

## Minutes

Regular Meeting of the Elberta Village Council

401 First Street | ELBERTA MI, 49628 | (231) 352-7201

**September 15, 2022 @ 7pm**

**Call to Order & Pledge:** 7:01pm

### Roll Call

Bill Soper – Present | Emily Votruba – Present | Ryan Fiebing – Present | Ken Holmes – Present | Jennifer Wilkins – Present

**Audience** Roberta Benedict, Mary Kalbach, Ken Holmes, Gary Sauer; Fire Chief Cedarholm; Jim Barnes; Tom & Terri Reisner

Motion **to Approve** August 18, 2022, **Regular Council Meeting Minutes** made by Ken Holmes; Seconded by Emily Votruba with the changes made to the unfinished business “Community Building Drywall Repair removed until we have a bid policy in place” adding the word ‘item’ between repair and removed. All AYES. Motion Carried.

Motion **to Approve** September 1, 2022, **Special Council Meeting Minutes** with the addition of the letter a on line 9 behind ‘Emily Votrub’ to correct the spelling of Votrub(a) made by Jennifer Wilkins; Seconded by Emily Votruba. All AYES. Motion Carried.

**Motion for the Approval of Agenda** made by Ken Holmes; Seconded by Jennifer Wilkins. All AYES. Motion Carried.

**Inquiry of Conflict on Agenda Items** - NONE

**Correspondence** - NONE

**Brief Public Comment on Agenda items** - NONE

### Approval of Bills

- o Motion to approve the Check Register in the amount of \$47,290.48 by Ken Holmes; Seconded by Jennifer Wilkins. All AYES – Motion Carried

### ROLL CALL

Bill Soper – Aye | Emily Votruba – Aye | Ryan Fiebing – Aye | Ken Holmes – Aye | Jennifer Wilkins – Aye |

### Financial Reports

- o Rev/Exp sheet provided for review and discussed

### Unfinished Business

1. Motion by Emily Votruba to approve Option 2 which includes the Clerk / Treasurer Position at 32 hours per week with the health stipend at \$500 per month, a Deputy Clerk/Administrative Assistant at 16 hours per week, and a Deputy Treasurer/Finance Assistant at 8 hours per week; office hours worked per week is 56 to become effective upon appointment by Council of the Clerk / Treasurer candidate per Ordinance #42; Seconded by Ryan Fiebing. All AYES – Motion Carried.

### ROLL CALL

Bill Soper – Aye | Emily Votruba – Aye | Ryan Fiebing – Aye | Ken Holmes – Aye | Jennifer Wilkins – Aye |

- Motion by Jennifer Wilkins to approve the Village Clerk to put an ad in the Record Patriot, Record Eagle, Village Website, to check on Indeed, and post on the three bulletins within the village on September 16, 2022, to be run for two weeks accepting a letter of interest and resume by October 10, 2022. Seconded by Emily Votruba. All AYES – Motion Carried.
2. Motion by Emily Votruba to approve the Deputy Clerk / Administrative Assistant Job Description; Seconded by Jennifer Wilkins. All AYES – Motion Carried.
  3. Motion by Emily Votruba to approve the Deputy Treasurer / Finance Assistant Job Description; Seconded by Jennifer Wilkins. All AYES – Motion Carried.
  4. Motion by Emily Votruba to adopt the Village of Elberta Bid Policy under item e with the change of contractual services greater than \$10,000 to \$5,000 to conform to the By-Law Chapter 1124 section 2 as amended October 15, 2015. Seconded by Jennifer Wilkins. All AYES – Motion Carried

### ROLL CALL

Bill Soper – Aye | Emily Votruba – Aye | Ryan Fiebing – Aye | Ken Holmes – Aye | Jennifer Wilkins – Aye |

5. Motion by Emily Votruba to authorize Village DPW Ken Bonney to advise the Village of Elberta residents of our Codes and Ordinances as necessary; Seconded by Jennifer Wilkins. All AYES – Motion Carried.

### New Business

1. Motion by Jennifer Wilkins to accept the resignation of Mike Palermo as the Code Enforcer; Seconded by Emily Votruba. All AYES – Motion Carried. Thank you Mike Palermo.

