

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52

FINAL

Minutes

Regular Meeting of the Elberta Village Council

401 First Street | ELBERTA, MI 49628

June 15, 2023 @ 7 pm

Call to Order and Pledge: 7:00 pm

Roll Call: President Jennifer Wilkins – PRESENT | Pro Tempore Emily Votruba – PRESENT | Ken Holmes – PRESENT | Ryan Fiebing – PRESENT | BRETT MCGREGOR – PRESENT

Audience: Scott Beehler (Gilmore Twp), Michael Cederholm (Frankfort Fire Chief), Christopher Cervantes, Norma Corwin (Clerk/Treasurer), Chris Dankert, Ryan King (Benzonia), Gary Sauer (County Commissioner), Justin Towle (DPW)

Approval of

May 18, 2023 Regular Council Meeting Minutes Motion by Votruba, seconded by Wilkins, to approve with the addition of "New Business" to Inquiry of Conflict on Agenda Items. All ayes. Motion passed.

Approval of Agenda

- **Motion** by Wilkins, seconded by Votruba **to approve the June 15 2023, Regular Council Meeting Agenda** with the addition of Resolution 2023-010 Fourth of July Traffic Control as NB 5 A and chg Traffic Control Order 2023-01 to NB 5B, and add NB No. 10 Resolution Designating Street Administrator **ALL AYES. Motion passed.**

Correspondence

None

Inquiry of Conflict on Agenda Items Wilkins will recuse herself from NB No. 7 and Votruba will recuse herself from NB No. 6

Brief Public Comment on Agenda Items (3 min) Dankert was asked to hold his nonagenda comments (re code enforcement and Robarge stakes) till the end, which he did.

Approval of Bills

Check Register \$33,094.92 AP, \$7,563.16 Payroll. **Motion** by Fiebing, seconded by McGregor, to approve paying the check register amounts. **Roll Call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes. Motion passed.** **Motion** by Votruba, seconded by Fiebing to approve paying the payroll. **Roll Call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes. Motion passed.**

Financial Reports

Rev/Exp Sheet reviewed. McGregor said visual representation of quarterly trends would be helpful. Wilkins and Corwin said once full use of BS&A software begins various reports and charts will be possible. **Interfund Borrowing report:** Details on how Corwin transferred the funds were in council's packet (report lists Mary Kalbach as the agent; Kalbach set up the Fund Balance system and the name is very difficult to change). The interfund borrowing is to be repaid in July with closing of USDA grant/loan.

New Business

1. **Loan Resolution (USDA Loan for Water Project Improvements)** **Motion** by Votruba, seconded by Fiebing to approve the loan resolution authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending its local unit of government by issuance of bonds in the principal amount of One Million Four hundred six thousand dollars and authorize the Village President to sign the resolution. **Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed.**
2. **USDA-RD Form RD 440-11 approval for First Draw from USDA Water Loan** (Repays the Water Fund and the Interfund Borrow) **Motion** by Votruba, seconded by Fiebing to approve USDA-RD Form RD 440-11 approval of first draw from USDA water project funds in the amount of \$464,347.87 and authorize the Village President to sign

FINAL

1 the form. **Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion**
2 **passed.** Added disclosure: When the USDA Loan closes July 12, the first draw in the amount noted will reimburse
3 the Village for the short-term interfund borrow amounts in full. Included in the packets were all the expenses to
4 date for the water project

