### —DRAFT— **Minutes** Regular Meeting and Budget Hearing of the Elberta Village Council

401 First Street | ELBERTA, MI 49628 February 15, 2024 @ 7 pm

## Call to Order 7:00 pm

## 8 Roll Call

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9 President Jennifer Wilkins – PRESENT | Pro Tempore Emily Votruba – PRESENT | Ken Holmes – PRESENT |
 10 Ryan Fiebing – PRESENT | Brett McGregor – PRESENT

# 1112 <u>Audience</u>

Michael Cederholm (Frankfort Fire Chief); Mary Link (Frankfort), Ken Mlcek (Fleis & Vandenbrink, Water
 Project Coordinator); Kat Ralston (Clerk-Treasurer), Gary Sauer (County Commissioner), Justin Towle (DPW)

## 16 Approval of Minutes

Motion by Holmes, seconded by McGregor, to approve the January 18, 2024, Regular Council Meeting
Minutes with chg from Wilkins: line 46, "about half" to "25% of shared state revenue." All ayes. Motion
passed.

### 21 Approval of Agenda

Motion by Votruba, seconded by Wilkins, to approve the February 15, 2024, Regular Council Meeting
 Agenda with addition of NB6(a) DWSRF change order. All ayes. Motion passed.

### 25 <u>Correspondence</u>

• Brad Weirda (Village Insurance Attorney) – An insurance settlement agreement was reached with Mark and Annette Knowles, who were affected by the water main break of Feb 2023

• Rebecca Hubers (BC Emergency Management Coordinator) – 2023 Benzie County Hazard Mitigation Plan (Binder with full plan) (available online: http://tinyurl.com/msntf5sj)

• Young, Graham & Wendling, PC – Hourly rate increase of \$5, to \$175. Village still receives a reduced rate

## 33 Inquiry of Conflict on Agenda Items

Wilkins recused from Payroll vote and NB3

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------Regular Mtg closed and Hearing Opened at 7:06 p.m. ------

## 38 Public Hearing for the FY2024-25 Village Budget

• Council Discussion on Proposed FY24-25 Budget Budget reviewed fund by fund. A summary of 39 main features/issues was provided in a detailed cover letter. Wilkins hopes/expects to be able to pay off deficit 40 this year ("Pay Back" line item); explained changes in line-item names and the allocations of some planned 41 expenses. Each grant has a revenue line item. Already foreseen amendments/adjustments: LSS management fee 42 43 raised, refuse collection, equipment paybacks. Property tax revenue item conservatively raised due to expected higher property values. Mowing svcs expected to go down, same for portapotties because of incoming new 44 bathrooms. Sidewalk replacements in connection with water project. New used plow truck needed (can be used 45 46 as a dump truck). The rent paid by the office to the garage (municipal fund revenue) raised to help cover health stipends and vacation pay. A fund balance of 15,000 still to be added, to cover possible replacement of garage 47 doors. Garage roof is leaking and needs repair (this is allocated). Storage of salt pile is still being planned and 48 isn't budgeted yet. Park&Rec: \$3K to go toward Beach Project. Water/Sewer: 60 Badger meters to be replaced: 49 well for bathrooms at Elberta Beach, and a small portion of Bigley water main replacement not covered by the 50

