

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, JANUARY 8, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) December 26, 2023

Steve Crothers moved to approve the minutes of the Regular Council meeting of December 26, 2023 as presented.

Seconded by: Mike Termer.

Voice Vote: All in favor.

Motion Carried.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

Fleis & VandenBrink has reviewed the Water and Sewer Ordinances and their comments have been sent to the attorney for continued discussion. Once this process is completed, the information will be placed on the Village Council agenda for consideration.

VA Selner and Clerk/Treasurer Budde will be spending much of the upcoming week finishing the draft budget to present to both the Finance and Insurance Committee and the full Village Council. Meetings will be scheduled at the end of January to review the draft budget. The Village Council will also discuss the Capital Improvement Plan.

Due to the delay in getting the power disconnected at Getty Park, McCormick Sand will not be able to demolish the building until early March. This will also delay the construction of the pavilion and

bathroom. The Parks, Recreation, and Buildings Committee met on Friday, January 5th to finalize the fundraising plan. VA Selner will put together the information needed to reach out to potential donors and begin to reach out to them.

The Village is nearing the completion of the Redevelopment Ready Community (RRC) certification process. The Village must conduct a joint meeting with the Planning Commission and the Village Council. This will be scheduled as soon as possible. The last item to review and update is the Village fee schedule. VA Selner plans to incorporate this into the budget process to satisfy the requirement.

#### **9. DEPARTMENT HEADS' REPORTS:**

DPW Supervisor Jeremiah Helenhouse reported that the crew is preparing for the upcoming snow events. Darryl Frees is back to work after his surgery, but he is on light duty for the next few weeks.

Chief Roesler reported that the new school zone seems to be working well. He gave a lot of credit to the Shelby Public Schools for putting a great plan together.

**10. CORRESPONDENCE:** No Correspondence.

**11. CITIZEN PARTICIPATION:** No Citizen Participation.

**12. OLD BUSINESS:** No Old Business.

#### **13. NEW BUSINESS:**

##### a.) Planning Commission Appointments

Three terms on the Planning Commission expired on December 31, 2023. One of the three members indicated an interest in continuing to serve another term. If approved by the Village Council, Ross Field's term would be effective from January 1, 2024 to December 31, 2026. As part of the Ordinance update project, VA Selner is proposing to reduce the Planning Commission from seven to five members. If/when the new ordinance is adopted, it would leave one vacancy on the Planning Commission.

Steve Crothers moved to re-appoint Ross Field to the Village of Shelby Planning Commission for the term January 1, 2024 to December 31, 2026.

Seconded by: Damian Omness.

Voice Vote: All in favor.

Motion Carried.

##### b.) Non-Discrimination on Basis of Handicap Policy

Since the Michigan Economic Development Corporation (MEDC) Water Related Infrastructure (WRI) grant is funded through a Community Development Block Grant (CDBG), there are specific policies and procedures that must be implemented by the local unit of government prior to grant close out. Most of these policies have been approved by the Village Council, but there are more. The policy up for

consideration tonight will be filed with the other general Village Council Policies including, but not limited to, the Investment Policy and Fund Balance Policy.

Steve Crothers moved to approve the Non-Discrimination on Basis of Handicap Policy for the Village of Shelby.

Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Crothers, Omness, Termer, Zaverl, Sutton, Trott, and Inglis.

Motion Carried 7-0.

c.) DPW Garage Door

Monday, January 1st, the back garage door on the DPW building bound up and the chain snapped, and the door came crashing down. The previous week, the door would not close due to being damaged over the years. The track shifts frequently due to the track being out of alignment. The staff has had issues with the doors for years and have limped them along. The door is unable to be used until it is fixed. The Village received one written quote and two verbal quotes to replace the door and repair the track. The written quote in the amount of \$3,573.00 is for a new vinyl door, installation of the door, and repair of the track. The two verbal quotes were both in the amount of \$6,000.00 and both included the purchase of a new motor for the garage door opener. The current motor for the garage door is in good working condition.

Mike Termer moved to approve the quote from Enterprise Door LLC, Fruitport, Michigan in the amount of \$3,573.00 to replace the garage door and repair the track at the DPW Garage.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis.

Motion Carried 7-0.

d.) Façade Grant Recommendation of Awards

The Façade Grant Review Committee met on October 19th and October 30th respectively. On November 13th, the Village Council accepted the Committee’s recommendation and approved four applications totaling \$39,700.00 leaving a balance of \$12,800.00. After seeking additional clarification from the remaining applicants, the Committee met again on January 5th and recommended that the Village Council approve funding for the following two applications:

- 1. West Michigan Insurance – 150 N. Michigan Avenue \$7,700.00
- 2. Village Plaza Company, LLC – 198 N. Michigan Avenue \$5,100.00

West Michigan Insurance is unable to be funded for their full request of \$10,000.00 due to the lack of remaining ARPA funds.

Damian Omness moved to award \$12,800.00 in ARPA funds for the following two (2) façade grant applications:

1. West Michigan Insurance – 150 N. Michigan Avenue \$7,700.00
2. Village Plaza Company, LLC – 198 N. Michigan Avenue \$5,100.00

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Zaverl, Sutton, Trott, and Inglis.

Motion Carried 7-0.

#### **14. COMMITTEE REPORTS:**

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

Nothing to report.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Met on January 5th for an update on the Getty Park Project and to discuss future fundraising efforts for the Park.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Nothing to report.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

Nothing to report.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**15. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of January 8, 2024 in the amount of \$80,870.55.

Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Crothers, Termer, Zaverl, Omness, Sutton, Trott, and Inglis.

Motion Carried 7-0.

**16. ADJOURNMENT:** Damian Omness moved to adjourn the meeting at 6:50 P.M.  
Seconded by: Mike Termer.

Voice Vote: All in favor.  
Motion Carried.

Council minutes are not official until approved at the January 22, 2024 Council meeting.

Approved

*Crystal Budde*

January 22, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, JANUARY 22, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:01 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, and John Sutton.

Absent: Curt Trott.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) January 8, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of January 8, 2024 as presented.

Seconded by: Mike Termer.

Voice Vote: All in favor.

Motion Carried.

Absent: Curt Trott.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

VA Selner reported that the Finance and Insurance Committee met prior to the Village Council meeting to review the draft 2024/2025 Fiscal Year Budget. A budget work session will be scheduled for next week for the Council to review the draft budget prior to the Public Hearing on and adoption of the same.

The Village of Shelby has received a very generous donation of \$100,000.00 for the Getty Park Project from Earl and Linda Peterson. Additional contributions of \$5,000.00 were received from Peterson Farms and \$2,000.00 from Richard Raffaelli. VA Selner will continue fundraising efforts over the next several weeks to continue to close the funding gap.

## 9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse reported that the new well and pump have been installed at the Deming well site and the necessary testing will be performed this week. The project should be completed within the next month.

**10. CORRESPONDENCE:** No Correspondence.

## 11. CITIZEN PARTICIPATION:

Phil Morse, District 2 Oceana County Commissioner, suggested that the Village Council send thank you notes to all donors to the Getty Park Project. He shared that the Oceana County Board is in support of the proposed tunnel near Lewis Farms on M20. Mr. Morse reported that he will be hosting a workshop on February 24, 2024 at the Hart Wesleyan Church from 9:00 A.M. to 11:00 A.M.

**12. OLD BUSINESS:** No Old Business.

## 13. NEW BUSINESS:

### a.) Planning Commission Appointment – Samantha Gottschalk

Three terms on the Shelby Village Planning Commission expired on December 31, 2023. Ross Field was appointed to another three-year term at the January 8, 2024 Village Council meeting, leaving two of the three terms open. Since the last Village Council meeting, the remaining two Planning Commissioners responded. Samantha Gottschalk is interested in serving another term, but Tara Kelley has indicated she is unable to commit to another term. If approved by the Village Council, Samantha Gottschalk's term would be from January 1, 2024 to December 31, 2026.

Damian Omness moved to re-appoint Samantha Gottschalk to the Village of Shelby Planning Commission for the term January 1, 2024 December 31, 2026.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Zaverl, Sutton, and Inglis.

Motion Carried 6-0.

Absent: Curt Trott.

### b.) Set 2024/2025 Fiscal Year Public Hearing

Section 15 of the Uniform Budgeting and Accounting Act (MCL 141.435) requires cities and villages to adopt a budget prior to the beginning of each fiscal year. Cities and villages are also required to conduct a public hearing on the proposed budget. Publishing the notice of the public hearing is required 6 days prior to the hearing. The notice must include the time, place, and where a copy of the proposed budget is available for public inspection. The Public Hearing on the budget and budget adoption will take place on Monday, February 26, 2024, at approximately 6:10 P.M.

Mike Termer moved to set the Public Hearing for the purpose of receiving comments on the 2024/2025 Fiscal Year Budget on Monday, February 26, 2024 at 6:10 P.M.  
 Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Termer, Crothers, Zaverl, Omness, Sutton, and Inglis.

Motion Carried 6-0.

Absent: Curt Trott.

#### **14. COMMITTEE REPORTS:**

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

Nothing to report.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Committee Chair Damian Omness reported that a fundraiser packet has been created for the Getty Park Project. VA Selner is creating a list of possible donors to visit in order to fill the funding gap.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Nothing to report.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

Nothing to report.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**15. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of January 22, 2024 in the amount of \$34,790.35.  
 Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Crothers, Termer, Zaverl, Omness, Sutton, and Inglis.



Motion Carried 6-0.  
Absent: Curt Trott.

**16. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 6:33 P.M.  
Seconded by: Steve Crothers.

Voice Vote: All in favor.  
Motion Carried.  
Absent: Curt Trott.

Council minutes are not official until approved at the February 12, 2024 Council meeting.

Approved

<u><i>Crystal Budde</i></u>	<u>February 12, 2024</u>
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer	Date

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, FEBRUARY 12, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, and John Sutton.

Absent: Curt Trott.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) January 22, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of January 22, 2024 as corrected.

Seconded by: Steve Crothers.

Voice Vote: All in favor.

Motion Carried.

Absent: Curt Trott.

b.) January 29, 2024 – Budget Work Session

Steve Crothers moved to approve the minutes of the Special Council Budget Work Session of January 29, 2024 as presented.

Seconded by: Mike Termer.

Voice Vote: All in favor.

Motion Carried.

Absent: Curt Trott.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

VA Selner reported that the draw down test to determine the appropriate pump size for the new Well has been completed. The pump will be ordered following EGLE approval. Once it arrives, Northern Pump will be on site to perform the installation and complete the internal piping into the Well House.

The Village has received additional donations for the Getty Park project. Shelby State Bank has committed \$40,000.00 and Shelby Rotary Club has committed \$15,000.00. Mishelle Comstock has also committed to personally donating \$1,000.00.

The bid opening for the First Street project will be on March 12, 2024. This is the collaborative road project with the Oceana County Road Commission and Shelby Township.

VA Selner reported that he has officially submitted his letter of resignation as the Village Administrator. His last day of employment with the Village of Shelby will be on March 13, 2024. He thanked the Village Council and the community for the opportunity to serve the Village of Shelby. VA Selner has accepted a position with the Village of Spring Lake.

## **9. DEPARTMENT HEADS' REPORTS:**

DPW Supervisor Jeremiah Helenhouse and Chief Roesler had nothing to report.

**10. CORRESPONDENCE:** No Correspondence.

## **11. CITIZEN PARTICIPATION:**

Richard Raffaelli, Shelby Township Supervisor, stated that he will miss working with Brady Selner. He has done many great things for the Village of Shelby. Mr. Raffaelli stated that Shelby Township has written a letter addressed to the Hart-based VFW stating that there is no objection to the removal of the tank that is currently located at Tank Park in the Village of Shelby. He requested that the Village also write a letter stating there is no objection to the removal of the tank and that there will be no financial commitment for the move. The VFW owns the tank and is planning to move the tank from the current location in the Village of Shelby to the Veterans Memorial area in the City of Hart.

## **12. OLD BUSINESS:**

### a.) Fiscal Year 2024/2025 Draft Budget Review

The proposed Fiscal Year 2024/2025 Draft Budget has been updated based on comments received from the Village Council Budget Work Session held on January 29th:

1. The updated budget includes both revenue and expenses in the Water Fund for the completion of Well 2.
2. The full-time park maintenance employee is budgeted to work half the year-from August to the end of the fiscal year.
3. Money was added to the Police Department budget for the purchase of the in-car

cameras and updated body cameras.

