by J. Wilkins, seconded by B. Soper, to have Chris  
12 install a water meter at the cost of \$250.00, so the home owner will begin to get a  
13 monthly bill, no later than September 15th as stated in the letter. Ayes: Soper - yes,  
14 Gatrell - yes, Holmes - yes, Wilkins - yes. Motion by B. Soper, seconded by J. Gatrell, to  
15 change the letter to ask if they would pay the amount of \$1220.02 as stated in the letter.  
16 Roll Call: Soper-yes, Gatrell-yes, Holmes-yes, Wilkins-no, O'Dwyer - yes. Motion  
17 carried.
- 18 **5.** Fishing Deck at Water Front Park: Have Chris put up caution tape for now and get a  
19 bid/estimate from Kerby's for the repair.
- 20 **6.** Credit Card Policy #2018-002 & Credit Card Resolution #2018-016: Jen went over the  
21 policy & resolution. Motion by B. Soper, seconded by J. Wilkins, to adopt the Credit  
22 Card Policy #2018-002. Roll Call: Soper-yes, Gatrell-yes, Holmes-yes, Wilkins-yes,  
23 O'Dwyer - yes. Motion carried. Motion by B. Soper, seconded by J. Wilkins, to adopt the  
24 Credit Card Resolution #2018-016. Roll Call: Soper-yes, Gatrell-yes, Holmes-yes,  
25 Wilkins-yes, O'Dwyer - yes. Motion Carried.
- 26 **7.** Attorney Policy #2018-001 & Resolution #2018-017: Discussion of whether or not it  
27 should be just the Clerk to contact the attorney on behalf of the council. Motion by J.  
28 Wilkins, seconded by B. Soper, to accept the Attorney Policy #2018-001 as presented.  
29 Roll Call: Soper-yes, Gatrell-yes, Holmes-yes, Wilkins-yes, O'Dwyer - no. Motion  
30 carried. Motion by J. Wilkins, seconded by B. Soper, to approve the Attorney Resolution  
31 #2018-017 as presented. Ayes: Soper-yes, Gatrell-yes, Holmes-yes, Wilkins-yes.
- 32 **8.** Audio & Video Recording Resolution #2018-018: Discussion on this resolution. It was  
33 not supported by the Village Council. Goes against transparency and accountability.  
34 Transparency needs to be encouraged.
- 35 **9.** Audit: Deficit. Requested that Mary talk to Roxanne (Treasury) & Angie (Auditor).
- 36 **10.** Village Gardens: Does the Village want to continue to have Village Gardens and  
37 planters? Motion by B. Soper, seconded by J. Wilkins, to have Sue Oseland to continue  
38 to keep up maintaining the garden & planters, allow her to use the truck, fill the water  
39 tank and work under Chris. All Ayes. Roll Call: Soper-yes, Gatrell-yes, Holmes-yes,  
40 Wilkins-yes, O'Dwyer - yes. Motion carried. Asked Becky to contact the insurance  
41 company (MML) to see if we can put a volunteer on the policy.
- 42 **11.** Treasurer's hours: Discussion of hours for the treasurer and using a calendar to know  
43 when deadlines are. Taxes have to be in the computer by August 15th & the DEP is due  
44 the same day. Mary does keep 2 calendars.
- 45 **12.** Meters: the meters are at the end of their useful life. Chris has 10 meters that he can start  
46 to replace old meters. Have Chris put a sign on doors to say to call and set up time to do  
47 this. We own the meters. Need additional meters. Do what Frankfort does. Motion by J.

1 Gatrell, seconded by B. Soper, to have Ken and Jen, the Water Committee, work with  
2 Chris & make a recommendation on what to do with replacing bad meters. All Ayes.  
3 Motion carried.

4 **Reports**

5 County Commissioner – G. Sauer - oral report - Addition of a 4-way stop at a bad  
6 intersection - there is a process to work with the State Police - looking at a Round-about and  
7 safety grants. State of Mi \$300,000,000 increase in MTF for roads. Benzie County will be  
8 getting \$275,000 in October & January. Health Dept - P-fast issue in Grawn from a tire fire.  
9 Cleaned-up with activated charcoal and are continuing to monitor this. Also, a vapor  
10 intrusion in Suttons Bay, levels were too high. School Resource Officer will be on the Ballot  
11 in November. Finalize the Budget with no major cuts, balance budget with no general fund  
12 usage. Delinquent taxes fund \$160,000. Thank you for the invite to the Ribbon Cutting  
13 Ceremony at the Water Front Park.

14 DPW – C. Pritchard. Written report was provided.

15 Planning Commission - K. Holmes. No meeting.

16 Parks & Recreation Commission - B. Soper. Written report (Jen).

17 BFA - H. O'Dwyer. No report.

18 BLUA/Fire Board/Water Committee - K. Holmes & J. Gatrell. BLUA is getting more water  
19 flow.

20 Personnel Committee - H. O'Dwyer. Written.

21 Building Committee – B. Soper. No report.

22 Water/Sewer - J. Wilkins & K. Holmes. Just getting started.

23 Grants - R. Rommell. Written.

24 ELSS - K. Mills. Oral report. Old lights were replaced with new ones as a donation of time &  
25 lights. New contracts coming in. 14 active contracts, many showings scheduled. 7 new  
26 contracts since last month.

27 Zoning Administrator/Code Enforcement Officer report - B. O'Dwyer & M. Lane. Written.

28 Announcements:

29 Thank you to Rosemary Mix for mulching around the trees on Furnace Ave.

30 DEQ - Emergency Sewer Break, doesn't sound like much hope in waiving the fine. There is a  
31 meeting scheduled on September 19th in Cadillac.

32 MML upcoming meeting.

33 Public Comment:

34 Simply Exquisite By The Bay will donate up to \$200 to have the ELSS re-keyed.

35 Adjournment: meeting adjourned at 9:24 PM.

36