- 5 **3. Budget Amendments – Water Fund** We have new line items for loans and grants. These are now specified in
6 Revenue Expense Report and Budget with their corresponding years of inception with final amount numbers, for
7 better tracking (final principal and interest amounts for the USDA grants and loans will be added in July after
8 closing). **Motion** by Votruba, seconded by Wilkins, to approve the Water Fund Budget Amendments as presented.
9 **Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed.**
- 10 **4. ELSS Rental Contract Revision** A prospective renter had inquired whether the Village needed more insurance
11 coverage; the attorney determined we didn't; the contract hasn't changed, but minor edits were made. Discussed
12 the \$1,000 rental discount available to the City of Frankfort and whether Elbertians are entitled to any discounted
13 rental rates in Frankfort. **Motion** by Votruba, seconded by McGregor, to approve the edited ELSS Rental Contract
14 as presented. **All Ayes. Motion passed.**
- 15 **5. Resolution 2023-010 to Authorize the Temporary Traffic Control Order** The order will be given to the Benzie
16 County Emergency Manager so we can get one state police officer for July 4/Fireworks. **(A) Motion** by Votruba,
17 seconded by McGregor, to approve Resolution 2023-010 authorizing the temporary traffic control order for July
18 4th **Roll Call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes. Motion**
19 **passed. Temporary Traffic Control Order No. 2023-01 (B) Motion** by Votruba, seconded Wilkins to approve
20 Traffic Control Order 2023-01 **All Ayes. Motion passed.**
- 21 **6. Monthly Report and Request for Payment from Interim Deputy Clerk** Attorney advice was sought on proper
22 procedure for reporting and requesting payment for officials who perform employee duties. Included in the
23 packet were reports by Votruba and Wilkins, in Wilkins case a calendar with detailed list of tasks along with time
24 sheets entered into the minutes (see attached), and payments will be made 7 days after that. **Motion** by Holmes,
25 seconded by McGregor to approve Votruba's clerk work for payment and the proposal for June deputy clerk
26 duties. **Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Recused | Wilkins Aye | All Ayes.**
27 **Motion passed.**
- 28 **7. Monthly Report and Request for Payment from Interim DPW Superintendent** The timesheets and level of
29 detail was found acceptable. **Motion** by Holmes, seconded by McGregor to approve the payment request from
30 the Interim DPW, Jen Wilkins for job duties accomplished thus far and authorize President Pro Tempore to sign
31 time sheets and payment requests. **Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye |**
32 **Wilkins Recused | All Ayes. Motion passed.**
- 33 **8. Village Credit Card** Unable after several attempts with Bank of America to remove former employee names from
34 credit cards, so cards must be canceled. Corwin signed up for a card through State Savings Bank and another
35 name should be chosen (in the past cards have been in clerk's name and a DPW name). Clerk is the official
36 purchase agent for the Village (per policy). **Motion** by Votruba, seconded by McGregor to approve the
37 cancellation of all credit cards through Bank of America and authorize a new credit card for the Village of Elberta
38 in Jennifer Wilkins's name through State Savings Bank of Frankfort, Michigan. **Roll call: Fiebing Aye | Holmes**
39 **Aye | McGregor Aye | Votruba Aye | Wilkins Recused | All Ayes. Motion passed.**
- 40 **9. Assistant, Department of Public Works – Christopher Cervantes (A)** Résumé and background check were
41 included in packets. Cervantes will start July 5. DPW will consist of two assistants and Chris Pritchard, water
42 operator. Water license requires 1 year supervision by licensed water operator, and Pritchard will be able to
43 supervise both Towle and Cervantes to prepare them for that role. Cervantes said he had done EMS work since
44 2006 **Motion** by Votruba, seconded by Fiebing, to hire Christopher Cervantes as Second Assistant DPW **Roll call:**
45 **Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes. Motion passed. (B)**
46 **Motion** by Wilkins, seconded by McGregor, to adopt Resolution 2023-009 Wage and Compensation for Second
47 Assistant DPW. **Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes.**
48 **Motion passed.**
- 49 **10. Street Administrator Designation** Towle has relevant experience through Elmer's. **Motion** by Holmes, seconded
50 by Votruba, to approve Justin Towle as Street Administrator for the Village of Elberta. **Roll call: Fiebing Aye |**
51 **Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes. Motion passed.**
52