4. Funds were added to have Fleis & VandenBrink complete a Project Plan for the EGLE DWSRF process and Wellhead Protection Program.
5. Repaving Sixth Street was removed from the budget. The money remains in the budget for the purpose of adding a sidewalk/pathway from the Hart-Montague Trail to Getty Park.
6. Add the cost of the Lagoon Mixer replacement in the Sewer Fund.
7. Getty Park project has been updated to account for the first contractor pay request received from McCormick Sand.
8. Money has been added to cover the cost of finalizing the Water and Sewer Ordinance rewrite.
9. Added money for the purchase of School Zone signage.
10. Interest revenue was adjusted to be 10% less from the previous fiscal year.

### 13. NEW BUSINESS:

#### a.) SCADA System Dialer Upgrade

A more thorough update to the entire SCADA system was planned for the current fiscal year but attempts to receive proposals and quotes were unsuccessful. In addition, the anticipated costs are substantially more than originally budgeted. Updating the dialer will provide a much-needed upgrade as the current callout SCADA system is obsolete. A new system would be more effective and more accurate in letting the on-call employee know exactly where the alarm is occurring. A more thorough update to the system can be postponed and researched over the next couple of years.

Mike Termer moved to approve the quote from King Services LLC of Hudsonville, Michigan to purchase a Sentinel Cellular Dialer in the amount of \$3,434.00 plus any shipping and handling charges. Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Termer, Omness, Crothers, Zaverl, Sutton, and Inglis.

Motion Carried 6-0.

Absent: Curt Trott.

#### b.) Lagoon Mixer Replacement

Mixer 1 is currently down due to a nonfunctional motor and bad pilot bearing. It would be replaced with everything new besides the prop which is still in working condition. This mixer is responsible for making sure no solid materials pass from pond 1 to pond 2. Mixer 2 needs a complete rebuild. That

mixer is responsible for mixing Ferric before it enters the final pond for discharge. The improvements were identified in the 2018 Asset Management Plan for Wastewater Treatment Plants and Lift Stations and budgeted for in the current Fiscal Year.

Mike Termer moved to approve quote 0055585 from Kennedy Industries of Wixom, Michigan in the amount of \$49,987.00 to replace and/or rebuild Mixers 1 and 2 at the Wastewater Treatment Plant. Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Termer, Crothers, Zaverl, Omness, Sutton, and Inglis.

Motion Carried 6-0.

Absent: Curt Trott.

c.) Computer Replacement

The computers at the Village Hall and the DPW garage are well past their useful life. Over the last couple of years, staff has noticed the computers are processing much slower. This was a budgeted capital improvement item for Fiscal Year 2023/2024. A single quote was received from the Village's IT provider for ease of purchase and installation.

Steve Crothers moved to approve quote VC3Q28358 from VC3 of Columbia, South Carolina to purchase five workstations, two laptops, a wireless keyboard, and mouse in the amount of \$11,469.00. Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Crothers, Omness, Termer, Zaverl, Sutton, and Inglis.

Motion Carried 6-0.

Absent: Curt Trott.

d.) Police Department Mobile Radios

Police radios will soon need to be encrypted. Only two of the four that the Police Department has have that ability. This was a planned capital expense within the Police Department budget for Fiscal Year 2023/2024.

Damian Omness moved to approve quote 2514069 for the purchase of two Motorola mobile radios and a three-year subscription in the amount of \$9,871.02. Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Zaverl, Sutton, and Inglis.

Motion Carried 6-0.

Absent: Curt Trott.

**14. COMMITTEE REPORTS:**

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

Nothing to report.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Nothing to report.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Nothing to report.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

Nothing to report.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**15. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of February 12, 2024 in the amount of \$417,719.38.  
Seconded by: John Sutton.

Roll Call Vote:  
Ayes: Crothers, Sutton, Termer, Zaverl, Omness, and Inglis.  
Motion Carried 6-0.  
Absent: Curt Trott.

**16. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 7:28 P.M.  
Seconded by: Steve Crothers.

Voice Vote: All in favor.  
Motion Carried.  
Absent: Crut Trott

Council minutes are not official until approved at the February 26, 2024 Council meeting.

Approved

*Crystal Budde*

February 26, 2024

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Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, FEBRUARY 26, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) February 12, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of February 12, 2024 as presented.

Seconded by: Mike Termer.

Voice Vote: All in favor.

Motion Carried.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

VA Selner reported that the Village staff continues to struggle to get Consumers Energy to properly disconnect the power at Getty Park. Until the issue is resolved, it will unfortunately cause further delays.

VA Selner will be presenting an amendment to the Village Council regarding the installation of the playground equipment. In a meeting with the MEDC CDBG staff, it was made clear that the Village would be unable to move forward with the community build. This will increase the cost of the project by \$41,950.00.

Bid opening for the First Street project is scheduled for March 12, 2024 at 2:00 P.M.



The new computers at the Village Hall and DPW garage will be installed in late March. They have received the new computers but have not yet provided a firm installation date.

**9. DEPARTMENT HEADS' REPORTS:**

DPW Supervisor Jeremiah Helenhouse had nothing to report.

Chief Roesler had nothing to report.

**10. CORRESPONDENCE:**

a.) Community Foundation

A statement was received from the Community Foundation regarding funds for the Getty Park project. The current balance of the funds donated for the Getty Park Renovation project through the Community Foundation for Oceana County (CFOC) is \$126,755.00.

**11. CITIZEN PARTICIPATION:** No Citizen Participation.

**12. PUBLIC HEARING:**

a.) Proposed 2024/2025 Fiscal Year Budget

President Inglis opened the Public Hearing for the proposed 2024/2025 Fiscal Year Budget at 6:10 P.M. The proposed 2024/2025 Fiscal Year Budget was reviewed by the Village Council at the Special Work Session as well as at the Regular Council meeting of February 12, 2024. Some key adjustments that have been made are:

1. The updated budget includes both revenue and expenses in the Water Fund for the completion of Well 2.
2. The fulltime park maintenance employee is budgeted to work half the year-from August 2024 to the end of February 2025.
3. Money was added to the Police Department budget for the purchase of the in-car cameras and updated body cameras.
4. Funds were added to have Fleis & VandenBrink complete a Project Plan for the EGLE DWSRF process and Wellhead Protection Program.
5. Repaving Sixth Street was removed from the budget. The money remains in the budget for the purpose of adding a sidewalk/pathway from the Hart-Montague Trail to Getty Park.
6. Add the cost of the Lagoon Mixer replacement in the Sewer Fund.
7. The Getty Park project has been updated to account for the first contractor pay request

from McCormick Sand.

8. Money has been added to cover the cost of finalizing the Water and Sewer Ordinance rewrite.
9. Added money for the purchase of School Zone signage.
10. Interest revenue was adjusted to be 10% less from the previous fiscal year.

President Inglis closed the Public Hearing at 6:15 P.M.

**13. OLD BUSINESS:** No Old Business.

**14. NEW BUSINESS:**

a.) 2024/2025 Fiscal Year Budget Adoption

Steve Crothers moved to adopt Resolution 11-24. (See Attached)

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Termer, Omness, Trott, and Inglis.

Nays: Zaverl.

Motion Carried 6-1.

Councilman Zaverl noted that he voted against the 2024/2025 Fiscal Year Budget due to the fact that he is not in agreement with adopting a Budget reflecting a deficit fund balance.

b.) Fourth Quarter Budget Amendments

The Village's 2023/2024 Fiscal Year Budget has been completed and final budget amendments are needed. Some of the major budget items to note for the fourth quarter include:

1. Final adjustments to interest revenue.
2. Getty Park project adjustments. Most of the work will be completed in the 2024/2025 fiscal year.
3. Water and Sewer revenue adjustments. Higher than originally budgeted.

Mike Termer moved to approve the 2023/2024 Fiscal Year Fourth Quarter Budget Amendments as presented.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis.

Motion Carried 7-0.

c.) Utilities Ordinance Adoption

The Village agreed to a Cost Sharing Agreement with Perdue Farms to set up an Industrial Pretreatment Program (IPP). A portion of this project included amending the Village's Sewer Ordinance to add the necessary IPP language. Since the entire Utilities Ordinance was outdated and in need of a rewrite, the Village committed to hiring an attorney to rewrite both the Water and Sewer Ordinances. The updated ordinances now include the necessary IPP language, but also better reflect the Village's day-to-day operations regarding the utilities. The Village staff worked with George Davis, an attorney who specializes in water and sewer matters, to draft new chapters. The Ordinance Committee also had a chance to review the draft of the Ordinance and did not have any major questions or concerns. If the language is adopted, the next step will be to create the necessary forms and fee schedules that are noted in the new language.

To move the larger Ordinance Rewrite project with the General Code forward, there is a section of the Sewer Ordinance on pages 87 and 88 that will need to be updated with the actual numbers once the engineer is further along with the IPP process.

Damian Omness moved to adopt Ordinance 01-2024. (See Attached)  
 Seconded by: Curt Trott.

Roll Call Vote:

Ayes: Omness, Trott, Termer, Crothers, Zaverl, Sutton, and Inglis.

Motion Carried 7-0.

d.) General Code Legal and Editorial Analysis

The Village of Shelby has completed its review of the Legal and Editorial Analysis portion of the General Code Project. The purpose of this analysis was to identify duplications and inconsistencies between or within various sections of the Code or Michigan Statutes; to provide for practical recommendations to make the Village legislation more enforceable; to suggest appropriate fines, fees, penalties; and, to suggest ways to modernize the Village's legislation.

The Ordinance Committee met multiple times to review all responses to the Legal and Editorial Analysis and recommended moving forward in the process. Once the Village's responses are submitted, the next step in the process is the final edit of the manuscript and submission of the draft. Using the online platform, General Code will submit a draft of the Code for final review by the Village Council. With this submission, the editorial work on the project will be complete. If the Village requires additional changes, further charges will apply. After the draft is received, a comprehensive index, disposition list, derivation table, and code adoption legislation will be provided. Once approved by the Village Council, the newly adopted Code will be online using ECode360. This will be accessible through the Village Website. Once the new Code is complete and online, the next phase of the project will be to update all forms and fees referenced in the Code.

John Sutton moved to authorize Village Administrator Brady Selner to submit the Legal and Editorial Analysis for the General Code Project.  
 Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Sutton, Crothers, Termer, Zaverl, Omness, Trott, and Inglis.  
Motion carried 7-0.

e.) Encroachment Agreement

The owner of the building located at 179 N. Michigan Avenue requested authorization to construct an ADA ramp in front of his building. An Encroachment Agreement has been drafted by Parmenter Law to allow for the construction of the ramp under specific parameters, some of which are highlighted below:

1. Maintenance and its associated costs would be the responsibility of the Grantee.
2. No further encroachments except those identified in the site plan would be allowed.
3. Upon termination of the Agreement, the Grantee is responsible for the removal of the improvements at his sole cost and expense.
4. The Grantee must indemnify and hold the Grantor harmless for any liability for damages arising and must carry liability insurance and name the Village of Shelby as additional insured.

Mike Termer moved to approve the Encroachment Agreement by and between the Village of Shelby and Marco Suarez, of 179 North Michigan Avenue, Shelby, Michigan 49455. Be it further resolved to authorize the Village President and the Village Clerk to sign the Encroachment Agreement.  
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Termer, Omness, Crothers, Zaverl, Sutton, Trott, and Inglis.  
Motion Carried 7-0.

f.) EGLE DWSRF Project Plan and Well Head Protection

The Village of Shelby submitted its Intent to Apply for the 2025 funding round of the EGLE Drinking Water State Revolving Fund (DWSRF) Program. The next step in the process would be to have Fleis & VandenBrink submit a Project Plan by June 1, 2024. The Water and Sanitation Committee met with Don DeVries on Wednesday, February 21, 2024, to discuss the process. The Committee is recommending that the Village Council authorize Fleis & VandenBrink to submit a Project Plan and updated Wellhead Protection Plan for the 2025 EGLE DWSRF funding round. If the Village's project were to be funded, construction would not occur until Spring of 2026.