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te	esting	s under repairs and maintenance; one water hookup fee was budgeted (such as for a new build); water expense down because no longer contracting with Scott Little. Discussion of raising seasonal water f/turn on fees, from \$25 to \$50 to reflect wages. Votruba thanked Wilkins and BGFAC for their effort.
		<ul> <li>Public Comment on Proposed FY24-25 Budget None</li> <li>FY24-25 Budget Recap with Council Trustees No further discussion</li> </ul>
		Hearing Closed and Regular Meeting Reopened at 7:30 p.m
R	rief l	Public Comment on Agenda Items (3 min)
<u>_</u>		None
A	ppro	val of Bills
		New (BS&A) format for revenue/expense, check register, payroll reports debuts. Check Register \$81,960.05 AP, Payroll \$12,373.46. Motion by Holmes, seconded by McGregor, to approve the accounts payable expenditures. Roll call: Fiebing Aye   Holmes Aye   McGregor Aye   Votruba Aye   Wilkins Aye   All Ayes. Motion passed. Motion by Fiebing, seconded by Holmes, to approve the payroll expenditure. Roll call: Fiebing Aye   Holmes Aye   McGregor Aye   Votruba Aye   Wilkins Recused   All ayes. Motion passed.
F	inan	cial Reports
		Rev/Exp sheet reviewed, Wilkins explained the new format. General Fund deficit stands at \$2,251;
		budget amendment at March meeting after all revenues posted.
IJ	nfini	shed Business
-		<b>1. Amendment to Refuse Disposal Contract – Republic Services</b> Price increase of 5.5% due to
		inflation. McGregor investigated other options, spoke with Republic and other municipalities and
		determined the increase is reasonable for the service. We pay less than more rural routes because of
		economy of scale. Village will pay \$2.75 per bag in 2025 and \$16.68 per cart; rates for bags and carts
		are posted on the Village website (currently \$3 and \$17; may not change this year). Motion by Fiebing,
		seconded by Holmes, to approve the amendment to the refuse disposal contract with Republic Services
		as presented and authorize the President to sign the contract. <b>Roll call: Fiebing Aye   Holmes Aye  </b> <b>McGregor Aye   Votruba Aye   Wilkins Aye   All ayes. Motion passed.</b>
		Webregor Aye   voluuba Aye   winkins Aye   An ayes. Wouldn passed.
N	lew B	usiness
		Resolution to Adopt Fiscal Year 2024-2025 Village of Elberta Budget. (see attached) Motion by
		Holmes, seconded by Votruba, to adopt Resolution Fiscal Year 2024-2025 Proposed Village Budget as
		presented. Roll call: Fiebing Aye   Holmes Aye   McGregor Aye   Votruba Aye   Wilkins Aye. All
	•	ayes. Motion passed.
	2.	Resolution #2024-001 Fiscal Year 2024-2025 Wage and Compensation Pay Scale for Appointed
		and Elected Officials. Resolution reflects a raise for the salaried appointed Clerk-Treasurer for FY24- 25 (see attached). Motion by Votruba, seconded by Holmes, to adopt Resolution #2024-001 Fiscal Year
		2024-2025 Wage and Compensation Pay Scale for Appointed and Elected Officials. <b>Roll call: Fiebing</b>
		Aye   Holmes Aye   McGregor Aye   Votruba Aye   Wilkins Aye. All ayes. Motion passed.
	3.	Resolution #2024-002 Fiscal Year 2024-2025 Wage and Compensation Scale for Village Employee
		The resolution reflects the hourly rate increases for village employees (DPW staff and office deputies)
		for FY24-25 (see attached). Reflects part-time wages for Chris Pritchard and full-time wages plus
		stipend for Chris Cervantes and Justin Towle; meeting compensation is per Wilkins max we can afford
		for now. Motion by McGregor, seconded by Holmes, to adopt Resolution 2024-002 Fiscal Year 2024-
		2025 Wage and Compensation Pay Scale for Village Employees. Roll call: Fiebing Aye   Holmes Aye
		McGregor Aye   Votruba Aye   Wilkins Recused. All ayes. Motion passed.

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4. Budgeted Services Approval (a) Village Signs (b) Point and Pay (c) Municipal Underwriters Insurance (All services described below have been budgeted for in FY2024-2025 Village Budget) These items were split out into separate motions because they're new expenses and are over \$5,000

