

MINUTES

Regular Meeting of the Elberta Village Council
401 First St (Community Building) Elberta
March 21, 2019
7:00 PM

Call to Order at 7:00 pm by President Wilkins.

Pledge of Allegiance

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

Absent: none

The February 21, 2019 Regular Council Meeting Minutes were discussed and corrected. Motion by B. Soper, seconded by J. Wilkins, to approve the revised Minutes of February 21, 2019 Regular Council Meeting Minutes as amended. All Ayes. Motion Carried. Motion by B. Soper, seconded by H. O'Dwyer, to approve Agenda as amended. All Ayes. Motion Carried.

No Conflict of Interest.

Correspondence:

Email response from Village Attorney regarding Clerk rescinding resignation.

Email from Tamara Jorkasky (DNR) Grant Coordinator regarding Elberta Beach.

Letter from MDOT - Patty O'Donnell regarding the State Long Range Transportation Plan - Michigan Mobility 2045.

Letter from DEQ - Amy Vail regarding 2019 Drinking Water Monitoring Schedule & Annual Reports.

Letter from Sue Bishop added to April Agenda.

Public Input:

Mary Haan spoke on the Marijuana opting in or opting out decision for the village.

Although this topic was not on the agenda.

Approval of Bills. Motion by B. Soper, seconded by K. Holmes, to pay the bills on the check register in the amount of \$12,695.74. Roll Call: Soper-yes, Gattrell-yes, O'Dwyer-yes, Holmes-yes, Wilkins-yes. Motion Carried.

Financial Report - We have started the new fiscal year.

Old Business

1. Frankfort Condo Project (Fisherman's Landing) - Sewer line hook-up update - J. Wilkins recommended tabling the decision on this project until April. The developers are looking into running sewer through Frankfort's lines.
2. Farmers Market Proposal Update - **A.** Disassociating from Parks & Rec/Village of Elberta to become its own entity. Discussion of the contract. VoE to pay no more than \$500 for a sign. VoE relinquishes its management and financial responsibilities of the Farmers Market and supports the contract with the newly established Elberta Community Farmers Market. Motion to accept the ECFM Disassociation Agreement with the Village of Elberta Parks and Recreation Commission with the removal of #5 and omitting the dollar amount in #2, by B. Soper, seconded by H. O'Dwyer. Roll Call: Soper-yes, Gattrell-yes, O'Dwyer-yes, Holmes-yes, Wilkins-yes. Motion Carried. **B.** Contract with ECFM