Damian Omness moved to authorize Fleis & VandenBrink Engineering to submit a Project Plan and updated Wellhead Protection Plan for the 2025 EGLE DWSRF Program.  
Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Omness, Termer, Crothers, Zaverl, Sutton, Trott, and Inglis.  
Motion Carried 7-0.

g.) Household Hazardous Waste Contribution

The Household Hazardous Waste Disposal Program is a cyclical cost that the Village has been a part of since approximately 2014. The goal is to provide a way for residents to dispose of hazardous material safely and easily so that they do not end up in lakes, streams, groundwater, or public water supplies. The requested amount from the Village of Shelby is based on the following calculation: Population Based on 2020 Census: 1964 people x .40/person = \$785.60. Last year the Village committed \$550.00.

Dan Zaverl moved to participate in the 2024 Manistee, Mason, and Oceana County Household Hazardous Waste Program and to authorize Crystal Budde, Village Clerk/Treasurer, to make payment in the amount of \$550.00 to support the event. Be it further resolved to authorize Village Administrator Brady Selner to sign the 2024 Contract and Agreement for Services by and between the Village of Shelby and the Manistee, Mason, and Oceana Conservation Districts.  
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Zaverl, Omness, Termer, Crothers, Sutton, Trott, and Inglis.  
Motion Carried 7-0.

h.) Interim Manger Contract

To assist with the Village Administrator transition, VA Selner reached out to three managers that provide Interim Manager Services. Two of the three were not available and did not submit a proposal. The one proposal the Village received was from Gregg Guidance LLC. The Village President and Personnel Committee Chair met with Gregg and Jae Guetschow to discuss the proposal. Following the meeting, they requested that a formal contract be drafted for consideration by the Village Council. The formal start date of the contract is March 11, 2024. It is anticipated that Jae Guetschow will work between 16 and 24 hours a week at \$90.00 per hour, plus round-trip mileage reimbursement. Additional hours could be approved by written consent of the Village President.

John Sutton moved to approve the Interim Manager Agreement by and between the Village of Shelby and Gregg Guidance LLC, 720 High Street, Charlotte, Michigan 48813. Be it further resolved to authorize the Village President and the Village Clerk to sign the Agreement.  
Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Sutton, Termer, Crothers, Zaverl, Omness, Trott, and Inglis.  
Motion Carried 7-0.

**15. COMMITTEE REPORTS:**

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

Nothing to report.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

The Parks, Recreation, and Buildings Committee met to discuss fund-raising efforts for the Getty Park project and some ideas for upgrades that could be made at some of the smaller parks in the Village.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Nothing to report.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

Nothing to report.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**16. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of February 26, 2024 in the amount of \$81,237.20.

Seconded by: Curt Trott.

Roll Call Vote:

Ayes: Crothers, Trott, Termer, Zaverl, Omness, Sutton, and Inglis.

Motion Carried 7-0.

**17. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 7:38 P.M.

Seconded by: Damian Omness.

Voice Vote: All in favor.

Motion Carried.

Council minutes are not official until approved at the March 11, 2024 Council meeting.

Approved

*Crystal Budde*

March 11, 2024

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Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, MARCH 11, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Village Administrator Brady Selner, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) February 26, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of February 26, 2024 as corrected.

Seconded by: John Sutton.

Voice Vote: All in favor.

Motion Carried.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

VA Selner reported that Consumers Energy disconnected the power at Getty Park on Friday, March 8th. McCormick Sand will be back on site to continue work.

Apex will be mobilizing next week to continue the lead service line project after pausing work over the winter months.

VA Selner reported that his last day in the office will be Wednesday, March 13, 2024. Jae Guetschow will be contacting Village Council members to schedule times to meet with him individually over the first couple of weeks.

**9. DEPARTMENT HEADS' REPORTS:**



DPW Supervisor Jeremiah Helenhouse had nothing to report.

Chief Roesler had nothing to report.

**10. CORRESPONDENCE:** No Correspondence.

**11. CITIZEN PARTICIPATION:**

a.) Micheal O’Keefe with Frontier shared information with the Village Council regarding the upcoming installation of fiber optic phone lines within the Village of Shelby. Residents can expect to see door hangers in the near future with information on how to register for the service with Frontier.

b.) Mark Olmstead, Shelby Public Schools Superintendent, stated he was in attendance on behalf of the Shelby Schools to answer any questions regarding the Intergovernmental Agreement (IGA) by and between Shelby Schools and the Village of Shelby.

c.) Phil Morse, District 2 Oceana County Commissioner, reported that the Oceana County Board recently approved an 8-year millage renewal request to be placed on the August Primary ballot for the Oceana County Council on Aging. The Board asked that the agency work with other local agencies providing senior programs within Oceana County in order to help with the funding of these programs.

**12. OLD BUSINESS:**

a.) Village of Shelby Public Participation Plan

The Village Council adopted the Village of Shelby Public Participation Plan in April of 2021. A few minor amendments to the language of the Participation Plan were required for CDBG grant funding. Steve Crothers moved to amend the Village of Shelby Public Participation Plan to include language required for CDBG grant funding.  
Seconded by: Curt Trott.

Roll Call Vote:

Ayes: Crothers, Trott, Termer, Zaverl, Omness, Sutton, and Inglis.

Motion Carried 7-0.

**13. NEW BUSINESS:**

a.) TruGreen Field Maintenance

On October 24, 2023, a joint meeting was held between Shelby Public Schools and the Village of Shelby. Each organization verbally agreed to amending their existing Intergovernmental Agreements (IGA) regarding the use and care of the soccer field at Getty Field. VA Selner sent an amended Getty Field IGA to Shelby Public Schools Superintendent Mark Olmstead on November 2, 2023. VA Selner and Mr. Olmstead met on Monday, November 20, 2023 to discuss the proposed amendments. At the School Board’s November 20, 2023 meeting, the Board approved an amendment to the Shelby Township IGA for use of the Shelby Township Park and Mark Olmstead informed the School Board that

he had met with VA Selner to have a preliminary conversation regarding the restructuring of the Getty Field IGA. It was communicated to VA Selner on February 29, 2024 that the School Board decided that they would not be moving forward with amending the Getty Field IGA until the field was in better condition. TruGreen submitted a quote for servicing the Getty Field for a cost of \$2,063.66 as well as an additional cost of \$1,425.00 for a Spring slit seeding of the field. Much discussion ensued. Village staff will work to gather quotes from other lawn service providers for the care of Getty Field and bring them to Council at a later date.

Damian Omness moved to deny the TruGreen Quote for Lawn Service and Grub Preventative applications in the amount of \$2,063.66 as well as the quote for slit seeding of the goal boxes in the amount of \$1,425.00.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Zaverl, Sutton, Trott, and Inglis.

Motion Carried 7-0.

b.) Getty Park Playground Installation Change Order

After meeting with MEDC staff regarding the Getty Park Public Gathering Spaces grant, it was determined that, due to CDBG requirements, no volunteer labor is allowed during the Getty Park project. The Village cannot move forward with the original plan of the community build for the playground equipment. The Sinclair Change Order moves the playground community build to full installation and includes a price increase for the poured in place installation due to the prevailing wage rate requirement.

Damian Omness moved to approve quote number 101102-01-14 from GameTime (Sinclair Recreation) to install the poured in place surfacing and playground in the amount of \$41,950.00.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Zaverl, Sutton, Trott, and Inglis.

Motion Carried 7-0.

c.) Radio Read Purchase

At the December 11th and 26th Village Council meetings, the Village Council determined how to allocate the Village's remaining ARPA dollars. Although the Village Council did not allocate any money to purchasing radio reads, there was discussion regarding the use of General Fund dollars if the Village ended the fiscal year in a strong position. The projected unassigned fund balance in the General Fund at the 2023/2024 Fiscal Year End is \$692,997.00. The total fund balance is just over \$1 million, but \$205,000.00 is committed ARPA dollars and \$110,000.00 is committed to Getty Park from donations received. The projected unassigned fund balance in the Water Fund for the 2023/2024 Fiscal Year End is \$445,611.00. This puts the Water Fund \$70,291.00 over the maximum fund balance established by the Village Council. Looking ahead to the current fiscal year, it is estimated that the Water Fund will have a \$478,122.00 surplus. This substantial amount is in large part due to being reimbursed by the EGLE bond for expenses that have occurred over previous fiscal years. In reviewing the financial

position of both the General Fund and the Water Fund, VA Selner recommended that the purchase of the radio reads be made out of the Water Fund.

Mike Termer moved to approve quote number S105566823 from Etna Supply, Grand Rapids Michigan for the purchase of 600 radio reads in the amount of \$102,000.00.

Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Termer, Omness, Crothers, Sutton, Trott, and Inglis.

Nays: Zaverl.

Motion Carried 6-1.

#### **14. COMMITTEE REPORTS:**

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

The Planning Commission will not be meeting in March due to lack of agenda items.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Nothing to report.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Nothing to report.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

Nothing to report.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**15. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of March 11, 2024 in the amount of \$191,462.56.

Seconded by: Dan Zaverl.

Roll Call Vote:

Ayes: Crothers, Zaverl, Termer, Omness, Sutton, Trott, and Inglis.  
Motion Carried 7-0.

**16. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 7:49 P.M.  
Seconded by: Steve Crothers.  
Voice Vote: All in favor.  
Motion Carried.

Council minutes are not official until approved at the March 25, 2024 Council meeting.

Approved

Crystal Budde March 25, 2024  
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, MARCH 25, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Paul Inglis, Dan Zaverl, John Sutton, and Curt Trott.  
Absent: Steve Crothers and Damian Omness.

Staff present: Interim Village Administrator Jae Guetschow; Village Clerk/Treasurer Crystal Budde; and, Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) March 11, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of March 11, 2024 as presented.

Seconded by: Curt Trott.

Voice Vote: All in favor.

Motion Carried.

Absent: Steve Crothers and Damian Omness.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

Interim VA Guetschow reported that Consumers Energy has completed the disconnection of electric service at Getty Park. McCormick Sand has resumed demolition at the park. Though it will be some time before it is needed, Consumers Energy has submitted documents pertaining to the connection of the new electric service.

Councilman Damian Omness has engaged with Shelby Public Schools Superintendent Mark Olmstead regarding the school's use of the Getty Soccer Field. Both the Shelby Public Schools and the Village have been less than satisfied with the chemical application which was reflected in the rejection of the TruGreen quote at the March 11, 2024, Village Council meeting. Additional quotes will be solicited before the Village Council will consider a contract for the 2024 season.

Apex Contracting has not resumed work to replace the lead service lines in the Village, but they are expected to begin sometime this week.

Interim VA Guetschow contacted the Oceana Building Inspector Randy Miller regarding the need to demolish the existing Wesco buildings. He requires revised, stamped plans to include this change, which is in process. Since the footprint for the new building remains unchanged, it does not impact the previously approved setback variance. The only applicable section of the Zoning Ordinance states that the cost of new construction cannot exceed 75% of the original value of the property without requiring a Site Plan Review. The contractor has indicated that, by removing the remaining walls, this will generate a cost reduction since use of heavy equipment will eliminate the need for labor intensive manual demolition.

The Village's IT contractor, VC3, will begin installing new computers on Monday, March 25th.

The 2023/2024 Fiscal Year Audit will begin the week of May 6, 2024.

For the week of March 25 – 29, Interim VA Guetschow plans to be in the office on Monday, Thursday, and Friday.

#### **9. DEPARTMENT HEADS' REPORTS:**

Chief Roesler had nothing to report.

**10. CORRESPONDENCE:** No Correspondence.

#### **11. CITIZEN PARTICIPATION:**

Karen Martin, Vice President of the Shelby Area Chamber of Commerce stated that the Chamber was not dissolving. The Chamber will be holding the next meeting on May 2, 2024 at 4:00 P.M at the Shelby Area District Library. Ms. Martin shared that an Oceana County Book Walk will be held on Saturday, April 20, 2024 from 1:00 to 3:00 P.M. This is a .5 mile walk with fun interactive activities. The walk will begin at Shelby Pocket Park.

**12. OLD BUSINESS:** No Old Business.

#### **13. NEW BUSINESS:**

##### a.) Getty Park Underground Electrical Service

Consumers Energy has removed the existing electrical service at Getty Park to enable demolition and construction to start for the renovation project. To accommodate scheduling by Consumers Energy, the Village Council is asked to approve the Agreement for Installation and the invoice for the total estimated cost for the installation of the new electrical service.