- a) Village Building and Park Signs for Community Building and Veterans Park, two-sided signs. Ball Field and Anderson Park, one-sided signs Total: \$12,375.00; \$6,187.50 for Community Building and Ball Field signs to come from General Fund Community Building line item, and \$6,187.50 for Veterans and Anderson Park signs to come from General Fund – Waterfront Park line item. Discussion: McGregor suggested, and council agreed design change for Community Building Sign, to remove text references to the Village and Gilmore Township and simply include each entity's logo under text that reads "Community Building"). Brief explanation of one-sided vs. twosidedness. The Ball Field sign will read "Holmes Field" in honor of Ken Holmes; dedication ceremony TBA. Motion by Wilkins, seconded by Votruba, to approve the sign proposal from Johnson Sign Co. (formerly Amor Signs) for \$12,375 and authorize President to sign the proposal. Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed.
- b) BGFAC recommends Point & Pay system that "talks to" our new BS&A software system allowing transactions to be posted and saving office staff time. Water bills and tax bills can be paid online, by phone, or with a card reader at the office. Water bills can be sent via email. When a bill is paid, BS&A accounting software will be automatically updated, so C-T will not have to enter that data each time. Option 1: \$500 set up fee and \$50 monthly maintenance fee and free training; Option 2: \$2,000 a year with no monthly fee and a contract renewal every 3 years locking in same rate with free training. Motion by Wilkins, seconded by Votruba, to approve Point & Pay Payment Processing System Option 2 Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed.
- c) Municipal Underwriters Insurance. Premium Quote of \$12,491.00 Property values have increased by 22%, to add \$925 to annual cost. 2023 ending premium was \$9,170.00 with the property additions. An overall rate increase of 35% was adversely affected by two claims from 2022 and 2023. Motion by Votruba, seconded by Holmes, to approve the quoted premium \$12,491.00 for 2024 Municipal Underwriters Insurance. Price to be divided between General, Municipal, and Water and Sewer Funds. Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed.
- 5. USDA January Draw Request Form RD 440-11 Invoices from F&V for the month of January submitted for payment from USDA grant. Motion by Votruba, seconded by McGregor, to approve USDA Form RD 440-11 January Draw Request in the amount of \$15,153.00 to be paid to Fleis & VandenBrink. Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed.
- 6. USDA Water System Improvements Project Change Order No. 2 For the continuation of the replacement of the rest of the 1935 water main on Lincoln Ave and a portion of Bigley, one for USDA and one for DWSRF. (Work to begin right after Memorial Day because of TC Parkway Project; expected to take about 6 weeks.) Ken Mlcek explained the cost breakdown: \$96,152.37 additional to contract with Elmer's; \$50,672.65 uses up remaining (leftover) USDA contingency funds, Village to contribute \$45,479.72. Motion by Wilkins, seconded by McGregor, to approve USDA Water System Improvements Project Change Order No. 2 at a cost of \$96,152.37 to Elmer's, to be paid by USDA grant (\$50,672.65) and Village (\$45,479.72). Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed.
  - a) DWSRF Water System Improvements Project Change Order No. 3. Motion by Wilkins, seconded by Votruba to approve the change order for water service work, adding to Elmer's contract \$76,798.20, entirely covered by DWSRF funds. Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed.

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American Rescue Plan Act (ARPA) Asset Management Plan (AMP) /Distribution System Materials
 Inventory (DSMI) – Drinking Water Asset Management (DWAM) Grant Draw Request for
 Engineering Services Grant funded mapping and inventory of water and sewer infrastructure. Motion
 by Votruba, seconded by McGregor, to approve the ARPA-AMP/DSMI-DWAM Grant first draw of
 \$10,945.00 for services rendered by Fleis & VandenBrink. Roll call: Fiebing Aye | Holmes Aye |
 Machagement Ave | Weithing Ave All aver Materials Ave All averagement

6 McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed.

- 7 8. Ordinance #45 of 2024 to Create a Village Planning Commission, Provide for Its Organization, and 8 to Define Its Powers and Duties This ordinance does not mean we didn't have a planning commission 9 before, but updates the ordinance to reflect wording in the bylaws and a change to allow two (2) nonresident members on the commission (state guidelines allow for this). The attorney-drafted synopsis 10 of this ordinance will be published in the Benzie County Record-Patriot to be published in the next issue. 11 Motion by Votruba, seconded by McGregor, to adopt Ordinance #45 to create a Village Planning 12 Commission, provide for its organization, and define its powers and duties. Roll call: Fiebing Ave | 13 14 Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. Motion passed
- 9. Village of Elberta Master Plan Draft Public can submit comments via email to
  clerk@villageofelberta.com or by letter before April 19. Other localities will be notified. Note that there
  are many typos; draft will be professionally edited before final draft. Motion by Wilkins, seconded by
  Votruba, to approve the Draft Village of Elberta Master Plan to be released to the public for the 63-day
  review period. All ayes. Motion passed.
- 10. Planning Commission Membership Mary Link Application reviewed. Link resides in Frankfort and served on the Frankfort Planning Commission and took required planning courses through the state. No questions from board to Link. Motion by McGregor, seconded by Fiebing, to approve Mary Link as a new member of the Village of Elberta Planning Commission for a term ending March 1, 2027. All ayes.
   Motion passed.
- 11. Planning Commission Membership Megan Gray A new Elberta resident. Motion by Votruba,
   seconded by Holmes, to approve Megan Gray as a new member of the Village of Elberta Planning
   Commission with a term ending TBD. All ayes. Motion passed.
- 12. 2024–2025 Contract for Fire Department Services Between the City of Frankfort and Gilmore 28 Township Including the Village of Elberta Cederholm discussed cost increase. Votruba (fire board 29 member) said a lot of data was provided backing up the need; increased personnel, increased calls/runs 30 necessary equipment and facilities upgrades, improvement in responsiveness and community 31 32 education/outreach. A millage increase will be discussed. Year contract is for \$20,426.00 total paid in four installments. Motion by Holmes, seconded by McGregor, to approve the 2024-2025 Contract for 33 Fire Department Services between the City of Frankfort and Gilmore Township including the Village of 34 35 Elberta Roll call: Fiebing Aye | Holmes Aye | McGregor Aye | Votruba Aye | Wilkins Aye. All ayes. 36 Motion passed.

