

**Village of Elberta Michigan
Regular Council Meeting Minutes
May 20, 2010**

The regular meeting of the Elberta Village Council was held at the Community Building, Thursday, May 20, 2010.

Present: D.Holmes, Bower, D.Bower, Ness, Hendershott (7:07), K.Holmes and R.Manville.

Absent: none

Guests: Carolee Ness, Ruth Nanni, Kris Hollenback, Marcia Stobie and Tex McGregor.

APPROVAL OF MINUTES:

Motion by Ness supported by D.Bower to approve the minutes of the regular meeting of April 15, 2010. Yeas - 5.

APPROVAL OF AGENDA:

Motion by D.Bower supported by Ness to approve the agenda as proposed with the add-on of #5 - Video Recording of Meeting Policy. Yeas - 5.

Motion by D.Bower supported by K.Holmes to leave the regular meeting and go into the advertised public hearing. Yeas - 5.

D.Holmes explained that Tex and Terri McGregor were turned down on a land use permit by the Village Zoning Administrator. The reason they were turned down was that the proposal didn't meet the set backs and square footage required. The McGregor's have asked for a variance so they can build their house. Stobie, who is the Chair for the Village's PC, asked if the variance was for reducing the size of the required square footage. She was told that was correct. Stobie feels that the Zoning Ordinance needs to be revisited and changed to allow for reduced square footage for building. She asked if the McGregor's had considered changing the layout of the house on the lot. McGregor said that he and his wife would like to keep the layout as it is. It was also asked if the lot was commercial. Stobie said the lot is commercial but allows for R-1.

Motion by Ness supported by D.Bower to close the public hearing and return to the regular meeting. Yeas - 6.

CORRESPONDENCE:

APPROVAL OF BILLS:

Ness asked about the \$278.50 for the AT&T Mobility (Garage cell phones) on the April bill. She said the bill is usually much less. The Clerk said that Dave Hoogerhyde had taken the phone with him when he went to Jamaica. The cell phone plan doesn't allow for roaming charges and especially out of the country.

S.Bower said the charges for Hoogerhyde on the bill was \$178.

Motion by D.Bower supported by K.Holmes to approve the bills for April 1 to April 30 in the amount of \$18,359.42. Yeas - 6.

Super's Report: Super's Report has been eliminated.

Department heads were heard from.

MANAGEMENT & POLICY:

D.Holmes said the cell phone issue needs to be addressed. S.Bower said that Hoogerhyde had not paid for the roaming and texting charges on his phone for January, February, March and April totaling around \$212. The Council said that the Garage cell phones were not for personal use. Ness said that he should pay some on the bill every payday. R.Manville said that this calls for a reprimand and a suspension. It was decided that Hoogerhyde be given two weeks to pay for the cell phone usage and if it's not taken care of he will be given a two week suspension without pay. The cell phone is to be taken away and given to the Village President until the debt is paid. This disciplinary action will go into Hoogerhyde's file.

Kris Hollenback gave her report. She expressed her frustration with the actions of those in charge of the Maples.

AGENDA:

1.D/A Zoning Variance - McGregor. Motion by D.Bower supported by K.Holmes to allow the variance - option #1 - requested by Tex and Terri McGregor for building a house at 119 Frankfort Avenue contingent on the two lots being combined as one. Yeas - 6.

2.D/A Fire Department Contract. Motion by D.Bower supported by Ness to approve D.Holmes and S.Bower sign the Fire Contracts. Yeas - 6.

3.D/A MDNR Trust Fund Agreement Amendment. Motion by D.Bower supported by K.Holmes to approve D.Holmes signing the MDNR Trust Fund Land Acquisition Project Agreement Amendment. Yeas - 6.

4.D/A Recommendation of the PC for Amendment to the ZO. The amendment concerns the regulation of special uses. Motion by Ness supported by Hendershott to amend the ZO as proposed. Yeas - 6.

5.D/A Video Recording of Meetings Policy. Motion by D.Holmes supported by D.Bower that video equipment may only be set up in one of the back corners of the meeting room. Yeas - 6.

Motion to adjourn was accepted.

Sharyn Bower, Village Clerk