The agenda item was tabled until the April 8, 2024 Council meeting. The Council requested confirmation of whether the cost of the new electrical service is included in the overall project scope and cost for Getty Park.

b.) MDOT Resolution for Designation of Street Administrator

Historically, the Village Administrator has been designated the Street Administrator for the Village of Shelby. MDOT requires a specific individual to be named. As such, Interim VA Guetschow should be designated the Street Administrator to enable submission of the current street map to MDOT which allows the Village to continue to receive Act 51 funding for the Major and Local Street Funds from the State of Michigan comprising a portion of fuel taxes.

Dan Zaverl moved to designate Interim Village Administrator Jae Guetschow as the single Street Administrator for the Village of Shelby in all transactions with the State Transportation Department as provided in Section 13 of Act 51.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Zaverl, Sutton, Termer, Trott, and Inglis.

Motion Carried 5-0.

Absent: Steve Crothers and Damian Omness.

**14. COMMITTEE REPORTS:**

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

The Planning Commission will be meeting on Tuesday, April 16, 2024 at 6:00 P.M.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Nothing to report.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Audit will begin the week of May 6, 2024.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

Interim VA Guetschow will be meeting with DPW Supervisor Jeremiah Helenhouse to update the job description for the vacant DPW Laborer position.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**15. PAYMENT OF BILLS:** Mike Termer moved to approve the payment of the bills of March 25, 2024 in the amount of \$229,477.14.

Seconded by: Dan Zaverl.

Roll Cal Vote:

Ayes: Termer, Zaverl, Sutton, Trott, and Inglis.

Motion Carried 5-0

Absent: Steve Crothers and Damian Omness.

**16. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 7:05 P.M.

Seconded by: Curt Trott.

Voice Vote: All in favor.

Motion Carried.

Absent: Steve Crothers and Damian Omness.

Council minutes are not official until approved at the April 8, 2024 Council meeting.

Approved

*Crystal Budde*

April 8, 2024

Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date



**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, APRIL 8, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:01 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Damian Omness, John Sutton, and Curt Trott.

Absent: Dan Zaverl.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) March 25, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of March 25, 2024 as presented.

Seconded by: Steve Crothers.

Voice Vote: All in favor.

Motion Carried.

Absent: Dan Zaverl.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

Interim VA Guetschow reported that the joint meeting between representatives from the Village of Shelby and the Shelby Public Schools has been confirmed for April 18, 2024 at 7:00 P.M. to discuss the soccer field at Getty Park.

Interim VA Guetschow has been in contact with Shelby Township Supervisor Richard Raffaelli pertaining to the change in streetlights within the Shelby Acres development. Great Lakes Energy will be serving the development and he trusts that the electricity rates will be comparable to that of other streetlights in the Village.

The First Street resurfacing project is included in the 2024/2025 Fiscal Year budget with the project being administered by the Oceana County Road Commission as part of the work on Shelby Road. This will be a “mill and fill” which may commence prior to the end of April. The County’s part of the project will include a turn lane from the Southbound U.S. 31 exit ramp into the facility owned by Peterson Farms to improve safety along with other improvements at that junction.

Demolition of both Wesco buildings has been completed and installation of footings for the new building is in process. The Village received a request for a Right-of-Way Permit to install new water and sewer service to the building. This will require closing North Elm Street for a day for the sewer connection which may impact school transportation if the work occurs prior to the end of the school year.

The Planning Commission meeting scheduled for April 16, 2024 for the Site Plan Review and Special Land Use for Blue Photon has been cancelled since the Public Hearing requires a 15-day lead time for publication. A Special Planning Commission meeting has been scheduled for April 30, 2024 and it appears that the engineer’s review of the documents will be completed by that time.

Work continues at Getty Park. A water leak was discovered last week in the service lead. The DPW shut off the service which will be replaced as part of the project.

Apex Contractors are expected to resume work on the lead service lines within the next week.

The 2023/2024 Fiscal Year Audit is scheduled to begin the week of May 6, 2024. An intake meeting with the auditors is scheduled for April 11, 2024 at noon with Interim VA Guetschow and Clerk/Treasurer Crystal Budde.

## **9. DEPARTMENT HEADS’ REPORTS:**

Police Chief Roesler reported that the Speed Study for State Street has not yet been scheduled. It was brought to his attention that an additional Speed Study will need to be performed once the Shelby Acres Development is completed. The Speed Study is now planned for completion once the development is completed. The current speed restrictions will stay in place until that Speed Study is done.

DPW Supervisor Jeremiah Helenhouse reported that Apex will be in town within the next week and Hallack will be resuming work in the next two to three weeks.

## **10. CORRESPONDENCE:**

### a.) Supreme Court Decision Impacting Elected Officials and Use of Social Media

Interim VA Guetschow shared an informative article with the members of the Council regarding elected officials and the use of social media. When an elected official is using his/her own personal social media page, he/she has the right to share opinions and thoughts on matters as part of their First Amendment Rights.

## **11. CITIZEN PARTICIPATION:**

Phil Morse, District 2 Oceana County Commissioner, reported that the Oceana County Board will be meeting to approve the L4024 and L4037 Equalization Reports for the 2024 Tax Year. Property values are still increasing significantly. The Oceana Workforce Study is now complete, and the Oceana Economic Alliance (OCEA) will soon begin to review the results from that study.

## **12. OLD BUSINESS:**

### a.) Getty Park Underground Electrical Service

Interim VA Guetschow reviewed the budget for the Getty Park project to determine the funding source(s) for Consumers Energy's installation of the new electrical service. The budget specifies separate line items for site lights, electrical distribution and relocation of electrical transformer/utility work consisting of a total estimate of \$118,560.00. Of that, the Village's match amount would be \$15,120.00. The remainder would be reimbursed from grant funds which are included in the 2024/2025 Fiscal Year budget.

Damian Omness moved to authorize Crystal Budde, Village Clerk/Treasurer, to make payment to Consumers Energy for the Electric Distribution System Line Extension at Getty Park in the amount of \$22,433.00. Be it further resolved to authorize Interim Village Administrator Jae Guetschow to sign the Agreement for Installation of Electrical Facilities by and between the Village of Shelby and Consumers Energy.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Sutton, Trott, and Inglis.

Motion Carried 6-0.

Absent: Dan Zaverl.

## **13. NEW BUSINESS:**

### a.) Getty Park Soccer Field Maintenance

Village Council denied the quote from TruGreen (\$2,063.66 for chemical applications and \$1,425.00 for overseeding) during the March 11, 2024 Council meeting. Since then, Interim VA Guetschow met with Shelby Public Schools Superintendent Mark Olmstead and has scheduled a joint meeting with the Village of Shelby and Shelby Public School officials on April 18, 2024 at 7:00 P.M. to seek a mutually acceptable agreement for the maintenance of the soccer field.

Damian Omness moved to approve the TruGreen Quote in the amount of \$2,63.66 for Lawn Service and Grub Preventative applications in 2024.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Sutton, Trott, and Inglis.

Motion Carried 6-0.

Absent: Dan Zaverl.

b.) Shelby Acres Lighting Plan

Previously, VA Selner had conducted a discussion with the developer for Shelby Acres regarding a change in the lighting plan from that which had been approved by the Planning Commission and the Village Council. According to Shelby Township Supervisor Richard Raffaelli, the proposed lighting change would not increase the number of streetlights. The proposed lights are the only decorative lighting available from Great Lakes Energy, the power company that would serve the development. Great Lakes Energy would assume responsibility for maintenance of the lights. As with other streetlights, the Village would be responsible for the cost of the electricity.

Interim VA Guetschow reviewed the Zoning Ordinance pertaining to street lighting and, given the specifications, the revised lighting plan complies with the Zoning Ordinance.

Damian Omness moved to authorize Interim Village Administrator Jae Guetschow to provide written authorization to Great Lakes Energy to proceed with installation of streetlights within the Shelby Acres Development at the direction of the developer.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Sutton, Trott, and Inglis.

Motion Carried 6-0.

Absent: Dan Zaverl.

c.) DPW Building Quotes

Following the purchase of the new backhoe, the 2024/2025 Fiscal Year budget included an appropriation of up to \$40,000.00 for construction of a pole building to house the backhoe. Two quotes were received to include the option for a door rather than leaving the building exposed on one side. Since the recent vandalism to the school buses and construction equipment at Getty Park, Interim VA Guetschow asked Council to consider the addition of a door to the structure for security. This would also make it feasible to store other items in the building.

Damian Omness moved to approve the estimate and sign the agreement with Beyer Builders, Shelby, Michigan in the amount of \$37,425.00 pending verification of the estimate for the construction of the DPW pole building.

Seconded by: Curt Trott.

Roll Call Vote:

Ayes: Omness, Trott, Termer, Crothers, Sutton, and Inglis.

Motion Carried 6-0.

Absent: Dan Zaverl.

d.) First Street Resurfacing

Interim VA Guetschow met with Mark Timmer, Manager, Oceana County Road Commission regarding the First Street resurfacing project. This project is included in the construction/resurfacing of Shelby Road from South of 64Th Avenue to the Village limits. The Village will benefit from the economy of

scale with the cost to the Village estimated at \$34,000.00 but with a substantial amount to be covered by a grant obtained by Oceana County. The road project will also include the replacement of a water main under First Street. Construction could conceivably commence prior to the end of April.

Mike Termer moved to authorize Interim VA Guetschow to sign the contract by and between the Village of Shelby and the Oceana County Road Commission for the First Street resurfacing project. Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Termer, Crothers, Omness, Sutton, Trott, and Inglis.

Motion Carried 6-0.

Absent: Dan Zaverl.

#### **14. COMMITTEE REPORTS:**

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

The Planning Commission meeting of April 16, 2024 has been cancelled and a Special Planning Commission meeting has been scheduled for April 30, 2024 at 6:00 P.M. for the Site Plan Review and Special Land Use request from Blue Photon.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Nothing to report.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Nothing to report.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

Nothing to report.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**15. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of April 8, 2024 in

the amount of \$51,644.60.  
Seconded by: Mike Termer.

Roll Call Vote:  
Ayes: Crothers, Termer, Omness, Sutton, Trott, and Inglis.  
Motion Carried 6-0.  
Absent: Dan Zaverl.

**16. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 7:37 P.M.  
Seconded by: Curt Trott.

Voice Vote: All in favor.  
Motion Carried.  
Absent: Dan Zaverl.

Council minutes are not official until approved at the April 22, 2024 Council meeting.

Approved

Crystal Budde April 22, 2024  
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, APRIL 22, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by Council Trustee Steve Crothers.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Dan Zaverl, Damian Omness, and Curt Trott.

Absent: Paul Inglis and John Sutton.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) April 8, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of April 8, 2024 as presented.

Seconded by: Damian Omness.

Voice Vote: All in favor.

Motion Carried.

Absent: Paul Inglis and John Sutton.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

Interim VA Guetschow reported that the joint meeting between the Village of Shelby and the Shelby Public Schools occurred on Thursday, April 18, 2024, at the Shelby Public Schools' Superintendent's office. The current Intergovernmental Agreement (IGA) between the Village of Shelby and the Shelby Public Schools could expire or automatically extend on October 30, 2024. Ultimately, the school will need to determine if they intend to continue to use Getty field for soccer practice and/or games. Presumably, the school is anticipating using the new field in Shelby Township for soccer games and continuing the use of Getty Field for practices.

Shelby Public Schools Superintendent Mark Olmstead and Interim VA Guetschow are prepared to

meet to reach an agreement on amending the IGA. Should the School elect to continue using Getty Field for either practice or games, a new IGA should be implemented. If the School elects to discontinue the use of Getty Field after June 2024, the Village Council will need to require the school to remove the press box and concession stand. The status of the other building, currently being used for storage by the school, is uncertain. Interim VA Guetschow has inquired of the State Historical Preservation Office (SHPO) whether the structure is considered a historic building since it may have been part of the WWII POW camp. If the storage building remains, the exterior needs extensive attention.

If a new IGA is reached, it will need to include specific terms for the upkeep and maintenance of Getty Field. Though Getty Field, as part of Getty Park, must be open to the public, the DPW cannot subsidize the school's use of Getty Field by providing more upkeep and maintenance than is given to the Village's other parks. Further, if the condition of Getty Field is compromised by the school's use, the school should either contribute financially to the care of Getty Field and/or provide upkeep and maintenance in addition to that provided by the DPW.