2. Motion by Emily Votruba to approve the Budget Amendments as presented; Seconded by Jennifer Wilkins. All AYES – Motion Carried.

**ROLL CALL**

Bill Soper – Aye | Emily Votruba – Aye | Ryan Fiebing – Aye | Ken Holmes – Aye | Jennifer Wilkins – Aye |

3. Motion by Emily Votruba to approve the ELSS Rental Agreement Amendments; Seconded by Jennifer Wilkins. All AYES – Motion Carried.

4. Motion by Ryan Fiebing to approve the Policy 2014-004 – Wage and Compensation Regulations Amendment; Seconded by Emily Votruba. All AYES – Motion Carried.

**ROLL CALL**

Bill Soper – Aye | Emily Votruba – Aye | Ryan Fiebing – Aye | Ken Holmes – Aye | Jennifer Wilkins – Aye |

5. Employee Handbook Draft (Discussion Only)

**Reports to Council**

**County Commissioner** – Gary Sauer / an update was given by the County Commissioner.

**Planning Commission** – Fiebing / Narrowing down the Zoning Ordinance Amendment, on draft 5 with the final decisions being made by the planning commission as recommended by the Village Attorney to be discussed at the next meeting scheduled September 20, 2022 @ 5:30pm

**Parks & Recreation Commission** – Soper / see minutes / Beach Clean - up

**DPW** – Bonney / verbal report / started water project; holiday decorating soon / key situation

**The Treasurer Report** – Kalbach/ See Report / insurance company check received for air conditioners; received a donation check from Grow Benzie from the Summer Solstice – clarification question: we are placing an ad for a new clerk& treasurer to appoint – yes a new Clerk/Treasurer, one position.

**The Clerk Report** – Benedict/ Verbal Report / regular monthly duties and working closely with Julia Baker to complete the Bond paperwork for the water project.

**LSS** – K. Mills / finished the new ELSS Rental Agreement

**Zoning Administrator** – J. Mills / Zoning Variance Hearing to be scheduled

**BFAC & Grant** – Wilkins & Votruba / See Minutes/ completed all of the monthly tasks: bank reconciliation, DEP

**BLUA** – Wilkins & Holmes / Verbal Report / several million dollar job dumping sewage with trucks.

**Frankfort Fire and Rescue Report** – Cederholm / See Report/ Pancake Fall Fest

**Historical Preservation** – Fiebing & Soper /

**Personnel & Policy** – Holmes (DPW), Votruba (Office) /

**Water/Sewer Committee** - Wilkins & Holmes / No Meeting – need permission signatures.

**Extended General Public Comment:**

- **Tom Reisner:** inquired about the attorney’s statement regarding council minutes, with his takeaway being, “that if it wasn’t in the minutes, it didn’t happen.” Tom wanted to know when the meeting minutes were taken/transcribed and when were they made available to the public. Council stated that the minutes were recorded at the meeting and transcribed to be available in 8 days, [8 business days stated by the clerk]. The Village Clerk further clarified the Open Meetings Act laws regarding minutes: **draft minutes must be made available within 8 BUSINESS days from the meeting at which the minutes were taken with the final minutes being available within 5 business days from the meeting at which they were approved.** Tom referred to the website minutes stating that they were not updated for both the August 18, 2022, and September 1, 2022, council meeting minutes being listed as draft only. The Clerk explained that the minutes for those two meetings could not be listed as final UNTIL they had been approved at a subsequent council meeting for which they were just approved at the beginning of this meeting during the approval of minutes.
- **Village Clerk, Roberta Benedict,** asked if she should be sending in her resume and application for her own position. The response was yes with the handing of pre-written letters from the Village President, Jennifer Wilkins, one addressed to the clerk and one addressed to the treasurer. The letters stated that the position of clerk and the position of treasurer has been eliminated as it is now a Clerk/Treasurer combined position. Both letters encouraged the clerk and the treasurer to apply for the appointment of the Clerk/Treasurer position or for one of the part-time deputy positions.

**Announcements:** Beach Clean-Up Saturday

**Adjournment:** 8:51 p.m.