FINAL

Minutes

Regular Meeting of the Elberta Village Council

401 First Street | ELBERTA, MI 49628

July 20, 2023 @ 7 pm

Call to Order and Pledge: 7:08 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), Norma Corwin (Clerk-Treasurer), Ryan King (Benzonia), Kristine Mills (ELSS rental manager), Gary Sauer (County Commissioner),

Approval of Minutes

June 15, 2023 Regular Council Meeting Minutes Motion by Wilkins, seconded by Holmes, to approve as presented. All ayes. Motion passed.

Approval of Agenda

Motion by Votruba, seconded by Holmes to approve the July 20, 2023, Regular Council Meeting Agenda with
these amendments: delete NB1 and NB2 (Water/Sewer Decertification Application for 216 and 234 Furnace
Avenue) because application not yet filed; add NB1 Reaffirmation Letter to DNR and Coast Guard ALL AYES.
Motion passed.

Correspondence

- 1. Linda Manville Read aloud. Thanks to Bill Soper for donating landscaping stones to flower beds in WFP and Justin Towle for help moving them
- 2. Cathy Anderson Email inquiry regarding block party and water project schedule
- 3. Bert Kayak launch out of order and banners
- 4. Mr. Serne Water project questions

<u>Inquiry of Conflict on Agenda Items</u> Wilkins will recuse herself from NB No. 8 and Votruba will recuse herself from NB No. 7

Brief Public Comment on Agenda Items (3 min) Kristi Mills offered to help with rental contract updates.

Approval of Bills

Check Register \$19,346.58 AP, \$3,145.14 Payroll. **Motion** by Votruba, seconded by Holmes, to approve the accounts payable expenditures. **Roll Call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes. Motion passed. Motion** by Holmes, seconded by Votruba to approve the payroll expenditure. **Roll Call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes. Motion passed.**

Financial Reports

Rev/Exp Sheet reviewed. **Interfund Borrowing report**: With the receipt of the grant monies, the funds have been paid back and the interfund borrowing is now finished. (see website)

New Business

- 1. Reaffirmation Letter to DNR and Coast Guard add Frankfort (Josh Mills) to recipients. Motion by Votruba, seconded by Wilkins to send the proposed letter reaffirming VOE agreement with 1980 definition of Betsie Lake and slow-no-wake area. All ayes. Motion passed.
- 2. Water Fund Budget Amendment Wilkins explained the budget report and the total in revenues from grants and loans and expenditures on the water project vs. regular water fund expenses and revenues. Motion by Holmes, seconded by Votruba to make the presented budget amendments. Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed.

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- 3. Amendment to Ordinance 40 (USDA Loan) (see website) RR&I line item amount went down substantially, so the Ordinance originally passed in June 2022 needed to be amended. Motion by McGregor, seconded by Votruba, to approve the Amendment to Ordinance 40. Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye All Ayes. Motion passed.
- 4. USDA Loan First Draw Request Form RD 440-11 Motion by Votruba, seconded by Holmes, to pay \$33,531.29 to water project engineering firm Fleis & VandenBrink and authorize the Village President to sign the form. Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All Ayes. Motion passed.
- 5. Insurance Claim Med Pay Offer Christina Normandin made an insurance claim related to a fall she took outside the Lighthouse Cafe in June, which she reported to the Village DPW. The claims attorney said our policy covers a no-fault payment of up to \$10,000 for medical expenses and recommended it be paid. Motion by Votruba, seconded by Holmes, to approve this insurance payout offer. Roll Call: Fiebing Aye | Holmes Aye | McGregor No | Votruba Aye | Wilkins Aye | 4 Ayes, 1 Nay. Motion passed.
- **6. Rental Contracts** for A. Community Building; B. Penfold Pavilion; C. Waterfront Park Pavilion; D. Amphitheater/Band Shell. **Motion** by Wilkins, seconded by McGregor to table discussion on all rentals pending revised drafts from newly formed rental committee (Mills and Votruba). **All Ayes. Motion passed.**
- 7. Monthly Report and Request for Payment from Interim Deputy Clerk (see website). Motion by McGregor, seconded by Wilkins to approve the payment request from the Interim Deputy Clerk, Emily Votruba, for job duties accomplished thus far and authorize President to sign time sheets and payment requests. Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Recused | Wilkins Aye | All Ayes. Motion passed.
- 8. Monthly Report and Request for Payment from Interim DPW Superintendent (see website) Motion by McGregor, seconded by Holmes to approve the payment request from the Interim DPW Superintendent Jennifer Wilkins, for job duties accomplished thus far and authorize President Pro Tempore to sign time sheets and payment requests. Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Recused | All Ayes. Motion passed.
- 9. Village President and Pro Tempore Office Access and Open Office Hours Motion by Wilkins to take the issue of whether to create an ordinance regarding President's access to the office to the Village atty; withdrawn. Motion by Fiebing, seconded by Holmes, to give the President and Pro Tempore access to the office. All Ayes. Motion passed. Wilkins stated that if she needs to do Clerk-Treasurer or DPW work in the event of an employee shortage, she will not be holding open office hours, in order to accommodate her regular work schedule.