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**REPORTS TO COUNCIL** 

- 40 **County Commissioner** Sauer / Verbal Report Leelanau County health dept building being remodeled.
- 41 Headlee Reset: county approached tax allocation board and are waiting on recommendation, then
- 42 commissioners will vote whether measure goes on November ballot. Sauer said his "four twps. decided they
- didn't want any more money." \$42,000 to rebuild Maples's generator engine. 2.5 mills to add Benzie to NMC
   service area (scholarships, continuing ed, etc.). Blaine Twp will use its ARPA money for road repair.
- 45 Keweenaw Heartlands Project 30K acres (9% of county) to be preserved; residents agreed with some
- 46 stipulations (public access and tax revenue). Kelly Long was appointed county treasurer. State police using
- 47 explosions and bearcat begin demolition of Platter River School; \$12–15M est. for new building. Thompson
- 48 Area Revitalization Project (TARP) to create park and revitalize their caboose; stop on the Betsie Valley Trail
- 49 Frankfort Fire and Rescue Report (see website) Cederholm / Verbal and Written Report Cederholm
- 50 explained the formula for each entity's share of funding, devised by Kurt Luedtke: population, number of runs,

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- 1 SEV. Details in contract. Overall, a 73% increase in service demand since 2021. Dept. has 25 members. Awards
- 2 banquet (self-funded) recognized David ? (47 yrs.), Charlie Thompson (43 years) Mark 30 years. Bruce 1...
- 3 firefighter of the year. Fire department has free smoke alarms and carbon monoxide detectors and will install.
- 4 Some have flashing lights for hard of hearing.
- 5 LSS K. Mills / Written Report. 12 bookings, all full weekends
- 6 Zoning Administrator J. Mills / Written Report No Trespassing signs went up on ELHC property without a
- 7 permit or a call to MiSDIG (DPW gets alerted whenever a call is made to MisDig). One sign is located in the
- 8 middle of the road easement. Signs are large enough to exempt them from local zoning authority, per Josh Mills
- 9 **Betsie Valley Trail** J. Ottinger / No meeting until April.
- Planning Commission Fiebing / Verbal Report and Minutes Conservation District Overlay Meeting was held
   Feb 22; first of 3.
- 12 Parks & Recreation Commission McGregor. No meeting until May 9
- 13 DPW Towle / Verbal Report; See Team Meeting Report. Smitty's tree service continual no-show. Towle to
- 14 take CDL test, has enrolled in classes for S3S4 Water License and water operator classes for a week in March in
- 15 Mt. Pleasant. Rebuilding and repairing boardwalks. Towle is new weekend tester at BLUA (gives him credit
- 16 toward sanitation license). Water meter replacement plan in place; to begin with pit meters, which can talk
- 17 directly to the computer system and don't require drive-bys. New SCADA system interface much quicker, better
- 18 connection (many failures in past). Complete layout of Waterfront Park sprinkler system now available.
- 19 Clerk-Treasurer Ralston / Verbal Report. First full week running BS&A system with "training wheels off";
- 20 troubleshooting utility billing (fixing errors like meter serial numbers being input wrong, etc.) New system
- 21 much easier to use and Support is responsive. Wants to move more into the clerk's functions, which Wilkins has
- been covering during intensive software training period and accounting/auditing catchup/repair work. Has
- drawn up a description of deputy position; Personnel/Policy Cte will meet soon to discuss. Will also be
- attending clerk and treasurer trainings in Mt. Pleasant in March and April. DPW has access to more UB info
   through new system which improves efficiency. Wilkins organizing office; many labels.
- 26 **BGFAC** Wilkins & McGregor / See minutes. Wilkins still in search of auditor; one said they were too big for us.
- 28 BLUA Wilkins & Holmes / Verbal Report. A rise in prices is being discussed
- 29 **Team Meetings** Wilkins / See Report
- 30 Water/Sewer Committee Wilkins & Holmes / Verbal Report See 2024 Water and Sewer Rates on website,
- 31 will be reflected in April bill.
- 33 Extended General Public Comment (5 min)
- 34 None
- 35 <u>Announcements</u>
- 36 Reminder: March Council Meeting is Thursday, March 7, 2024 at 7 p.m.
- 37 <u>Adjournment</u>
- 38 9:04 pm by Wilkins
- 39
- 40 Draft minutes prepared and posted by
- 41 Emily Votruba, Trustee
- 42
- 43

