

Minutes

Regular Meeting of the Elberta Village Council

401 First Street | ELBERTA, MI 49628

August 17, 2023 @ 7 pm

Call to Order and Pledge

7:02 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), Ken Mlcek (Fleis and VandenBrink Engineer), Kat Ralston (incoming Clerk-Treasurer), Gary Sauer (County Commissioner)

Approval of Minutes

July 20, 2023 Regular Council Meeting Minutes

Motion by Wilkins, seconded by McGregor, to approve with typo fixes and chg “Wilkins: Recused” under NB7 vote to “Aye.” All ayes. Motion passed.

July 31, 2023 Special Meeting Minutes

Motion by Votruba, seconded by Holmes, to approve as presented. All ayes. Motion passed.

Approval of Agenda

Motion by Votruba, seconded by Wilkins **to approve the August 17, 2023, Regular Council Meeting**

Agenda with this change: add the payroll amount of \$6,040.27. All ayes. Motion passed.

Correspondence

1. Bryan Graham Village Attorney Email – Interim Employee timesheets/payments; officials performing employee duties should fill out timesheets and have two week pay period, no reports to council necessary
2. Terrance Hudson Email – water project schedule
3. Krista O’Grady Email – Parking; DPW to-do list includes painting curbs yellow
4. FY22/23 Village Audit – Auditor set to discuss with council in October

Inquiry of Conflict on Agenda Items: None

Brief Public Comment on Agenda Items (3 min): None

Approval of Bills

Check Register \$25,463.20 AP, Payroll \$6,040.27 **Motion** by Holmes, seconded by Votruba, to approve the accounts payable expenditures. **Roll Call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes. Motion passed.** **Motion** by Votruba, seconded by McGregor, 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.

Unfinished Business

1. Signatory Change Approval

- A. Bank** Motion by Wilkins, seconded by Votruba, to remove Norma Corwin and add Katherine Ralston to all Village of Elberta accounts at State Savings Bank. **Roll Call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes. Motion passed.**

1 **B. Bank Credit Card** Motion by Wilkins, seconded by Votruba, to remove Norma Corwin and add
2 Katherine Ralston as cardholder for the Village of Elberta’s State Savings Bank credit card. **Roll**
3 **Call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes.**
4 **Motion passed.**

5 **C. MiClass Account** Motion by Wilkins, seconded by Votruba, to remove Norma Corwin and add
6 Katherine Ralston to the Village of Elberta MiClass Accounts. **Roll Call: Fiebing Aye | Holmes**
7 **Aye | McGregor Aye | Votruba Aye | Wilkins Aye | All Ayes. Motion passed.**

8 **2. Decertification of Water and Sewer at 216 and 234 Furnace Street** The two unoccupied houses
9 have become blighted and dangerous through owner neglect. Concern raised that we did not know if
10 the owner’s intention was to decertify and tear down or decertify and leave standing in disrepair, in
11 either case at a loss of RTS and tax revenue to the Village and no improvement to the community.
12 Motion by Votruba, seconded by Fiebing, to send a letter compelling ELHC to present a plan to us
13 before approval of decertification either to tear down or to secure and improve the structures.
14 McGregor expressed concern about the adequacy of the Dangerous Structures ordinance. Holmes
15 said ELHC should be told to repair the houses. Votruba withdrew the motion. Motion by Votruba,
16 seconded by McGregor, to table pending a conversation with the Village attorney. **All Ayes. Motion**
17 **passed.**

18 **New Business**

19 **1. Budget Amendment – General Fund (Audit)** Audit was more expensive than budgeted because of a
20 backlog of bank reconciliations from the previous year, which the auditors did for us. Motion by Votruba,
21 seconded by McGregor, to approve the General Fund budget amendments as presented. **Roll call:**
22 **Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed.**