FINAL

1 **Strategy Session (Discussion only) The Future of Elberta**

2 Wilkins said she would like to continue the discussion to the next meeting. Small town of 329 people; like many such
3 communities we struggle to find and retain employees. Need backup plans in place to cover duties. Votruba
4 mentioned Cathy Anderson's work as office manager/village administrator. Wilkins has been acting as DPW Supervisor
5 and village manager as a near-full-time volunteer. Holmes mentioned the money lost due to employee
6 attrition/turnover. Wilkins said she has been trying to improve employee compensation. Planning Commission
7 members aren't paid (as they are in other municipalities); Corwin has proved that the Clerk/Treasurer position can be
8 done in 40 hours, by one person, but there's no backup. Staffing requirements, per Wilkins/Holmes: At least two full-
9 time DPW, and two office staff; one full-time 40 hr and a backup. Consider mutual aid with Frankfort. Possibility of
10 help from State Treasury. McGregor asked Corwin and Towle about documentation they found when they began.
11 Corwin said there was nothing procedurally established in writing; McGregor said there needs to be more guidance
12 (daily, weekly, deliverables) for all positions including council. Did have a job description (for the first time) for the new
13 Clerk/Treasurer role. Votruba said progress has been made in record keeping, procedures, policies, etc. Looked into
14 getting a shadower from the clerk's association, none available. MSU intern/work study.
15

16 **Reports to Council**

17 **County Commissioner** – Sauer / Verbal Report; Health Dept. Michigan has no statewide septic code but is
18 developing one; how to enforce. Benzie doesn't have enough staff. 15,000 septic systems in Leelanau alone.
19 Brining completed. Brownfield grant applied for to demolish Platte River School. Rolling review for food stamp
20 applications (paused during pandemic). Studying how much farming takes out of aquifer in Branch county, little to
21 no effect. But what about Mecosta and Ice Mountain's withdrawals. Brew to Brew and Ironman approved. Gilmore
22 public hearing on zoning chgs June 29 6 pm. Feasibility study on hiring a Parks&Rec admin. Cherry Capital
23 Connections got \$5M grant to extend broadband. Crystal Commons housing by airport on hold bec. flight path
24 considerations. Summerfest 19th 6pm.

25 **Frankfort Fire and Rescue Report** – Cederholm/Verbal and Written Report and safety message (see website).
26 Elberta had 3 EMS runs in May, 1 fire. STR should have evacuation plans and handbook for how to call EMS/Fire
27 with address. Suggest no fire allowed in fire pits on red flag days (notice per our ordinance). Rory O'Grady will
28 have grad open house at Fire House. Towle put out a big fire (two trees) with 5 gallon bucket and shovel on the
29 beach prior Thursday 7 am.

30 **LSS** – K. Mills / Written Report 14 contracts to go for season

31 **Zoning Administrator** – J. Mills / Written Report Inquiring about former Conundrum property special use permit.
32 New owner plans to convert ground floor space to residence.

33 **Betsie Valley Trail** – J. Ottinger / Written Report

34 **Planning Commission** – Fiebing / Verbal Report Food Truck Ordinance and Master Plan ongoing. Comments
35 from visioning session.

36 **Parks & Recreation Commission** – Wilkins / See Minutes. Lack of quorum no mtg. Need two new members.

37 **DPW** – Towle/Wilkins / Verbal Report, Personnel Reports. Household trash being dumped in trash cans, one can
38 now removed. Boardwalk almost excavated, more sections to be re-placed, life rings in place; salon sidewalk to be
39 patched. Large pile of woodchips going under playscape (9 inches of squish required)

40 **Clerk/Treasurer** – Corwin / Verbal Report Bank reconciliations from last fiscal year ongoing with auditor help

41 **BGFAC** – Wilkins & Votruba / See Minutes Letter sent to Sand Products re funding shortfall for beach project.