1 Market Manager - discussion of the fee schedule. S. Oseland asked if the class reunion
2 pays to use the park. J. Wilkins stated that the Village has an obligation to the deficit and
3 maintaining the park. H. O'Dwyer asked if there are a lot of inquiries for using the park
4 on Thursday mornings? No. K. Holmes said that when the park is finished there could be
5 more usage. We'll have to have the park maintained. B. Soper asked what Frankfort
6 charges. S. Oseland said that she had that information, Frankfort Market receives \$11,500
7 - \$14,000 a year and pays Frankfort half of what they bring in. EFM brings in around
8 \$5426. Vendor fees bring in \$4400 out of that amount. B. Soper asked if Sue was okay
9 with the fee schedule. S. Oseland said that she hadn't seen the schedule. She was given a
10 copy. A 2 year contract was suggested by K. Holmes. DPW can determine a good place
11 for ECFM storage. Talked about a fee for use of the park on Thursdays in the summer. J.
12 Gatrell asked who was responsible if someone got hurt at the park. Liability insurance
13 would cover it. S. Oseland does not agree with the fee schedule. B. Soper asked what she
14 would propose. S. Oseland said the same as what has been done in the past. J. Wilkins
15 said that the Village can't afford that, can't afford not charging. H. O'Dwyer stated that
16 cleaning could come out of the budget as it was already put in the general fund. Start up
17 is the hardest for new business, offer a one year contract. K. Holmes asked what the cost
18 would be to the village? S. Oseland-a non-profit board to run the market, Sue would be
19 the Market Manager. B. Soper suggested a sign at the Market to help maintain the park.
20 K. Holmes said that if council was agreeable to have no fee for 1st year, that he'd make a
21 motion. #4 DPW can determine where is a good place. #6 No cost to ECFM for 2019
22 year, revisit the fee schedule in November for the year 2020. #14 VoE would provide for
23 liability insurance for 2019 for no more than \$300. J. Wilkins said no. S. Oseland said
24 that it could come from the money in the Farmers Market to cover the cost of \$265. B.
25 Soper said the VoE already covers insurance for the park. J. Wilkins said it is like the
26 ELSS and that rentals have to have their own coverage. Sue stated that ECFM would be
27 able to cover it next year. J. Wilkins wanted it stated clearly for the minutes that Parks &
28 Rec if paid the insurance it would be a non-profit paying liability insurance for a future
29 non-profit & it would be a donation to another entity. S. Oseland said that one non-profit
30 cannot donate to another non-profit. That is illegal. There is Farmers Market money from
31 last year. H. O'Dwyer stated that the packet says that the FM money is going to P&R.
32 Take that money and pay for insurance before it goes to P&R. #10 remove. #14 VoE
33 provide liability insurance for 2019 no more than \$300. Beginning of 2020-ECFM pay
34 their own. Revisit on a yearly basis. H. O'Dwyer asked how the non-profit status works.
35 Sue answered that it depends on how much money is brought in. Motion by H. O'Dwyer,
36 seconded by K. Holmes, to approve of the contract between the Elberta Community
37 Farmers Market Manager and the Village of Elberta as amended with the changes and to
38 revisit in November 2019. Ayes: B. Soper-yes, J. Gatrell-yes, K. Holmes-yes, H.
39 O'Dwyer-yes, J. Wilkins-no. Motion carried.

40 **New Business**

- 1 1. The State Treasury wanted to see more on the Deficit Elimination Plan for the General
2 Fund. It was submitted to Bill Sanders a head of time to make sure that everything that he
3 wanted was on it. Motion by B. Soper, seconded by H. O'Dwyer, to accept the Revised
4 Deficit Elimination Plan for the General Fund as presented. Roll Call: Soper-yes, Gatrell-
5 yes, O'Dwyer-yes, Holmes-yes, Wilkins-yes. Motion Carried.
- 6 2. The State Treasury wanted to see more on the Deficit Elimination Plan for the Municipal
7 Street Fund. It was submitted to Bill Sanders a head of time to make sure that everything
8 that he wanted was on it. Motion by B. Soper, seconded by H. O'Dwyer, to accept the
9 Revised Deficit Elimination Plan for the Municipal Street Fund as presented. Roll Call:
10 Soper-yes, Gatrell-yes, O'Dwyer-yes, Holmes-yes, Wilkins-yes. Motion Carried.
- 11 3. Elberta Dunes South Budget Amendments for FY2019-2020. Motion by B. Soper,
12 seconded by H. O'Dwyer, to accept the Elberta Dunes South Budget Amendments for
13 FY2019-2020 as presented. Roll Call: Soper-yes, Gatrell-yes, O'Dwyer-yes, Holmes-yes,
14 Wilkins-yes. Motion Carried.
- 15 4. Elberta Dunes South Lincoln Street Entrance Sign - no council support on purchasing this
16 sign at this time. Have DPW remove the "No Dumping" sign.
- 17 5. Elberta Dunes South Deck Project & Permit Application Permission - Steve Lagerquist
18 presented the plans for the deck and free stairs. Wanted permission/approval to send out
19 permits for the project. Motion by H. O'Dwyer, seconded by B. Soper, to give permission
20 to Steve Lagerquist to send in the applications for the permits for the Elberta Dunes
21 South Deck Project. All Ayes. Motion carried.
- 22 6. Category B Grant Resolution for Bye St./Lakeside Blvd. - J. Wilkins met with K. Mlcek
23 & C. Sullivan about this grant through MDOT. This will be to fix & create the road and
24 parking area. Motion by J. Wilkins, seconded by H. O'Dwyer, to approve the Resolution
25 for Category B Grant for Bye St./Lakeside Blvd. Roll Call: Soper-yes, Gatrell-yes,
26 O'Dwyer-yes, Holmes-yes, Wilkins-yes. Motion Carried.
- 27 7. Gourdie Fraser November invoice. Motion by H. O'Dwyer, seconded by B. Soper to
28 approve paying Gourdie Fraser in the amount of \$14,964.50 on contingent that Blake
29 Smith from the USDA approves it. Roll Call: Soper-yes, Gatrell-yes, O'Dwyer-yes,
30 Holmes-yes, Wilkins-yes. Motion Carried.
- 31 8. Village Clerk - B. Addis rescinded her resignation, requesting a reduction of hours to 10
32 per week. The Clerk position has been posted in the paper. Motion by H. O'Dwyer,
33 seconded by B. Soper, to assign Becky as clerk for 10 hours per week until someone is
34 hired and trained. All Ayes. Motion carried.
- 35 9. BFAC recommendation for Clerk and Treasurer hours - approval of 10 hours for clerk
36 through April and up to 32 hours for Treasurer. To be revisited in April. Motion by H.
37 O'Dwyer, seconded by B. Soper, to accept the recommendations for the Clerk and
38 Treasurer hours from the BFAC as amended. Roll Call: Soper-yes, Gatrell-yes, O'Dwyer-
39 yes, Holmes-yes, Wilkins-yes. Motion Carried.