MDOT has agreed to handle any upgrades to the exit/entrance ramps at U.S 31 and Shelby Road as part of the Oceana County Road Commission project that includes resurfacing First Street. Hallack Construction has been in contact with the County's contractor regarding the replacement of the water main under First Street within the next couple of weeks. The entire project is slated for completion during the month of June.

Hallack Construction has completed the milling of Elliot Street and has been working to replace the water main. Milling of Fourth Street also started on Wednesday, April 17th.

Construction continues on the new Wesco building. The new water and sewer leads will be installed next week. The sewer lead from the former car wash had previously been capped.

The Village will need to determine if a separate written agreement with Shelby Township is needed pertaining to routine bacteria testing and periodic hydrant flushing of the water main outside the Village. The Intergovernmental Agreement states (3.2), "Shelby Township, at its sole cost and expense, shall construct, maintain, and repair..." in reference to the booster station and water main outside of the Village. Further, paragraph 3.8 states, "It shall be the responsibility of Shelby Township to maintain the water quality and purity..." The agreed upon water rate to Shelby Township does not include these services. Shelby Township could contract with DPW Supervisor Jeremiah Helenhouse or another licensed entity to provide testing and hydrant flushing. However, DPW employees' priorities are limited to the Village during regular business hours as well as during an emergency. One additional concern regarding the DPW Supervisor providing services outside of the Village; even though it may be on his own time and as a private contractor to Shelby Township, is whether this would subject the Village to liability through any act of commission or omission while providing service to Shelby Township. This may be remedied if the contractor maintains liability insurance, but a review by the Village's attorney would be appropriate.

Apex has resumed work on the lead service line replacements. The Village has received numerous complaints pertaining to the quality of ground restoration which are to be addressed by the project engineer.



Interim VA Guetschow reported that he has submitted two 8-C Single Certification forms for the CDBG grants. Individually, expenditures for each grant did not exceed the \$75,000.00 federal threshold requirement for a single audit. However, the Michigan Economic Development Corporation (MEDC) has confirmed that the two amounts must be considered together and, therefore, will require a single audit to be completed.

Interim VA Guetschow anticipates having a draft of the Community Profile and Village Administrator job posting available for the Personnel Committee to review by next week. He wants to review these documents with the Personnel Committee, along with some other personnel related issues, prior to the May 13 Village Council meeting.

**9. DEPARTMENT HEADS’ REPORTS:**

DPW Supervisor Jeremiah Helenhouse reported that Apex is back in town and beginning to work on the remaining water line replacements under their contract. Hallack has completed the watermain installation on Elliot Street.

Chief Roesler had nothing to report.

**10. CORRESPONDENCE:**

- a.) Governor Whitmer Funding Announcement

Interim VA Guetschow provided a copy of Governor Whitmer’s announcement of the funding for infrastructure in Oceana County for the Village Council. The announcement stated that a \$790,000.00 State Transportation Economic Development Fund (TEDF) grant was awarded to upgrade Shelby Road (First Street) to an all-seasons roadway, so that Perdue Farms and Peterson Farms can expand their businesses. That announcement included that a new turn lane that will also be constructed to accommodate the traffic increases.

**11. CITIZEN PARTICIPATION:**

- a.) Eric Fox stated that he is running for Probate Court Judge. He raised his family in Oceana County and loves living in the area. He stated that he would appreciate the support of and votes from Council members in the August Primary and November General elections.

**12. OLD BUSINESS:** No Old Business.

**13. NEW BUSINESS:**

- a.) Monitoring Well

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) requires municipalities requesting new National Pollutant Discharge Elimination Systems (NPDES) permits to install monitoring

wells at specific locations. EGLE is requiring the Village to install one near Piper Creek. DPW Supervisor Jeremiah Helenhouse contacted the following companies for quotes:

Rosendall Well Drilling, LLC  
 E & G Drilling  
 Gustufsons Well Drilling  
 Hecksel Bros. Drilling  
 Material Testing  
 Soils and Structures  
 Johnsons Well Drilling

Rosendall Well Drilling, LLC, was the only quote received. Gustufsons Well Drilling responded that they do not have sufficient experience with monitoring wells. Though the bid policy is to solicit a minimum of three quotes, there is a limited number of qualified contractors providing this service. The monitoring well is required by EGLE and there is a deadline for installing the monitoring well.

Mike Termer moved to approve Proposal number 100-2751 from Rosendall Well Drilling, LLC, Lowell, Michigan for the installation of two (2) monitoring wells in the amount of \$5,048.50. Be it further resolved to authorize Interim Village Administrator Jae Guetschow to sign Proposal number 100-2751. Seconded by: Curt Trott.

Roll Call Vote:

Ayes: Termer, Trott, Zaverl, Omness, and Crothers.

Motion Carried 5-0.

Absent: Paul Inglis and John Sutton.

#### b.) Xerox Multi-function Printer

Currently, the Village office has four printers, not including one for the Police Department. During the previous calendar year, printer supply costs totaled approximately \$2,074.00 which included toner and drums. Desktop printers are relatively inexpensive to purchase; however, the cost of toner, replacement drums, and waste cartridges are notoriously expensive. Interim VA Jae Guetschow found the government lease program through Xerox (a supplier through the MiDeals program) to be cost effective, reliable, and provide greater printing options with a multi-function printer/copier/fax machine. Xerox provides the machine and everything else except paper. The machine is linked via the internet with Xerox to monitor the status of the machine. Toner, drums, and waste cartridges are all shipped to the Village office automatically. Any issues with the machine's function are also automatically reported and service is generally received within four hours.

Interim VA Guetschow recommended the C7120/C7125/C7130 Xerox Versalink Color Multifunction Printer with a three-tray module that will hold letter, legal, and ledger size paper. Ledger paper is invaluable when drafting annual budgets and allows for printing of four-page documents on a single sheet, such as a newsletter. The base lease is \$193.05 per month which includes the allowance for 1500 black and white pages and 100 color pages. Additional pages are \$0.01 and \$0.0471, respectively. The lease also allows the Village to upsize/downsize the printer at any time. The current budget includes \$2,500.00 for the purchase of a printer.

Damian Omness moved to approve the lease of the C71525 Xerox Versalink Color Multifunction Printer for the cost of \$193.05 per month.

Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Termer, Omness, Zaverl, Trott, and Crothers.

Motion Carried 5-0.

Absent: Paul Inglis and John Sutton.

#### **14. COMMITTEE REPORTS:**

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

A Special Meeting of the Planning Commission is scheduled for April 30, 2024 at 6:00 P.M. for a Site Plan Review and Special Land Use Request from Blue Photon.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Nothing to report.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

A meeting will be scheduled next week to meet with the Village's Auditor.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

A Personnel Committee meeting will be scheduled within the next week to review the Village Administrator job description and posting.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**15. PAYMENT OF BILLS:** Mike Termer moved to approve the payment of the bills of April 22, 2024 in the amount of \$59,278.95.

Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Termer, Omness, Zaverl, Trott, and Crothers.  
Motion Carried 5-0.  
Absent: Paul Inglis and John Sutton.

**16. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 6:55 P.M.  
Seconded by: Curt Trott.

Voice Vote: All in favor.  
Motion Carried.  
Absent: Paul Inglis and John Sutton.

Council minutes are not official until approved at the May 13, 2024 Council meeting.

Approved

Crystal Budde May 13, 2024  
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, MAY 13, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) April 22, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of April 22, 2024 as presented.

Seconded by: Mike Termer.

Voice Vote: All in favor.

Motion Carried.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

Interim VA Guetschow reported that he has finished the draft revision to the Intergovernmental Agreement (IGA) with the Shelby Public Schools. A copy has been sent to Shelby Public Schools Superintendent Mark Olmstead for comments or changes.

Carol Waller has submitted a letter of resignation effective June 7, 2024, after the completion of 45 years of work for Shelby Public Schools. She is also quite adamant that the signage issue for the school zone needs to be resolved prior to the next school year.

Interim VA Guetschow spoke with Mark Timmer from the Oceana County Road Commission regarding this matter. Assuming his office has a Traffic Engineer on board, Interim VA Guetschow would recommend allowing them to determine what should be installed as to crosswalks, lighted signs, and

regular signage.

The Village's engineer met with Blue Photon's engineer at Blue Photons's site on May 3. Don DeVries provided several specific requirements that Blue Photon's engineer is working on. Once those have been approved by Mr. DeVries, Interim VA Guetschow will approve the planning and zoning application.

The Village's annual audit took place last week. The audit report will be presented to the Council in July. The audit report is due to Michigan Department of Treasury by August 31.

Michigan State Housing Development Authority (MSHDA) announced the availability of grants to municipalities, nonprofit organizations, and some for-profit organizations to address housing issues. Approximately \$12.064 million is available in the 13-county region that includes Oceana County. VA Guetschow was informed that a second round of grant funds is anticipated in October in the event a grant from Shelby is not submitted for the first round of funding.

#### **9. DEPARTMENT HEADS' REPORTS:**

DPW Supervisor Jeremiah Helenhouse had nothing to report.

Chief Roesler had nothing to report.

#### **10. CORRESPONDENCE:**

##### a.) Carol Waller – Letter of Retirement

Carol Waller submitted a copy of her letter of retirement from Shelby Public Schools effective June 7, 2024 after 45 years of service. Also, a letter of concern addressed to the Village Council and Interim VA Guetschow regarding the signage and flashing lights needed on the corner of Fifth Street was included.

##### b.) Shelby Township Notice of Intent to Conduct Master Planning

In accordance with the requirements of Michigan's PA 33 of 2008, a letter was received to notify the Village Council that Shelby Township is initiating the process to complete a Master Plan Update. McKenna Associates will be assisting them with the planning process.

**11. CITIZEN PARTICIPATION:** No Citizen Participation.

**12. OLD BUSINESS:** No Old Business.

#### **13. NEW BUSINESS:**

##### a.) Hazard Mitigation Plan

The Oceana County Board of Commissioners recently adopted the Oceana County Hazard Mitigation Plan. The plan was developed by Oceana County with the help of the West Michigan Shoreline Regional Development Commission, the Michigan State Police, affected businesses, local

governments, and interested members of the public. The plan provides the process for the evaluation of land use and development in the county from a hazard mitigation perspective which will help protect lives and property in the community. By adopting the plan by resolution, the Village of Shelby will qualify for certain types of hazard mitigation funds, especially those that become available following a disaster.

No action was taken. The Council requested that Troy Maloney, Oceana County Emergency Manager, present more information regarding the benefits that the Village would receive by adopting the Hazard Mitigation Plan at a future Council meeting.

b.) Set Public Hearing for 2024 Tax Millage Rates

Pursuant to the General Property Tax Act, 206 of 1893, the Village of Shelby is required to conduct a public hearing to adopt its allowable tax millage for the 2024 tax year.

Damian Omness moved to set a Public Hearing to receive comments regarding the 2024 Tax Millage Rates for Monday, June 10, 2024 at 6:15 P.M. at the Shelby Village Hall, 218 N. Michigan Ave., Shelby, Michigan 49455.

Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Omnes, Termer, Crothers, Zaverl, Sutton, Trott, and Inglis.

Motion Carried 7-0.

#### 14. COMMITTEE REPORTS:

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

The Planning Commission met on Tuesday, April 30, 2024 to review and approve the Site Plan and Special Land Use Permit for Blue Photon. The company requested to build a 15,000 square foot steel building to be used for offices and manufacturing. The additional building will also bring 10 new jobs. The Planning Commission approved the Site Plan and Special Land Use Permit contingent on meeting the Village's engineer's recommended minor changes. Once those have been made Interim VA Guetschow will sign the permits.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Nothing to report.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

The Finance and Insurance Committee met with the Auditors the previous week. This is a standard annual meeting.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

The Personnel Committee met prior to the Council meeting to review the Village Administrator job profile and position. The open DPW Laborer position posting has been posted and applications will be accepted until May 17. The Police Department still has a vacant full-time position to fill.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**15. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of May 13, 2024 in the amount of \$318,409.71.

Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Crothers, Termer, Zaverl, Omness, Sutton, Trott, and Inglis.

Motion Carried 7-0.

**16. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 7:03 P.M.

Seconded by: Damian Omness.

Voice Vote: All in favor.

Motion Carried.