42 **BLUA** – Wilkins & Holmes / Verbal Report New truck unloading zone plans underway

43 **Personnel & Policy** – Holmes (DPW), Votruba (Office) / See Report; Meet 1/mo to discuss tasks, always in packet.
44 Towle creating a regular maintenance schedule and learning Village boundaries for mowing purposes

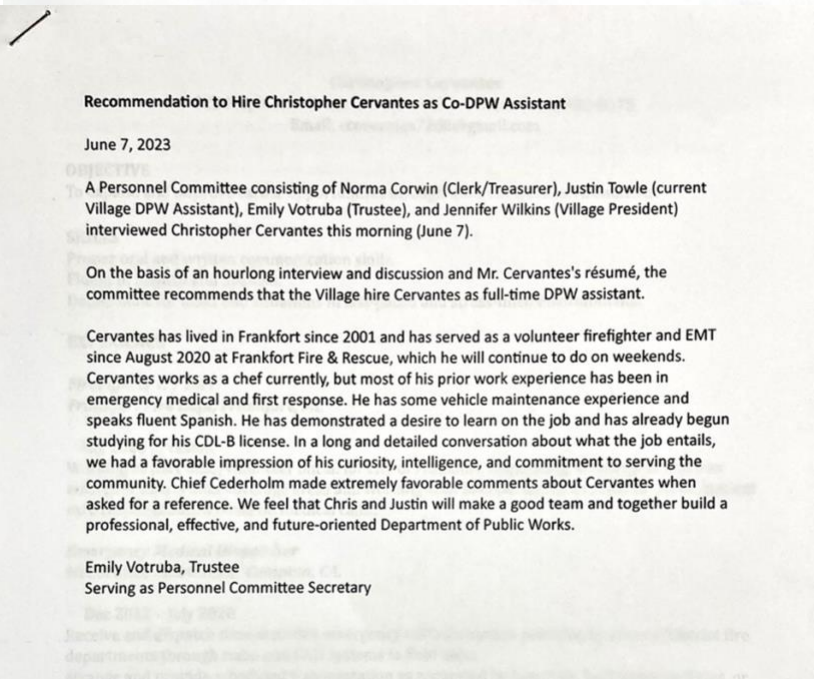
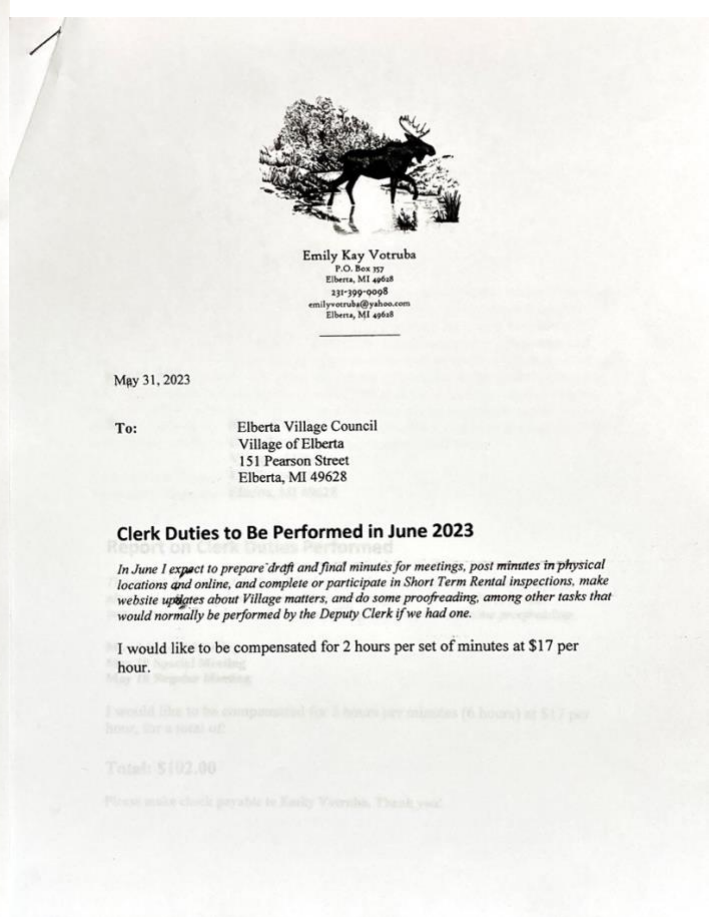
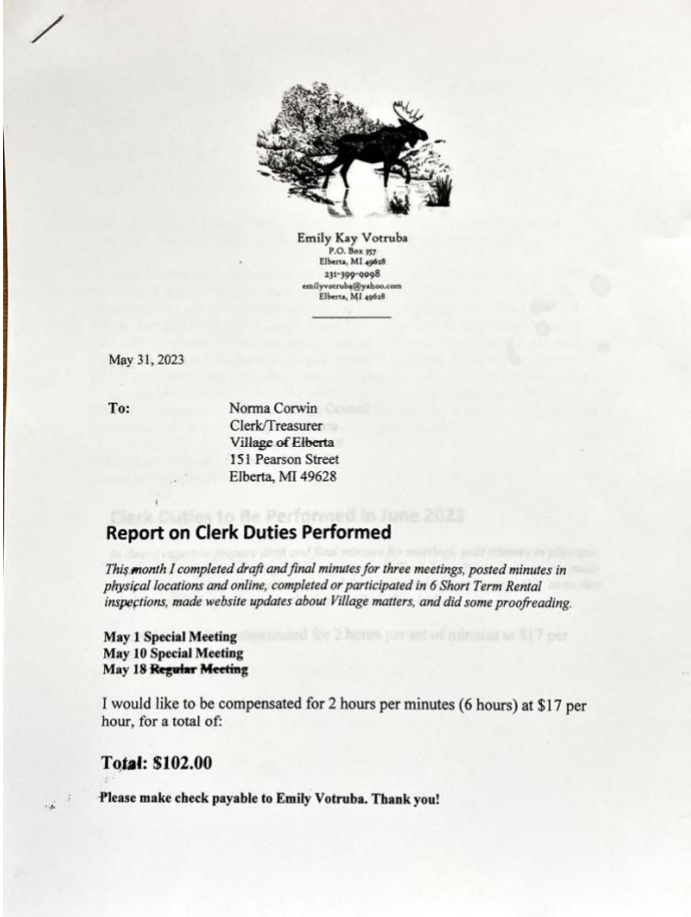
45 **Extended General Public Comment (5 min)** Gary Sauer: New 911 center is funded. Chief Cederholm said Chris Cervantes
46 is stellar, wishes he could promote him to officer level; patient care is phenomenal, can run the fire truck. Chris Dankert
47 asked about materials being stored on Robarge; staking shows where Robarge will be extended to Van Brocklin; property
48 purchased there; survey completed; he is interested in code enforcement job, says Village doesn't seem to enforce codes;
49 suggests Frankfort boat launch discount/season pass to Elbertians. Ryan King: suggests Village owned property for staff
50 housing as incentive.