- 1 10. 403 Frankfort Ave. (Frankenberger) requesting permission for easement gravel for
- 2 parking. Motion by B. Soper, seconded by K. Holmes, to grant permission for the
- 3 easement to put gravel down for parking. All Ayes.
- 4 11. Well Cleaning Estimate - Raymer & Northern Pump and Well. DPW recommendation is
- 5 Raymer. Motion by K. Holmes, seconded by B. Soper, to approve the estimate from
- 6 Raymer at \$8600 for well cleaning. All Ayes. Motion Carried.
- 7 12. Ravine Street Estimate - AJ's - Tabled to get another estimate from Kerby's. Get an
- 8 estimate from Kerby's for McConnell also.
- 9 13. Historic Preservation Covenant/Easement/Agreement Monitoring for the ELSS - council
- 10 agreed to go ahead and fill out the form sent by the Historic Preservation
- 11 Covenant/Easement/Agreement Monitoring for the ELSS.

12 **Reports**

13 County Commissioner – G. Sauer - oral report - Met with Benzie School Superintendent,

14 Matt Olson, and person from CTC, Nick, to see how money is divided. Talked about the

15 upcoming Ironman race. Rhonda Nye is the new commissioner taking Coury's place. 2020

16 Stapleton's to Betsie River work on roads. Sidewalk to Love Road. Health Dept. meeting on

17 PFA's.

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

19 Planning Commission - K. Holmes.

20 Parks & Recreation Commission - B. Soper. Written report.

21 BFA - J. Wilkins. Written report

22 BLUA/Fire Board/Water Committee - K. Holmes & J. Gatrell.

23 Personnel Committee - J. Wilkins & K. Holmes. Written report.

24 Building Committee – B. Soper. No report.

25 Water/Sewer - J. Wilkins & K. Holmes. Office is to call to set up appointments for meter

26 changes.

27 Grants - J. Wilkins. & B. Soper

28 ELSS - K. Mills.

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

30 Policy & Procedure Committee - J. Wilkins

31 President's Report - J. Wilkins. Pro-Tem - K. Holmes.

32 Announcements:

33 Public Comment:

34 S. Oseland - Thank you to council for accepting the agreement to disassociate the Farmers

35 Market from the Village of Elberta.

36 Adjournment: meeting adjourned at 9:16 PM.

37
38
39