#### VILLAGE OF ELBERTA Ordinance No. 45 of 2024

AN ORDINANCE TO CREATE A VILLAGE PLANNING COMMISSION PURSUANT TO ACT 33 OF THE PUBLIC ACTS OF 2008, AS AMENDED, TO PROVIDE FOR ITS ORGANIZATION, AND TO DEFINE ITS POWERS AND DUTIES

THE VILLAGE OF ELBERTA ORDAINS:

### Section 1. Creation of Village Planning Commission; Name of Planning Commission

A village planning commission is hereby created for the Village of Elberta pursuant to the Michigan Planning Enabling Act, Act 33 of the Public Acts of 2008, as amended. This planning commission shall be known as the "Village of Elberta Planning Commission."

### Section 2. Membership; Appointment; Compensation; Terms; Removal; Vacancy.

- (a). The village planning commission shall consist of five (5). The village president or one (1) member of the village council may be appointed to the village planning commission as are *officio* member with full voting rights on the planning commission. An employee of the village shall not be eligible to be a member of the village planning commission. Members of the village planning commission shall be qualified electors of the village, planning commission shall be qualified electors of the village, but are qualified electors of another local unit of government. In addition, members of the village planning commission shall be representative of timportant segments of the village, such as the economic, governmental, educational, and social development of the village, in accordance with the major interests as they exist in the village, such as agricultural, natural resources, recreation, education, public health, government, fransportation, industry, and commerce.
- (b). All members of the village planning commission shall be appointed by the village president, subject to the approval by a majority vote of the entire village council.
- (c). All appointed members of the village planning commission may be compensated at a rate to be determined by the village council.
- (d). The village planning commission shall adopt bylaws for the transaction of its business.
- (e). The village planning commission shall keep a public record of its resolutions, transactions, findings, and determinations.

#### Section 4. Powers and duties.

- (a). The village planning commission shall have all powers authorized by, and shall perform all duties specified in, the Michigan Planning Enabling Act, being Act 33 of the Public Acts of 2008, as amended.
- (b). The village planning commission shall have all the powers and duties conferred on zoning commissions under the Michigan Zoning Enabling Act, being Act 110 of the Public Acts of 2006, as amended, and any other powers and duties conferred on planning commissions by other provisions of law. Any and all such powers and duties are hereby conferred and incorporated as if fully set forth herein.

#### Section 5. Conflict of Interest.

A member of the village planning commission shall declare a conflict of interest in connection with a matter pending before the planning commission and shall disqualify himself of herself from deliberating and voting on the matter when any of the following circumstances exist:

- (a). The applicant is the child, grandchild, great-grandchild, parent, grandparent, great-grandparent, brother, sister, nephew, niece, aunt, or uncle of the planning commission member or the member's spouse.
- (b). The planning commission member or the member's spouse, parent, child, or any relative residing in the member's household has a pecuniary interest in the outcome of the matter.
- (c). The planning commission member or the member's spouse resides on or has an ownership interest in land within 300 feet of the parcel regarding which the decision is to be made.
- (d). While being a member of the planning commission the member has made statements or taken any action outside the formal decision-making process that would suggest that he or she has prejudged the matter before the planning commission or would in any way preclude him or her from affording the applicant and the public a fair hearing.