51 **Announcements** Need volunteers for 4th of July Traffic Control (make sure fire lane stays open)

52 **Adjournment:** 8:59 pm by Holmes
53

Final minutes prepared and posted by
Emily Votruba, Trustee

The timesheets and reports on employee duties performed since April by Jennifer Wilkins contain too many pages to be posted legibly in hard copy in the usual display areas; they are viewable on the Village website (www.villageofelberta.com) and by request at the Village Office.



8

9

FINAL

Village of Elberta Resolution #2023-010
Resolution to Authorize the
"Temporary Traffic Control Order 2023-001"
To Facilitate Traffic Control on July 4, 2023 in the Village of Elberta

At the regular meeting of the Elberta Village Council, Benzie County, Michigan, held at the Community Building at 401 First St. on June 15, 2023, at 7:00 pm

The following resolution was offered by Trustee EMILY VOTRUBA and supported by Trustee BRETT MCGREGOR.

WHEREAS Pursuant to 1949 PA 300, as amended and under the authority of the Michigan Uniform Traffic Code for Cities, Townships and Villages (Rule 28.1153 Section 2) which states, in part:

- (2) Traffic-control orders may be issued by the traffic engineer on his or her own authority, but when so issued shall be known as temporary traffic-control orders and shall not be effective after the expiration of 90 days from the date of filing and these temporary traffic-control orders shall not be renewed or extended, except upon approval by the ordinance making body.

WHEREAS limited parking at Elberta Beach and the Overlook requires the closing of these areas to vehicle traffic when the parking lots are at capacity and

WHEREAS parking on Bye Street must be restricted to accommodate emergency vehicle access for the health and safety of others

NOW THEREFORE BE IT RESOLVED that:

- 1. The Village of Elberta shall issue the attached "Temporary Traffic Control Order 2023-001."

YEAS: BRETT MCGREGOR, RYAN FIEBING, KEN HOLMES, EMILY VOTRUBA, JENNIFER WILKINS

NAYS: NONE

RESOLUTION DECLARED ADOPTED. By: Jennifer S. Wilkins
Jennifer Wilkins, Village President

I, the undersigned, Clerk/Treasurer of the Village of Elberta, Benzie County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by said municipality of Benzie County at its regular meeting held on June 15, 2023, relative to adoption of the resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: 6-15-23 Norma Corwin
Norma Corwin, Village Clerk/Treasurer

FINAL

Resolution #2023-009
Wage and Compensation for Second Assistant Department of Public Works

At the regular meeting of the Elberta Village Council, Benzie County, Michigan, held at the Community Building at 401 First St. on June 15, 2023, at 7:00 pm

The following resolution was offered by Trustee JENNIFER WILKINS and supported by Trustee BRETT MCGREGOR.

WHEREAS The Council of the Village of Elberta unanimously voted at the February 23, 2023, Special Budget Hearing to adopt the Resolution for Fiscal Year 2023–2024 Wage and Compensation Pay Scale for the Village Employees and Appointed and Elected Officials and such wages for DPW employees remain budgeted and

WHEREAS the Village of Elberta received resignation letters on April 27, 2023, from DPW Superintendent Ken Bonney and DPW Assistant Lucas McClellan and

WHEREAS Notice of the vacancy of both positions was posted and requests for applications were advertised, and

WHEREAS An interview was held by the Personnel Committee, and the interview team determined that having two assistant DPWs would allow for both assistants to be trained by the current water operator in charge for the year required under the State of Michigan Requirements for Certification Under Act 399, P.A. 1976 and Administrative Rules for Water Treatment & Distribution Systems Operators, and

WHEREAS Another qualified applicant was chosen, offered the Assistant DPW Salaried Position at 40 hours a week, plus monthly Health Insurance Stipend, and accepted the offer on June 8, 2023, and was hired as the Assistant DPW on June 15, 2023,

NOW THEREFORE BE IT RESOLVED that the newly hired second Assistant for the Department of Public Works, Christopher Cervantes, shall receive a Wage and Compensation Salary package of \$17.00 an hour at 40 hours a week plus a monthly Health Insurance Stipend of \$500 for the remainder of the 2023–2024 Fiscal Year.

BE IT FURTHER RESOLVED that the terms of this Resolution shall take effect on June 19, 2023, and shall be effective until the end of the 2023–2024 Fiscal Year, February 29th, 2024.

YEAS: BRETT MCGREGOR, RYAN FIEBING, KEN HOLMES, EMILY VOTRUBA, JENNIFER WILKINS

NAYS: NONE

RESOLUTION DECLARED ADOPTED. By: Jennifer S. Wilkins

Jennifer Wilkins, Village President

I, the undersigned, Clerk/Treasurer of the Village of Elberta, Benzie County, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by said municipality of Benzie County at its regular meeting held on June 15, 2023, relative to adoption of the resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open

Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Dated: 6-15-23 Norma Corwin

Norma Corwin, Village Clerk/Treasurer