

**Village of Elberta Michigan  
Regular Meeting  
Thursday, April 21, 2011**

The regular meeting of the Elberta Village Council was held at the Community Building, Thursday, April 21, 2011.

President Pro-Tem, Diane Jenks, opened the meeting.

Present: Bower, Jenks, Stapleton, Soper, L.Manville, and Holmes.

Absent: R.Manville and Thorsen

Guests: Lois Schram, Arthur Melendez, Jennifer Wilkens, Merrin Garber, Emily Votruba, Ruth Nanni, Carolee Ness, Ken Bonney, Marcia Stobie, Dave Wilson, Chad Hollenbeck, Kelly Thayer, Eric Luxford, Charlie Thompson, Charlie Hendershott, Scott Gest, Dave Bower and Kelli Stapleton.

**APPROVAL OF MINUTES:**

Motion by Stapleton supported by L.Manville to approve the minutes from the March 17, 2011 meeting. Yeas - 5.

**APPROVAL OF AGENDA:**

Motion by Soper supported by L.Manville to approve the proposed agenda. Yeas - 5.

**PUBLIC COMMENT:**

Dave Wilson, auditor for the Village, gave a synopsis on the financial difficulties of the Village. He discussed the many factors that have led up to the financial deficit. Wilson said this wasn't a new problem. He said that the Village Treasurer has submitted several deficit elimination plans to the State Treasurers office. Wilson said that it will probably take many years for the Village to eliminate the deficit. He said the Village is able to pay its bills and make payroll. He also touched on the comparison to Benton Harbor which has been taken over by a financial officer. Wilson said that negative factors make the news. He said that Elberta's financial problems are not getting worse. He said they are slowly improving. Wilson said to concentrate on getting better and not to look at the negative. Wilson answered questions and addressed some of the concerns of the Council. Wilson said that the annual Village audit will be held the 2<sup>nd</sup> week of May.

Eric Luxford, Fire Chief for the City of Frankfort, discussed burning in the Village. He said the DEQ passed a law that banned any fires within 1400 feet of the Village limits. Luxford discussed the Village's current Burning Ordinance. He explained that Frankfort's Ordinance addressed the construction of fire pits. He said that the fire pit must have an annual inspection and the charge is \$20.00. Luxford said that burning barrels are not allowed. The burning of leaves, brush

and other materials is prohibited. Fires on the beach were also discussed at length. Luxford said that he would be glad to sit down with the Council and help revise the Village's current Burning Ordinance.

Chad Hollenbeck and Kelly Thayer representing the Benzie Bus, gave a report on the bus operations. They discussed the upcoming May 3, election. The election is being held to request a five year renewal/restoration millage for the Benzie Bus. Hollenbeck said the bus operations are independent of the County's general fund. He said the proposed millage would supply 50% of the operational funds with the State and Feds supplying the additional 50%. They asked for the support of the Council in the May 3<sup>rd</sup> election.

Marcia Stobie gave her Commissioner's report. She explained that there will be a redistricting change in the County. Stobie said that as it now stands she and Don Tanner will be in the same district. There are things to work out. She said that the County is searching for a new County Administrator.

#### APPROVAL OF BILLS:

Motion by Holmes supported by L.Manville to approve the bills for March 1 to March 31, 2011 in the amount of \$30420.90 (accounting checks)and \$11,0579.39 (payroll). Yeas - 4. Nays - 1 Soper

Department heads were heard from.

Water/Sewer/BLUA: Holmes discussed BLUA operations. He and Jenks discussed the creation of a tree nursery on the BLUA property that will be of benefit to both Frankfort and Elberta.

Parks & Rec: L.Manville said that P&R adopted new guide lines for the Farmer's Market. The Farmer's market will open on June 18<sup>th</sup> and be open from 7:30 a.m. to 1 p.m. The removal of the docks at the Mini pond was discussed. Charging for use of the boat launch was also discussed.

Beach: The beach clean-up was discussed. Stapleton said that the SEED group could be involved.

Presidents Report: Jenks reported on a recent grievance hearing. The hearing was held to determine if former employee, Dave Hoogerhyde, would be able to overturn denials issued by the MESC in connection with Hoogerhyde's attempt to file for unemployment benefits. Jenks said that the Judge ruled in the Village's favor and disqualified Hoogerhyde from collecting benefits from the Village.

Jenks discussed the proposed variances for Jerry Little's property. She said that the public hearing for the variance request will be noticed in the paper on April 27. The posting says the public hearing will proceed the May 19 regular meeting.

Jenks said that a public hearing and special meeting could be held on May 12. It would still fall within the 15 day requirement with the April 27 posting. She said the Village is trying to eliminate as many special meetings as possible due to cost restraints. Jenks said the May 12<sup>th</sup> meeting could be held if Council members were willing to forego meeting pay. Holmes is against holding a special meeting without pay as this will set a precedent. He said that he anticipates more variance requests as most of the lots in the Village under the present Zoning Ordinance are not buildable. Holmes said that the PC is working diligently to amend the Zoning Ordinance to allow for smaller lot sizes. Stobie also interjected that smaller homes on smaller lots should be allowed. Both Stobie and Holmes said that proposed amendment wouldn't happen until Fall so this wouldn't help the Little project. The issue was discussed at length. Jenks said that the May 19<sup>th</sup> public hearing and meeting date will remain as published.

#### AGENDA:

1.D/A Village Name Change - Kelli Stapleton. Stapleton said that she had discussed at a previous meeting the changing of the name of Elberta to Heaven. She said due to all of the legal ramifications that changing the name wasn't feasible. Stapleton said that once M-168 is turned back to Village the street could be renamed. She said that the whole area encompassing the waterfront/beach could be given a different designation. Stapleton suggested Highway to Heaven, the Kingdom of Heaven, etc. She said the Village could make it a fun place and also make money in the process. She outlined the successes that the Village of Hell had experienced. Stapleton was thanked for her suggestions.

2. D/A Appointment F/E Chamber Foundation Board. Mike Jones. Motion by L.Manville supported Holmes to appoint Michael Jones to the Frankfort/Elberta Chamber Foundation Board. Yeas - 5.

Public Comment was heard.

Emily Votruba thanked the Council and Sharyn And Laura for all of their help in sorting out some of the deficit issues. She suggested the Budget Committee meet monthly.

Scott Gest said that removal of the docks at the Mini Pond would require a permit. Stapleton asked Gest for an update on his development. Gest said the present economic climate is hindering the development. He said it has to have as strong market. Gest said the development will be done in phases. He said that he has a large investment in the Village and expects to start the development once the economy moves forward. He said the entire project could take 25 to 30 years.

Motion to adjourn was accepted.

Sharyn Bower, Village Clerk