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- (d). Except for the ex officio member, the term of each appointed member shall be three (3) years or until his or her successor is appointed, except that the respective terms of approximately one-third (13) of the non-ex officio members first appointed shall be for one (1) year and the respective terms of approximately one-third (13) of the non-ex officio members first appointed shall be for two (2) years, so that as nearly as possible the terms of one-third (113) of the non-ex officio members of the planning commission will expire each year. If appointed to the village planning commission, the term of the village president shall correspond to his or her term as village president and the term of any member appointed from the village council shall expire with his or her term on the village council.
- (e). After written charges and a public hearing before the village council, a member of the village planning commission, including any ex officio member, may be removed from office for misfeasance, malfeasance, or nonfeasance in office by the village council. The failure of a planning commission member to disclose to the planning commission a potential conflict of interest, as defined in Section 5 of this Ordinance, shall constitute malfeasance in office. The failure of a planning commission member to regularly attend scheduled meetings of the planning commission secretary shall report to the village council when a planning commission member has failed to attend three (3) consecutive planning commission member has failed to attend three (3) consecutive planning commission members.
- (f). A vacancy on the village planning commission occurring otherwise than through the expiration of a member's term shall be filled for the unexpired term in the same manner as the original appointment.
- Section 3. Organization; Chairperson, Secretary, and Other Officers; Committees; Meetings; Rules; Records.
- (a). The village planning commission shall elect a chairperson, vice chairperson, and secretary from its members; provided, however, an ex officio member shall not be eligible to serve as the chairperson of the planning commission. The planning commission may create and fill by election such other offices as it considers advisable. The term of chairperson and any other officers shall be one (1) year, with eligibility for relection as specified in the planning commission bylaws.
- (b). The planning commission may appoint advisory committees, whose members are not required to be members of the planning commission.
- (c). The village planning commission shall hold not less than four (4) regular meetings each year and shall by resolution determine the time and place of the meetings.

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- (e). If the planning commission member has expressed an opinion concerning a matter before the planning commission prior to becoming a member of the planning commission and cannot in good faith set aside that prior opinion and decide the matter based on the information provided at the public hearing and the zoning ordinance requirements.
- (f). The planning commission member concludes in good faith that because of prior business or personal relationships with the applicant or with other participants in the public hearing process, or for other reasons, he or she cannot afford the applicant and the public a fair hearing.

## Section 6. Planning Director and Personnel; Contract for Planning Services and other Technicians.

- (a). The village council may employ a planning director and other personnel as it considers necessary to assist the village planning commission in carrying out its powers and duties.
- (b). The village council may contract for professional planning services and other technical services, such as attorneys and engineers, as it considers necessary to assist the village planning commission in carrying out its powers and duties.

#### Section 7. Notification to County Planning Commission.

Within fourteen (14) days after the village council adopts this Ordinance the village clerk shall transmit a notice of the adoption of this Ordinance to the county planning commission.

#### Section 8. Savings Clause.

All official actions taken by the village planning commission prior to the effective date of this Ordinance are hereby approved, ratified, and reconfirmed. Any project, review, or process taking place on the effective date of this Ordinance shall continue with the village planning commission created by this Ordinance, shall be subject to the requirements of this Ordinance, and shall be deemed a continuation of any previous village planning commission action.

#### Section 9. Repeal.

The previous ordinance creating the Village of Elberta Planning Commission under the Municipal Planning Act, being Act 285 of the Public Acts of 1931, as amended, is hereby repealed in its entirety.

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#### Section 10. Severability.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not effect any remaining portions or application of this Ordinance, which can be given effect without the invalid portion or application

### Section 11. Effective Date

This Ordinance shall become effective the day following its publication in a newspaper of general circulation within the village.

Ordinance No.	was adopted on the	day of	, 2024,
by the Elberta Villa	age Council as follows:		
Motion by:			
Seconded by:			
Yeas:	and the state of	and the second second second	
Nays:	10 M		
Absent:	and a support of the second	And the local days of the second	
Katherine A. Ralsto	on, Clerk	Jennifer Wilkins, President	-

I certify that this is a true copy of Ordinance No. \_\_\_\_\_ that was adopted at a regular , 2024 and meeting of the Elberta Village Council on \_\_\_\_\_ on published in the 2024.