Council minutes are not official until approved at the May 28, 2024 Council meeting.

Approved

Crystal Budde May 28, 2024  
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date





**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, MAY 28, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**

**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:01 P.M. by President Pro-Tem John Sutton.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, John Sutton, Dan Zaverl, Damian Omness, and Curt Trott.

Absent: Paul Inglis.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) May 13, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of May 13, 2024 as presented.

Seconded by: Mike Termer.

Voice Vote: All in favor.

Motion Carried.

Absent: Paul Inglis.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT’S REPORT:** Nothing to report.

**8. ADMINISTRATOR’S REPORT:**

Interim VA Guetschow reported that he met with Shelby Public Schools Superintendent Mark Olmstead; Mark Timmer with the Oceana County Road Commission; Chief Roesler; and, DPW Supervisor Jeremiah Helenhouse to discuss plans for the School Zone. The primary crosswalk will remain at Fifth Street. Two sets of flashing signs are proposed. Shelby Township has committed \$5,000.00; Shelby Acres HOA, \$6,000.00; and, Shelby Public Schools, \$11,000.00. The Oceana County Road Commission will develop the current costs of signage. The Village’s contribution is yet to be determined.

The Village Council will tentatively recognize Carol Waller’s contributions to the community as crossing

guard via a proclamation at the June 10, 2024 Council meeting, provided she is available. Interim VA Guetschow located the email approval from the State of Michigan dated February 5, 2024, as the documentation that the annexation of the parcels comprising the Shelby Acres Development was properly recorded by the Office of the Great Seal. Once the streets have been completed and the Village Council has accepted them, MDOT will be notified so that the ACT 51 map for the Village will reflect those changes for the subsequent year.

The Village is waiting for a timetable from Reith-Riley regarding street paving. Interim VA Guetschow has been contacted weekly by MDOT pertaining to closing out the street project that was awarded in 2021. The paving of Fourth Street is the remaining element before the grant can be closed out. Don DeVries with Fleis & VandenBrink has approved the latest revision of the Site Plan for Blue Photon. Interim VA Jae Guetschow signed the approval of the Site Plan Review and Special Land Use application. The contractor has applied for the necessary building permits from the Oceana County Building Department.

Interim VA Guetschow has submitted a request for an update from the Michigan State Historic Preservation Office pertaining to the status of the “Tiger Building” at Getty Field. Progress is being made at Getty Park. The roof for the restrooms/pavilion will be installed next week. Concrete curbs for the parking area are being installed and decorative lights have been installed. A timer will need to be installed for the gas fireplace to shut down when the park closes.

The new copier/printer is due to be delivered this week, but the Village has not received an installation date yet.

The revised posting and profile for the Village Administrator position has been submitted to the Oceana’s Herald Journal, Michigan Municipal League, International City/County Management Association (ICMA) and LinkedIn. The application deadline is 4:00 P.M. on Friday, June 14th.

The proposed job descriptions for DPW Laborer (Park maintenance), DPW Laborer (Generalist), DPW Utility Worker and DPW Lead Worker have been reviewed by Jeremiah. Following several revisions, the draft job descriptions have been forwarded to the Personnel Committee for review. The application deadline for the current DPW vacancy was last Friday, at which time four applications had been received. DPW Supervisor Jeremiah Helenhouse and Interim VA Guetschow will review applications next week.

#### **9. DEPARTMENT HEADS’ REPORTS:**

DPW Supervisor Jeremiah Helenhouse reported that as long as the weather stays dry, street paving will begin this week.

Chief Roesler had nothing to report.

**10. CORRESPONDENCE:** No Correspondence.

**11. CITIZEN PARTICIPATION:** No Citizen Participation.

**12. PUBLIC HEARING:**

a.) Proposed Drinking Water State Revolving Fund Water System (DWSRF) Improvements

John Sutton opened the Public Hearing at 6:12 P.M. for the purpose of hearing comments regarding the DWSRF Project Plan.

The Village of Shelby submitted an intent to apply for the 2025 funding round of the EGLE DWSRF program in February 2024. The next step is submitting the project plan by the deadline of June 1, 2024. The proposed project will include replacing 9,250 feet of watermain and 60 lead service line replacements. The total project cost is estimated at \$3.5 million. After the submission of the project plan, the Village’s engineer will submit the preliminary design and specifications in December of 2024. Final plans will be submitted in February of 2025. If the Village is in fundable range to receive grant assistance, the next step is to open the project for bidding in May of 2025. Construction for the project is most likely to begin in the Spring of 2026. The proposed project would replace the watermain on Sunset Terrace, Runner Street, Lesada Avenue, Cherry Street, and Bennet Street. The Village is not committed to anything but submitting the application for funding. If the Village is not selected for funding or is not happy with the grant award, there is no commitment to move forward.

John Sutton closed the Public Hearing at 6:34 P.M.

**13. OLD BUSINESS:** No Old Business.

**14. NEW BUSINESS:**

a.) Shared Service Agreement with Oceana County Sheriff’s Office

The Shelby Public Schools was awarded a grant in early 2023 to help fund a School Resource Officer for the Shelby School District. Due to staffing challenges, Shelby Police was unable to provide an officer and a partnership with the Oceana County Sheriff’s office was developed. Deputy Tim Simon was assigned to the school through the Sheriff’s staff. The 2023 -2024 school year is ending, and Deputy Simon will be assigned to work in the Village of Shelby for the summer months during the weekdays. The Village of Shelby will be responsible for reimbursing the Sheriff’s Office at a rate of \$43.26 per hour. The figure is based on Deputy Simon’s hourly wage and benefits total. Holiday rate (i.e., Fourth of July) is regular rate plus one half times for the holiday. Deputy Simon anticipates using at least 10 days of vacation and will be in School Resource Officer related training for at least six days during the summer. Deputy Simon will not be working on the Fourth of July holiday.

Chief Roesler anticipates Deputy Simon will cover a total of 40 shifts (subject to change). Total cost based on the anticipated 40 shifts at the current rate of \$43.26 per hour, equals a total reimbursement (base) of \$13,843.20. Overtime due to complex investigations, court and so forth. is difficult to anticipate but would be paid at one and one-half times the hourly rate. There is money in the budget to allow for approval of the agreement due to the open full-time Shelby Police Officer position, as well as lower than anticipated use of part-time staff. There are identifiable benefits to the agreement. It will allow for Chief Roesler to focus on administrative functions more consistently, “blight enforcement” efforts, attendance to training and meetings outside of the Shelby area if appropriate and, adjusting his schedule to cover open afternoon and/or weekend shifts, vacations (both utilization of his vacation days and coverage for Officer Krause). The Shared Services Agreement is not to exceed \$18,187.60.

Steve Crothers moved to authorize Police Chief Dean Roesler to enter into a Shared Services Agreement with the Oceana County Sheriff's Office effective June 9, 2024 and allowing Deputy Tim Simon to cover a total of 40 shifts in the Village of Shelby for a cost not to exceed \$18,187.60. Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Crothers, Termer, Zaverl, Omness, Trott, and Sutton.

Motion Carried 6-0.

Absent: Paul Inglis.

b.) Resolution Adopting DWSRF Final Project Planning

The Village Council will need to adopt a resolution for the Final Project Planning document and implement the selected alternative of watermain and water services replacement. This resolution will also designate Interim VA Jae Guetschow as the authorized representative for all activities associated with the project. This is a necessary step in applying for the State of Michigan Drinking Water State Revolving Fund Loan.

Mike Termer moved to adopt Resolution 32-24. (See Attached)

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Termer, Crothers, Zaverl, Omness, Trott, and Sutton.

Motion Carried 6-0.

Absent: Paul Inglis.

**15. COMMITTEE REPORTS:**

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

The Planning Commission meeting did not meet in May due to lack of agenda items.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Nothing to report.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Nothing to report.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

Nothing to report.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**16. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of May 28, 2024 in the amount of \$68,746.85.  
Seconded by: Mike Termer.

Roll Call Vote:  
Ayes: Crothers, Termer, Zaverl, Omness, Trott, and Sutton.  
Motion Carried 6-0.  
Absent: Paul Inglis.

**17. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 7:10 P.M.  
Seconded by: Steve Crothers.

Voice Vote: All in favor.  
Motion Carried.  
Absent: Paul Inglis.

Council minutes are not official until approved at the June 10, 2024 Council meeting.

Approved

Crystal Budde June 10, 2024  
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF JUNE 10, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, John Sutton, and Curt Trott.

Absent: Damian Omness.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) May 28, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of May 28, 2024 as presented.

Seconded by: Curt Trott.

Voice Vote: All in favor.

Motion Carried.

Absent: Damian Omness.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** President Inglis shared with the Council an invitation to the Oceana County Historical and Genealogical Society open house at the new barn at the Mears Historical Park on Saturday, June 15, 2024 from 1:00 P.M. to 3:00 PM. The barn is located at 5772 West Fox Road in Mears.

**8. ADMINISTRATOR'S REPORT:**

Interim VA Guetschow reported that Fire Chief Jack White will mark where the proposed storm drain will need to be located and determine if a right-of-way permit may be sufficient rather than pursuing an Easement Agreement at the Fire Department on Industrial Drive. If an Easement Agreement is necessary, it will be the Fire Department's responsibility to have it created.

A letter covering Interim VA Guetschow's findings pertaining to a rear yard setback for the Devonwood

Development will be retained in the Clerk's office for future reference as the developer builds additional duplexes.

Interim VA Guetschow reviewed a summary of the proposed legislation pertaining to School Zones. It appears to address the use of digital speed signs with cameras that would allow local law enforcement to mail citations to violators who exceed 10 mph over the posted School Zone speed. The signs will be optional and there is no mention of funding being available to assist municipalities or school systems with the purchase of such signs. This legislation will not prevent the Village and Shelby Schools from proceeding with the plan crafted by the Oceana County Road Commission. The current Village budget includes \$6,000.00 for new signage. Shelby Schools, Shelby Township, and the Shelby Acres' Developer have committed to \$22,000.00 (combined) to this project.

A draft of the State proclamation to honor the service of Carol Waller should be available for review by June 24, 2024, though presentation would be delayed until July.

Though significant paving began last week, Elliot Street paving has not been completed. MDOT has started the process to close out the project grant that includes the resurfacing of Fourth Street that has been open since 2021. The Shelby Road project began on June 3, 2024 between 64th Avenue and U.S. Business 31. The First Street segment of this project will start on June 24. Hallack Construction will need to complete the water main upgrade under First Street prior to this.

Significant progress has been made on the Getty Park improvements. Interim VA Guetschow has not completed exploration of potential contractors and costs to conduct an architectural or historical assessment of the "Tiger Building." He continues discussion with Shelby Public Schools Superintendent Mark Olmstead regarding the Intergovernmental Agreement (IGA) pertaining to the use of Getty Field. The Village received an invoice from one resident for expenses incurred to restore their yard following Apex's replacement of the service lead line. VA Guetschow emailed a copy of the documents, along with the list of residents who have contacted the Village with complaints against Apex, to Don DeVries at Fleis & VadenBrink. Interim VA Guetschow has asked that the Village be able to access the 5% retainage to cover expenses to restore residents' properties to include subcontracting with Hallack Construction to hydroseed the properties. It may be necessary to contact the Village's attorney if legal action is required.

Since the Village Administrator position was posted on May 22, six applications have been received. The deadline for applications is Friday, June 14 at 4:00 P.M. The Personnel Committee will review the applications to determine which applicants will be interviewed.

DPW Supervisor Jeremiah Helenhouse and Interim VA Guetschow interviewed two applicants for the DPW Laborer position on Wednesday, May 22; a third applicant failed to show. They agreed to offer the position to the applicant who has three years' experience at North Muskegon DPW. He would be eligible to test for water and sewer licenses immediately. He will also be available to start the first week of July. The remaining applicant would be considered for the additional DPW position when the Getty Park project has been completed.

The Personnel Committee will meet prior to the June 24th Village Council meeting to finalize the revised job descriptions for the DPW Laborer (Park Maintenance), DPW Laborer (Generalist), DPW Utility Worker and DPW Lead Worker.

## 9. DEPARTMENT HEADS' REPORTS:

DPW Supervisor Jeremiah Helenhouse had nothing to report.

Police Chief Roesler had nothing to report.