23 **2. USDA Loan August July Draw Request Form RD 440-11** (This is a partial reapproval; last month’s
24 approval of Engineering fees was premature.) Motion by Votruba, seconded by Fiebing, to approve the
25 **July June** 2023 draw amount of \$205,612.05 on the USDA fund and authorize President Wilkins to sign
26 it. **Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes.**
27 **Motion passed.**

28 **3. DWSRF (Drinking Water State Revolving Fund) Request for Disbursement of Funds** Motion by
29 Votruba, seconded by Fiebing, to approve the DWSRF fund amount draw of \$248,723 and authorize
30 Wilkins to sign it. **Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye.**
31 **All Ayes. Motion passed.**

32 **4. DWSRF Water System Improvements Project Change Order No. 2** Motion by Votruba, seconded by
33 Fiebing, to authorize Wilkins to sign Change Order No. 2 for the DWSRF Water System Improvements
34 Project. **Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye All Ayes.**
35 **Motion passed.**

36 **5. Benzie County Road Commission Street Maintenance Contract 2023–2028** for backup plowing.
37 Motion by McGregor, seconded by Holmes, to approve the Benzie County Road Commission Street
38 Maintenance Contract 2023–28 and authorize Wilkins to sign the agreement, noting that the Road
39 Commission be added to the village Insurance Policy **All Ayes. Motion passed.**

40 **6. Rental Contracts**

41 **Community Building; B. Penfold Pavilion; C. Waterfront Park Pavilion; D.**

42 **Amphitheater/Band Shell; E. Festival Fields;** General note on parking to include that the parking
43 plan “will be subject to Village approval”; and damage deposit was raised to \$250 for Festival Fields
44 **Motion** by McGregor, seconded by Fiebing, to approve the updated rental contracts A through E with
45 the stated amendments. **All Ayes. Motion passed.**

46
47 **Strategy Session: (Discussion only)**

48 **1. Funded Office Intern**

49 State Treasury is willing to fund an intern with a background in finance to help in the Village office.
50

1 **REPORTS TO COUNCIL**

2 **County Commissioner** – Sauer / Verbal Report; funding sought for runoff problem on Benzie St. in Beulah;
3 1,500 people signed up for Ironman; Road Commission Mgr Skeels retired, position vacant. County seeks to
4 upgrade trucks before emission standards chg. Gilmore Article 9 zoning passed at 8/8/23 mtg, takes effect 30
5 days. A Thompsonville trustee resigned. Approved County budget online.

6 **Frankfort Fire and Rescue Report** – 481 runs total. 24 EMS, 5 fire runs in Elberta, up from 2022; Dept has 25
7 members; cadet program has 3 potential applicants. Open house Sept 23; November 7 election seeking 2.5 mils
8 (current 1.5 mils for City of Fft) to cover inflation and capital fund. Drone training. No-parking signage at
9 entrance
10 to boardwalk for EMS access needed at Elberta Beach.

11 **LSS** – K. Mills / Written Report 7 remaining rentals for 2023; 2024 mostly weekend rentals so far

12 **Zoning Administrator** – J. Mills / Written Report

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

14 **Planning Commission** – Fiebing / Verbal Report; full draft of Master Plan expected Sept. Public hearing on
15 draft MP in January; then final Zoning Ordinance another 18 mo out.

16 **Parks & Recreation Commission** – Wilkins / See Minutes; one vacancy; weather cam for EDNA; funding
17 issues with beach project; grant for LSS applied for

18 **DPW** – Towle/Wilkins / Written Report (attached); OSHA updates, poison ivy to be cleared from beach.

19 **Clerk-Treasurer** – Corwin / Verbal Report Kat Ralston’s first official day August 21

20 **BGFAC** – Wilkins & Votruba / See Minutes; BS&A transfer/training in progress; tree grant sought by Bree
21 McGregor awarded.

22 **BLUA** – Wilkins & Holmes / Verbal Report; DNR/EGLE pestering BLUA, per Holmes

23 **Personnel & Policy** – Holmes (DPW), Votruba (Office) Chris Cervantes doing great!