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Dated

Katherine A. Ralston, Clerk

### February 15, 2024

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- e) Expenditures and revenues shall be recorded and reported in the manner provided by law. Fees and other money received shall be forwarded promptly to the Village Clerk/Treasurer and credited to the appropriate Fund.
- Let not reasoner and created to the appropriate runo. Each department shall limit expenditures within the appropriations authorized herein and shall not attempt to expend funds at a rate which will eventually result in a deficit in any account without prior approval of the Council, except as otherwise provided by law. All expenditures of Village funds shall be expended only for the purposes attached to f) the accounts and within the various policies of the Council, including personnel policies and Employee Handbook that are approved by the Village Council. The Village of Elberta shall only be responsible for the payment of purchases made in accordance with the provisions of MCLA 46.13b, Act 58 of 1909, the UBAA, and any policies or resolutions of
- a) and a set of the set of the
- employee's spouse or family members attending a conference. All memberships and dues shall be paid out of the appropriate accounts. The Village President shall be authorized to transfer appropriations between line items within a department under the following limitations:
- woum a department under use following immations.
   A Funds may not be transferred from supplies and services to wages and benefits to
   create permanent positions.
   B. such transfers shall be reported in writing to the BGFAC and Village Council.
   The Village President shall be authorized to transfer appropriations among departments
- Ine vitige resident shall be autorited to transfer appropriators and/or, ocportations within a fund according to the following limitations: A. Funds may not be transferred from supplies and services to wages and benefits to create permanent positions. B. No account shall allocate or receive more than \$10,000 in any transfer.
- B. No account shall allocate or receive more than \$10,000 in may transfer.
  C. Such transfers shall be reported in writing to the BGFAC and Village Council.
  k) The Village Council President shall be authorized to make year-end transfers among activities or funds or with such amounts that may be available in the remainder of the General Fund, as may be necessary to ensure that activities or funds or not end the fiscal year in a deficit condition. All such transfers shall be recorded in the official financial records of the Village through the normal accounting process.

#### BE IT FURTHER RESOLVED,

- 4. The Village Council authorizes the following individuals or appointed boards to incur
- Intering Council aduatives the towning matchases of populate Council aduatives to incur ligations and expend funds within the limits of the Budget and as stated herein.

   The Village Clerk-Treasurer may incur budgeted obligations for printing services, office equipment, supplies, and miscellaneous budgeted items under the General Fund up to a limit of \$5,000 per obligation. Budgeted obligations exceeding \$5,000 from the Village Clerk-Treasurer must be approved by the BGFAC Committee and reported to the Village
- b) The DPW Superintendent may incur budgeted obligations for the Streets, Garage, Parks, Water, and Sewer operations and maintenance up to a limit of \$5,000 per obligation.

#### February 15, 2024

#### **RESOLUTION TO ADOPT THE** FY2024-2025 Village of Elberta Budget

WHEREAS the Uniform Budgeting and Accounting Act (""UBAA""), Public Act 621 of 1978, as amended, requires that each local unit of government adopt a balanced budget for all required funds; and,

WHEREAS the Budget, Grant, Finance, and Audit Committee (BGFAC) has received input from officials responsible for providing mandated services to determine serviceable levels and the funds to sustain such levels, and has reported these requests to the Village Council along with recommended funding leve

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Elberta that

1. this budget reflects a reasonable allocation of available resources to the various Village of Elberta ("Village") departments and functions and allows for all mandated services and activities to be performed at reasonable, necessary, and serviceable levels. BE IT FURTHER RESOLVED,

2. that the appropriations for the General Fund and Special Revenue Funds are adopted at the Fund level, and that the amounts indicated in the accompanying detail are hereby appropriated from the appropriate funds of the Village of Elberta according to the activities and accounts contained in that detail, incorporated herein by reference, and that such appropriations shall be restricted in accordance with Village and Council policies to the purpose described in the title of the accounts specified in the detail and by the provisions of this Budget.

BE IT FURTHER RESOLVED, 3. that the following restrictions and obligations shall apply to these appropriations and anyone who accepts funds pursuant to this budget or otherwise incurs expenditures in expectation of Village funding shall be deemed to have agreed to these restrictions and obligations:

- a) All terms in this Budget shall have the meaning assigned to them by the Uniform Budgeting and Accounting Act (UBAA)
   b) The Village Council President shall serve as the Chief Administrative Officer and the
- Fiscal Officer, as defined in the UBAA.
   c) All departments receiving funds herein shall abide by the UBAA and the Uniform Chart
- of Accounts referenced therein. Each department head shall promptly provide the Fiscal Officer with all information that the Fiscal Officer considers necessary and essential to the preparation of a Village budget for the ensuing fiscal period.
- The amounts appropriated herein shall be paid from the Village bank accounts at the time and in the manner provided by law, in this Resolution, and other applicable policies or resolutions of the Village Council, whether enacted to date or subsequently adopted. No Village money is to be paid unless accompanied by an invoice, printed receipt, or approved timesheet along with supplemental documentation, as necessary, to detail the goods or services received and for what purpose.