Clerk/Treasurer Crystal Budde reported that the Cash Summary report for the month of May indicates that the General Fund Cash Investment account shows a deficit of \$216,869.18. The payments made to McCormick Sand for their pay request were made in May and though the reimbursement request has been sent to the CDBG for the reimbursement, funds will not be received until June. Clerk/Treasurer Budde has spoken with the Village's auditor, and he related that there is no need to move money from the Village's MiClass investment account since the reimbursements are in process. This is an accounting technicality with expenses accruing in one month and reimbursement funds being received in another month. The Village has not yet met the requirements to request reimbursement from RAP or MDNR. The Village must incur 50 % of the project cost before submitting a reimbursement request.

**10. CORRESPONDENCE:** No Correspondence.

## 11. CITIZEN PARTICIPATION:

Phil Morse, District 2 Oceana County Commissioner, reported that the Oceana County Board will be discussing the possibility of making the "Dog at Large" Law a Civil Infraction.

**12. OLD BUSINESS:** No Old Business.

## 13. NEW BUSINESS:

### a.) Set Public Hearing for Proposed Tax Millage Rates

Unfortunately, the posting for the Public Hearing for the proposed 2024 tax millage notice did not get posted in the Oceana's Herald-Journal by the deadline and the Council will need to reset the Public Hearing. Pursuant to the General Property Tax Act, Act of 1893, the Village of Shelby is required to conduct a Public Hearing to adopt its allowable tax millage for the 2024 tax year.

Steve Crothers moved to set the Public Hearing to receive comments regarding the 2024 Tax Millage Rates for Monday, June 24, 2024 at 6:15 P.M. at the Shelby Village Hall, 218 N. Michigan Ave., Shelby, Michigan 49455.

Seconded by: John Sutton.

Roll Call Vote:

Ayes: Crothers, Sutton, Termer, Zaverl, Trott, and Inglis.

Motion Carried 6-0.

Absent: Damian Omness.

### b.) Getty Park Village Purchased Items

In November of 2023, the Village Council approved modifications to the contract with McCormick



Sand. The modifications included removing several small items from the bid document to reduce the cost of the renovation project. The items would be purchased by the Village and installed by the DPW staff. RFP's were sent out and the only response received was from R. J. Thomas Manufacturing Company. Pannier Corporation also responded with a quote for the interpretive signs. Both companies have agreed to honor the quotes that they previously provided until the end of June.

Discussion ensued and no action will be taken until the Regular Council meeting of June 24, 2024.

#### **14. COMMITTEE REPORTS:**

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

The Planning Commission meeting scheduled for June 18, 2024 will be cancelled due to lack of agenda items.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Nothing to report.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Nothing to report.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

The Personnel Committee met prior to the Council meeting to discuss the creation of different DPW positions and pay scales. The new positions and pay scales will be brought to the Council for consideration on June 24, 2024.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**15. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of June 10, 2024 in the amount of \$357,513.83.

Seconded by: Crut Trott.

Roll Call Vote:

Ayes: Crothers, Trott, Termer, Zaverl, Sutton, and Inglis.

Motion Carried 6-0.  
Absent: Damian Omness.

**16. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 6:52 P.M.  
Seconded by: Dan Zaverl.  
Voice Vote: All in favor.  
Motion Carried.  
Absent: Damian Omness.

Council minutes are not official until approved at the June 24, 2024 Council meeting.

Approved

Crystal Budde June 24, 2024  
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, JUNE 24, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) June 10, 2024

Steve Crothers moved to approve the minutes of the Regular Council meeting of June 10, 2024 as presented.

Seconded by: Mike Termer.

Voice Vote: All in favor.

Motion Carried.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

Interim VA Guetschow reported that he met with Fire Chief Jack White and advised him that Shelby Township will need to have their attorney draft an Easement Agreement for review by the Village to move forward with approval of the storm drain installation that is needed at the fire barn located on Industrial Drive.

Don DeVries is currently working on engineering a proposed sidewalk along State Street. Hallack Construction is expected to return to the Village to install the water main upgrade under First Street next week as part of the First Street/Shelby Road project. It is anticipated that Shelby Road East of U.S. 31 will be closed starting Monday as well as First Street within the Village limits.

Interim VA Guetschow met with Don DeVries and McCormick Sand last week for an update on the

Getty Park project. The splash pad will be reset lower next week prior to the concrete surface being poured. It was initially higher due to the sanitary sewer line not having sufficient fall, but it will be connected to a different sanitary sewer line that is lower.

Apex punctured a resident's sewer lead while running the new water service line. The resident has obtained a quote of \$14,000.00 to repair it. Don DeVries would like Apex to issue checks for the homeowner as well as the homeowner on Bevier Street that had to personally restore their yards. Interim VA Guetschow and Clerk/Treasurer Budde had an online meeting with MEDC regarding the reimbursement request for CDBG funds for the Getty Park project. MEDC has delayed action on the request until it is determined if the MDNR grant should be charged first. Both the RAP grant and CDBG grant through MEDC can be accessed for any of the activities. Ideally, it would be best to charge the MDNR grant first and the MEDC-RAP grant next prior to charging the MEDC-CDBG grant.

The Personnel Committee met on Monday, June 17th and chose six applicants to interview for the Village Administrator position. Interviews will be held on Tuesday, June 25, and Thursday, June 27. The Personnel Committee was also advised that DPW Supervisor Jeremiah Helenhouse is unable to use Personal Time Off (PTO) as he would prefer due to the vacancy in the DPW; lack of another DPW employee with water and sewer licenses; and, a lack of DPW Lead Worker to assume some of the responsibilities of directing DPW staff and contractors. Rather than forfeit PTO hours, consideration was given to allow Jeremiah, on a one-time basis, to "cash in" excess hours that would otherwise put him over the cap of 324 hours (including carry-over from prior years).

#### **9. DEPARTMENT HEADS' REPORTS:**

DPW Supervisor Jeremiah Helenhouse reported that Apex is wrapping up the water service line replacements on Sixth Street. Hallack will be tying into the main on First Street this week.

Chief Roesler had nothing to report.

**10. CORRESPONDENCE:** No Correspondence.

#### **11. CITIZEN PARTICIPATION:**

Anna Rapa stated that she is running for Oceana County Probate Court Judge. Anna has been living in Oceana County for several years and is currently working as a mediator in Family Court. She enjoys living in Oceana County and plans to stay in the area.

Gerald Lindow, 330 Runner Street, stated that his driveway had been damaged during construction of the water service line replacement. It has been nine months since Apex did the work and no one has fixed his driveway. He requested that something be done to rectify the situation immediately.

#### **12. PUBLIC HEARING:**

a.) 2024 Village of Shelby Tax Millage Rate

President Inglis opened the Public Hearing regarding the proposed 2024 Village of Shelby Tax Millage

rate at 6:13 P.M.

The Village request is to establish the millage rate for the 2024 tax collection year. The Village of Shelby will see a slight decrease in millage rates due to the Headlee Rollback provision. The rollback ensures the increase in property values does not exceed the rate of inflation. The proposed 2024 Millage rates for the Village are:

General Operating -	10.2619 mills
Local Streets -	4.1046 mills
Total	14.3665 mills

No Public Comment.

President Inglis closed the Public Hearing at 6:15 P.M.

**13. OLD BUSINESS:**

a.) Getty Park Amenities Quote

The Fiscal Year 2024/2025 General Fund budget allocation includes funding for the required Village match to the three sources of grant funds for the Getty Park project. Within this allocation is funding for the park amenities consisting of picnic tables, park benches, pedestal tables, recycling arrays, a bike rack, a pet waste station, and fabric umbrellas. The Request for Proposals (RFP), consisting of 11 items, was sent to six potential contractors in early January 2024 for specific park items or their equivalent. Only one complete RFP response was received by the January 31, 2024 deadline. One other quote for RFP item 9 was received.

Damian Omness moved to waive the 3-quote requirement under the Village Bid Policy and to approve the purchase of the Getty Park amenities from R.J. Thomas Manufacturing Company, Inc., of Cherokee, Iowa in the amount of \$23,041.71 contingent on the review of MDNR Grant requirements for the recycle receptacle.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Omness, Crothers, Termer, Zaverl, Sutton, Trott, and Inglis.

Motion Carried 7-0.

b.) Getty Park Interpretive Signs Quote

The Fiscal Year 2024/2025 General Fund budget allocation includes funding for the required Village match to the three sources of grant funds for the Getty Park project. Within this allocation is funding for interpretive signs. The Request for Proposals (RFP) was sent to four potential contractors in early January 2024. Only one RFP response was received by the January 31, 2024 deadline from Pannier Corporation.

Mike Termer moved to waive the 3-quote requirement under the Village Bid Policy and to approve the

Quote number E20241036 for the purchase of the Getty Park interpretive signs from Pannier Corporation of Gibsonia, Pennsylvania in the amount of \$3,415.00.  
Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Termer, Omness, Crothers, Zaverl, Sutton, Trott, and Inglis.  
Motion Carried 7-0.

#### **14. NEW BUSINESS:**

##### a.) 2024 Village of Shelby Tax Millage Rate

Steve Crothers moved to adopt Resolution 34-24. (See attached)  
Seconded by: Curt Trott.

Roll Call Vote:

Ayes: Crothers, Trott, Termer, Zaverl, Omness, Sutton, and Inglis.  
Motion Carried 7-0.

##### b.) DPW Revised Job Descriptions

Previously, the Village Council adopted job descriptions for the Department of Public Works for Supervisor, Laborer (full-time), and Laborer (part-time). For several months, there has been a vacancy for a full-time laborer and, more recently, for the part-time custodian. There has also been an issue with the current full-time laborers being unable to pass their state water and sewer license exams which has resulted in Supervisor Jeremiah Helenhouse being the only licensed operator for the Village. In addition, an additional laborer position has been budgeted to create a Parks Maintenance position once the Getty Park project has been completed. The Personnel Committee met to discuss revisions to the existing job descriptions and address the water and sewer license issues. This resulted in a revision to the DPW laborer job description as DPW Laborer Generalist and the creation of a new DPW Laborer Park Maintenance, DPW Utility Worker, and DPW Lead Worker positions. Staffing numbers for the DPW will remain unchanged. The salary and wage schedule that was approved effective March 1, 2024, will also require revision. The DPW Laborer Park Maintenance position will include janitorial duties for the Village office. It is anticipated that the most senior DPW Laborer will accept a wage reduction to be assigned as DPW Laborer Park Maintenance. This position is no longer expected to be in the on-call rotation.

John Sutton moved to approve the revised DPW Laborer job descriptions as follows: DPW Laborer Park Maintenance, DPW Laborer Generalist, DPW Utility Worker, and DPW Lead Worker effective July 1, 2024.

Seconded by: Damian Omness.

Roll Call Vote:

Sutton, Omness, Termer, Crothers, Trott, and Inglis.  
Nays: Zaverl.  
Motion Carried 6-1.

c.) Revised Salary and Wage Schedule

Consistent with the proposed job descriptions for the DPW, the Village's Salary and Wage Schedule requires revisions to reflect the new job descriptions. Though the previous Salary and Wage Schedule included a wage for the DPW Laborer Park Maintenance position, the job description had not been created. Likewise, providing an incentive for DPW Laborer Generalist has been downgraded by one step (capped at the previous three-year rate) since they would not be expected to obtain a water and sewer license. Essentially, they would have fewer responsibilities than the DPW Utility Worker. Though the DPW Utility Worker classification is new, the wage scale is identical to the previous DPW Laborer position. The DPW Utility Worker will attain the top wage rate that is \$2,294.51 greater than the DPW Laborer Generalist position. Unless the Village can hire a DPW employee who already possesses their water and sewer licenses, it is unlikely that a DPW employee will be elevated to DPW Utility Worker for at least another year.

Damian Omness moved to approve the revised Village of Shelby Salary and Wage Scale effective July 1, 2024.

Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Omness, Termer, Crothers, Sutton, Trott, and Inglis.

Nays: Zaverl.