24 **Water/Sewer Committee** – Wilkins & Holmes / Water project underway; see website for updates.

25 *****

26
27 **Extended General Public Comment (5 min)**

28 Cederholm asked if flow tests would be done on hydrants when the water project is completed, affects ISO
29 report; Ken Mlcek said no, would be done when EGLE requests water reliability study. Cederholm said high
30 flow rate important for home; insurance rates; Cederholm said hydrants should be color coded to indicate flow
31 rate in gallons per minute; Bayou festival provided him a helpful site map, something to consider requiring in
32 future Festival Policy.

33 **Announcements**

34 Sunday, September 17: Ironman, and TREE PLANTING WORKBEE 10 am

35 **Adjournment**

36 8:48 pm by Holmes

37
38 Final minutes prepared and posted by
39 Emily Votruba, Trustee

BETSIE VALLEY TRAILWAY MANAGEMENT COMMITTEE MEETING AUGUST 1, 2023

County Commissioner Gary Sauer and DNR Representative Doug Barry were part of a group that met with engineers, EGLE representatives, and concerned citizens regarding storm water damage to the trail due to run off from Lake and Benzie Streets in Beulah. This is an ongoing problem that EGLE believes can be contained by placing grates under the trail to capture the runoff and have the water seep into the ground instead of flowing into Crystal Lake.

Report from the Friends of Betsie Valley Trail

1. The new no pet signs are up
2. The trail is being trimmed
3. The hot mix patching of the trail has been delayed until 2024 due to lack of funds.
4. Still waiting on excavator bids to repair the trail at 6511 Crystal Ave due to water runoff

Upcoming events on the Betsie Valley Trail

1. September 17 - Ironman 70.3 - 1600 contestants have pre-registered
2. September 24 - North Mitten Half Marathon, 5K, and 10K, a Crystal Mountain event.
3. June 29, 2024 - Manistee 100 mile Endurance Run - This is a new event starting at Timbercreek Trailhead near Baldwin, continuing through Manistee and Benzie Counties, and ending in Frankfort. You can bet your life savings that I will not be participating.

The Crystal Lake Homeowners Association is requesting a Trail Enforcement Officer to patrol the trail on busy weekends informing bikers about proper trail courtesy.

If you get a chance, please check out the new overlook at the Betsie River trail bridge. Doug Barry of the DNR did an outstanding job replacing the old boards and benches. It looks great.

Respectfully Submitted,
Jon Ottinger

Personnel Meeting Recap of things to do in August 2023:

Justin and Chris (ADPW)

*Regular tasks are now daily routine

August LIST:

Streets:

- Clean up (trim) right side of Bye Rd drive going down to the beach.
- Sept/Oct Plant 15 granted trees according to mapped locations.
- Clean street lights
- Trim in 4ft along M168/Frankfort Ave.
- Continue to mark water and sewer lines per Miss Dig requests.
- Mark unlevel sidewalks with yellow spray paint.
- Robarge Plan for tree and brush clearing – **Kerby & Smitty's**
- Stop sign behind post office – New post, it's way too short.

Waterfront Park:

- Iron Works weeds and small tree removal (When there is time)
- Swing set fall zone and swing seat replacement
- Fall zone and swing seat replacement at **Tot Park**
- Concrete Patch path to LSS
- Street lights at LSS parking – replace bulbs or electrician

Penfold Park:

- Penfold kayak launch extension piece (**Call EZ Dock**)
- Stain Pavilion – **Jen**
- Weed whip along shoreline in spots and around cat tails as discussed

Beach:

- Spray/burn for poison ivy
- Bring broken boardwalk sections to shop for rainy day projects
- Bring back other Life Ring Holders to store

Water/WaterProject:

Valve turning
Marking meter pits and curb stops and sewer lines
Replacing water meters
Homeowner contact