### February 15, 2024

- Budgeted obligations exceeding \$5,000 from the DPW Superintendent must be approved by the Village President and BGFAC and reported to the Village Council. c) All unbudgeted obligations shall be pre-approved by the Village Council in accordance
- with Village Ordinance 1124 and Village Policy 2014-006.

### BE IT FURTHER RESOLVED,

5. In event of conflict between this Resolution and any enacted Village, State, or Federal law, ordinance, or regulation, the enacted Village, State, or Federal law, ordinance, or regulation shall take precedence.

#### BE IT FURTHER RESOLVED,

6. this Resolution shall become effective March 1, 2024. The Council may amend this Resolution at any time and any appropriation made hereunder may be increased or decreased at the Council's discretion

Motion to adopt the resolution approving the proposed Fiscal Year 2024-2025 Budget made by

Motion seconded by Vote: Brett McGregor Aye/Nay/Abstain/Absent Aye/Nay/Abstain/Absent **Ryan Fiebing** Aye/Nay/Abstain/Absent Ken Holmes Aye/Nay/Abstain/Absent **Emily Votruba** Jennifer Wilkins Aye/Nay/Abstain/Absent

Attested this 15th day of February 2024

(village seal)

#### Katherine Ralston, Village Clerk-Treasurer

### Resolution #2024-002

#### Fiscal Year 2024–2025 Wage and Compensation Pay Scale for Village Employees

At an advertised public hearing of the Elberta Village Council, Benzie County, Michigan, held at the Community Building at 401 First Street on February 15, 2024, at 7pm,

The following resolution was offered by Trustee \_ and supported by Trustee

WHEREAS to maintain transparency and attract and maintain a quality workforce, the Council of the Village of Elberta hereby presents a Resolution for Fiscal Year Budgeted Wage and Compensation Pay Scales for village employees.

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Elberta, Benzie County, Michigan, that the Fiscal Year 2024–2025 Wage and Compensation Pay Scale for Village Employees be adopted as follows:

eting
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BE IT FURTHER RESOLVED that the terms of this Resolution shall be in effect from March 1, 2024, until the end of the 2024-2025 Fiscal Year, February 28, 2025.

AYES: NAYS:

ABSENT:

RECUSED: Jennifer Wilkins, DPW Supt in Training, Justin Towle is her live-in Son-in-law. RESOLUTION DECLARED ADOPTED By\_

Emily Votruba, Village President Pro Tempore

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 public hearing held on February 15, 2024; relative ta doption of the resolution therein set for the that aid 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: \_\_\_\_

Katherine Ralston, Village Clerk-Treasurer

### Resolution #2024-001 Fiscal Year 2024–2025 Wage and Compensation Pay Scale for Appointed and Elected Officials

At an advertised public hearing of the Elberta Village Council, Benzie County, Michigan, held at the Community Building at 401 First street on February 15, 2024, at 7pm,

\_\_\_\_ and supported by Trustee The following resolution was offered by Trustee \_\_\_\_\_

WHEREAS to maintain transparency and attract and maintain a quality workforce, the Council of the Village of Elberta hereby presents a Resolution for Fiscal Year Budgeted Wage and Compensation Pay Scales for Appointed and Elected Officials,

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Elberta, Benzie County, Michigan, that the Fiscal Year 2024–2025 Wage and Compensation Pay Scale for Appointed and Elected Officials be adopted as follows:

Status	Salary	Health Insurance Stipend	Per Meeting	

Clerk-Treasurer	Full Time/Appointed	\$49,920	\$500 a month	\$35	
Village President	Elected			\$80	
President Pro Tempore	Elected			\$40	
Council Trustee	Elected			\$40	
Council Trustee	Elected			\$40	
Council Trustee	Elected			\$40	

BE IT FURTHER RESOLVED that the terms of this Resolution shall be in effect from March 1, 2024, until the end of the 2024-2025 Fiscal Year, February 28, 2025.

AYES:			
NAYS:			
ABSENT:			

#### RESOLUTION DECLARED ADOPTED By \_ Jennifer S. 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 , the language of the second s

Katherine Ralston, Village Clerk-Treasurer

Dated: \_\_\_\_