Strategy Session (Discussion only) The Future of Elberta (Cont'd)

Specific topics to be addressed in future discussions, such as administrative practices.

Reports to Council

County Commissioner – Sauer / Verbal Report; concern about rabies, esp. related to bats, per the Health Department; bring any bats in for testing. Gilmore Twp will allow split lots through county's permit process. Toured new elementary school. Maples millage: some money will be returned to taxpayers; new emergency telecom tower is fully funded, thanks to Senator Bumstead. Road commission denied demolition funding for Platte River school

Frankfort Fire and Rescue Report – Cederholm/Verbal and Written Report and safety message (see website). 5 runs in Elberta in June; LED lights installed; July 4th went well. Smokeless pits or chimineas recommended for small spaces **LSS** – K. Mills / Written Report 10 more weddings to go contracts to go for season; 7 active contracts for 2024; 3-day rentals popular; handle for dumpster apparently used for some concrete work and needs sanding

Zoning Administrator – J. Mills / Written Report; DPW sending out yard ordinances

Betsie Valley Trail – J. Ottinger / Written Report (attached)

Planning Commission – Fiebing / Verbal Report August meeting is Monday the 14th

Parks & Recreation Commission – Wilkins / See Minutes; garbage dumping issue throughout village; boardwalk planks coming; chips at playground to be completed soon; tree grant applied for

DPW – Towle/Wilkins / Written Report NO DUMPING HOUSEHOLD TRASH IN VILLAGE CONTAINERS

Clerk/Treasurer – Corwin / Verbal Report Training Wilkins in priority office duties; Corwin said she is resigning for personal reasons and has enjoyed working with everyone on the board. PATRONS OF LOCAL BUSINESSES: NO PARKING IN VILLAGE OFFICE LOT/DRIVEWAY

BGFAC – Wilkins & Votruba / See Minutes

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Reports to Council (cont'd)

BLUA – Wilkins & Holmes / Verbal Report; 3% raise to workers; audit end of jUly **Personnel & Policy** – Holmes (DPW), Votruba (Office)

Water/Sewer Committee - Wilkins & Holmes / Water project underway end of July/early August; see website

Extended General Public Comment (5 min) Ryan King made comments about architecture in Frankfort, wave energy, Josh Mills, signage, local contractors. Chief Cederholm asked about preventing cars blocking the entrance to the boardwalk to the pier, after an recent incident in which it was difficult for EMS to reach a patient

Announcements None

Adjournment: 8:56 pm by Holmes

Final minutes prepared and posted by

Emily Votruba, Trustee

The timesheets and reports on employee duties performed in June–July, and other supporting documentation, 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.

July 5 Betsie Valley Trailway Management Committee Meeting.

A portion of the trail in Beulah is washing out due to runoff from the hills. There was a lot of discussion on how to remedy the situation that was far above my pay level and I got lost. The DNR and county are meeting with a group of engineers to decide how to proceed.

The meeting was sparsely attended so I was able to get a couple of my questions answered about past decisions. Before I was appointed to the Committee there was a lot of discussion about pets allowed on the trail and what signage should be used. Pets are allowed on most of the trail but are not allowed from Mullineaux Road to the Beulah trailhead. When the trail was put in, the DNR needed to obtain easements from the property owners along the trail. The DNR made several concessions in order to get the easements, one of which is no pets allowed on the trail on that section of the trail. Years later the Committee decided to allow service dogs on the trail. This was later nixed and the signs allowing service dogs were taken down and the no pets signs went back up to avoid any lawsuits stemming from the original agreement. As of today, pets are allowed from the Frankfort trailhead to the Mullineaux trailhead but no further.

My other question concerned the trail and e-bikes. There are 3 classes of e-bikes: Class 1 pedal assisted with motors that work only while the rider is pedaling: Class 2 - the bike has a throttle allowing the motor to power the bike even without the rider pedaling but the motor stops at 20 mph: Class 3 - the bikes are pedal assisted but can reach 28 mph before the motor stops. The DNR does not allow any e-bikes on their trails while the Rails-to-Trails Conservancy allows Class 1 and 2 e-bikes. Doug Barry of the DNR hopes that the DNR will revisit this issue. Whether we like e-bikes or not, they have allowed many people access to trails that could not access them previously.

Future Projects: The observation deck on the bridge over the Betsie River is in need of repair. The M22 bridge needs extensive work due to the flooding 2 years ago but that repair will have a very high price tag.

Respectfully Submitted, Jon Ottinger