Motion Carried 6-1.

d.) DPW Supervisor PTO Payout

For several months, the DPW has been understaffed resulting in DPW Supervisor Jeremiah Helenhouse covering the vacant position to include on-call duty. Jeremiah is currently the only Village employee possessing the required water and sewer licenses. He is also the only DPW employee capable of providing direction to other DPW employees and to direct contractors working on capital improvement projects. As a result, rather than using earned Paid Time Off (PTO) Jeremiah is at risk of losing accrued PTO time. He has foregone the use of discretionary time since he is not eligible to receive overtime as an exempt employee. The Village has committed to hiring a new DPW employee effective July 1, 2024. Though the new employee will be immediately eligible to schedule the licensing exams since he has three years of experience with the North Muskegon DPW, it will likely be a year before he obtains the licenses. In addition, no other DPW employee has yet acquired the knowledge that Jeremiah possesses to be able to direct other DPW employees. The Village has implemented a plan to recruit, hire, and train an employee to be promoted to DPW Lead Worker, but that will not be realized for approximately two years.

John Sutton moved to approve the one-time payout of accrued PTO for DPW Supervisor Jeremiah Helenhouse beyond the maximum 80 hours in order to bring his accrued PTO bank to the 324-hour maximum effective August 25, 2024.

Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Sutton, Termer, Crothers, Zaverl, Omness, Trott, and Inglis.

Motion Carried 7-0.

e.) Questions and/or Discussion Regarding Administrator Interviews

Interim VA Guetschow received a call from one of the candidates for the Village Administrator position who will be withdrawing from the interview process.

**15. COMMITTEE REPORTS:**

**a. PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

Nothing to report.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Nothing to report.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Nothing to report.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

The Personnel Committee met to review the applicants for the vacant Village Administrator position and chose 6 candidates to be interviewed by the Village Council. The Council will hold Special Meetings on Tuesday, June 25 at 5:00 P.M and Thursday, June 27 at 5:00 P.M. to conduct interviews.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**16. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of June 24, 2024 in the amount of \$555,497.71.

Seconded by: Damian Omness.

Roll Call Vote:

Ayes: Crothers, Omness, Termer, Zaverl, Sutton, Trott, and Inglis.

Motion Carried 7-0.



**17. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 7:38 P.M.  
Seconded by: Steve Crothers.

Voice Vote: All in favor.  
Motion Carried.

Council minutes are not official until approved at the July 8, 2024 Council meeting.

Approved

Crystal Budde July 8, 2024  
Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer Date

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, JULY 8, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, DPW Supervisor Jeremiah Helenhouse, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) June 24, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of June 24, 2024 as presented.

Seconded by: Steve Crothers.

Voice Vote: All in favor.

Motion Carried.

b.) June 25, 2024 Special Meeting

Damian Omness moved to approve the minutes of the Special Council meeting of June 25, 2024 as presented.

Seconded by: Curt Trott.

Voice Vote: All in favor.

Motion Carried.

c.) June 27, 2024 Special Meeting

Steve Crothers moved to approve the minutes of the Special Council meeting of June 27, 2024 as presented.

Seconded by: Mike Termer.

Voice Vote: All in favor.

Motion Carried.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** President Inglis expressed his appreciation to the DPW staff for their timely and efficient cleanup effort after the recent windstorm. He praised the Shelby Police Department and the Shelby - Benona Fire Department personnel as well. He offered a huge thank you to Peterson Farms for offering the assistance of their employees during the cleanup effort; the use of their woodchipper; and, for accepting the deposit of brush on their property.

**8. ADMINISTRATOR'S REPORT:**

Interim VA Guetschow reported that although streets have been reopened after being cleared of downed trees from the windstorm, the DPW continues to pick up limbs and branches set out by residents. DPW Supervisor Jeremiah Helenhouse was able to rent a chipper last week to expedite the cleanup effort. Ten employees of Peterson Farms have been assisting with the cleanup. Though staff will enjoy the one-day holiday break, they will be working on Friday and possibly Saturday.

After a discussion with Richard Raffaelli, Mr. Raffaelli apologized for confusing the upcoming meeting with the July 22nd Council meeting. Since the proposal for repair of the two-tiered retaining wall/sidewalk on Sixth Street does not apparently meet with the Village Engineer's plan, the proposal may not go forward. The proposal will still be on the Council agenda for discussion.

The milling on First Street has been completed from Shelby Road up to the Village limits. An estimate for repairs was received from the property owner at 328 Deming Road for a sewer lateral that Apex hit while they were installing the new water service line. The estimate will be sent to Apex and they can make a claim with their insurance company.

A quote in the amount of \$6,100.00 was received for completing the architectural/historical assessment of the Tiger Building at Getty Field. This is not a requirement by EGLE, but a recommendation to obtain information regarding the use of the facility as a POW camp during WWII. Interim VA Guetschow reported that he had a meeting with both the MDNR and MEDC pertaining to grant reimbursements to the Village. Both agencies have confirmed that all the activities and purchases pertaining to the Getty Park Renovation project are eligible expenses for reimbursement. Reimbursement documents will be submitted next week.

**9. DEPARTMENT HEADS' REPORTS:**

DPW Supervisor Jeremiah Helenhouse reported that a chipper was rented to use during brush cleanup. Unfortunately, it is not working as they had hoped. It is not efficient for the size of brush they are picking up. Peterson Farms has been extremely helpful during cleanup by offering employees help with the cleanup process.

Chief Roesler complimented the DPW staff and the Fire Department volunteers for all their hard work during the storm cleanup.

**10. CORRESPONDENCE:** No Correspondence.

**11. CITIZEN PARTICIPATION:**

Fire Chief Jack White presented information regarding the one-half mill increase that will be on the August Primary ballot. The Shelby/Benona Fire Department has incurred significant cost increases with equipment replacement as well as trainings, inspections, and activities offered to the community. The millage increase will allow the department to ensure that the equipment on hand is updated as it should be.

## **12. OLD BUSINESS:**

### a.) Village Administrator Position

Of the 15 applications received for the Village Administrator position, six were scheduled for interviews. One withdrew his application due to being considered for another position elsewhere. Another withdrew for health reasons from the scheduled interview, Council members decided, by consensus, to vet two candidates. Interim VA Guetschow scheduled Phil Morse on July 3, 2024, and Kali Fox-Shamrock on July 8, 2024 to visit the Village office and Department Heads. Interim VA Guetschow developed a spreadsheet showing a side-by-side comparison with the posted minimum credentials plus additional credentials for an ideal candidate for the VA position.

The consensus of the Council was to review the additional information for both candidates before taking action. The Council may choose to make a decision at the Regular Council meeting of July 22nd.

## **13. NEW BUSINESS:**

### a.) Proposal for Archaeological Survey “Tiger Building” – Discussion

The proposal for an Archaeological Survey of the “Tiger Building” at Getty Field is not required but was recommended if the Village Council plans to tear down the building. The cost of the archaeological survey, analysis, and report is \$6,100.00.

It was the consensus of the Village Council that the building should be left at Getty Field and possibly refurbished later. A number of options for restoring the building were offered.

## **14. COMMITTEE REPORTS:**

### a. **PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

The Planning Commission meeting scheduled for July 16, 2024 will be cancelled due to a lack of agenda items.

### b. **WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

### c. **STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Nothing to report.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

The Finance and Insurance Committee will be meeting on Thursday, July 11, 2024 to review and discuss the employee health insurance renewal options.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

The recently hired DPW employee, Scott Rollenhagen, began employment on Monday, July 1.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**15. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of July 8, 2024 in the amount of \$377,767.36.

Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Crothers, Termer, Zaverl, Omness, Sutton, Trott, and Inglis.

Motion Carried 7-0.

**16. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 7:30 P.M.

Seconded by: Damian Omness.

Voice Vote: All in favor.

Motion Carried.

Council minutes are not official until approved at the July 22, 2024 Council meeting.

Approved

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Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date

**VILLAGE OF SHELBY  
REGULAR COUNCIL MEETING OF MONDAY, JULY 22, 2024 at 6:00 P.M.  
COUNCIL PROCEEDINGS**



**1. CALL TO ORDER:**

The regular meeting of the Common Council of the Village of Shelby was called to order at 6:00 P.M. by President Paul Inglis.

**2. ROLL CALL:**

Answering the roll call: Mike Termer, Steve Crothers, Paul Inglis, Dan Zaverl, Damian Omness, John Sutton, and Curt Trott.

Staff present: Interim Village Administrator Jae Guetschow, Village Clerk/Treasurer Crystal Budde, and Police Chief Dean Roesler.

**3. PLEDGE OF ALLEGIANCE:** All stood for the pledge.

**4. INVOCATION:** Invocation was shared.

**5. MINUTES:**

a.) July 8, 2024

Mike Termer moved to approve the minutes of the Regular Council meeting of July 8, 2024 as presented.

Seconded by: Steve Crothers.

Voice Vote: All in favor.

Motion Carried.

**6. ADDITIONS TO THE AGENDA:** No Additions to Agenda.

**7. PRESIDENT'S REPORT:** Nothing to report.

**8. ADMINISTRATOR'S REPORT:**

Interim VA Guetschow reported that Kali Fox-Shamrock withdrew her application for the Village Administrator position. Should the Council wish to extend an offer to the remaining finalist, Phil Morse, a draft Employment Agreement needs to be drafted.

During his telephone conversation with both final candidates, Interim VA Guetschow learned that an article in the Oceana Echo may have truncated his comments pertaining to the applicants' qualifications. It was reported that neither finalist possessed the "ideal" credentials. The article failed to mention that this would not be expected for an entry level position. The finalist, and many other applicants, possess alternative education, experience, and other qualities that the Council will need to determine if they are sufficiently equivalent to that from the position posting to perform the duties of the Village Administrator. It is important that the community recognizes that the next VA will be

capable of carrying out the duties of the position even though they may not possess all the “ideal” credentials.

Interim VA Guetschow anticipates receiving an estimate from Fleis & VandenBrink for the proposed sidewalk to Shelby Acres along the east side of Oceana Drive.

Since there is no sidewalk on Sixth Street west of State Street, Interim VA Guetschow has discussed with DPW Supervisor Jeremiah Helenhouse the possibility of using paint striping on one side of Sixth Street to create a pathway. Sixth Street appears to have sufficient width. If so, this would create a relatively safe route to Getty Park until such a time the Village could engineer a sidewalk.

Interim VA Guetschow met with Shelby Public Schools Superintendent Mark Olmstead to discuss the Intergovernmental Agreement (IGA) by and between the Village and the school. The School Board would like to continue the current IGA and would plan to continue the use of Getty Field for soccer practice. The current IGA only provides for the schools to terminate the IGA. In-lieu-of cost sharing for the maintenance of Getty Field, and in consideration that the DPW does not have staff to provide more maintenance for Getty Field than it does for the Village’s other parks, the ongoing practice of “in-kind” services between the Village and Shelby Schools would allow the school maintenance department to provide whatever additional care would be required.

Richard Raffaelli will be inviting the Village Council to tour the three model homes in Shelby Acres. Though a quorum of the Council may be present for such a tour, this would be considered a casual gathering that is not subject to Open Meetings Act provisions since no discussion or action will be taken.

Interim VA Guetschow contacted the Facilities Project Leader for the Wesco Company regarding damage to the new pavement on Elm Street from the contractor’s equipment. Wesco’s contractor has arranged for the repair of the damaged surface. DPW Supervisor Jeremiah Helenhouse will determine if the repair is comparable to the adjacent new asphalt.

## **9. DEPARTMENT HEADS’ REPORTS:**

Police Chief Dean Roesler had nothing to report.

## **10. CORRESPONDENCE:**

### a.) Shelby Village Sixth Street Proposal

Shelby Township Supervisor Richard Raffaelli presented the Council with a proposal for the sidewalk repairs/replacement on Sixth Street. The proposed cost of the repairs/replacement with fencing is \$109,000.00. The proposed fencing would match the fence Shelby Township installed on their portion of the sidewalk repairs/replacement.

Mike Termer moved to accept the proposal for the Sixth Street sidewalk and retaining wall repairs/replacement with fencing contingent on confirmation of the project being included in the Fiscal Year 2024/2025 budget.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis

Motion Carried. 7-0.

**11. CITIZEN PARTICIPATION:**

Richard Raffaelli, Shelby Township Supervisor, stated that Getty Park is looking beautiful and urged the Council to seek feedback from residents. Mr. Raffaelli urged Council to moved forward with the proposed School Zone Safey plan and reported that Shelby Road will be reopened on Wednesday, July 24th.

Troy Maloney, Oceana County Emergency Management Director, informed the Village Council of the resources available by adopting the Oceana County Hazard Mitigation Plan. By adopting the Hazard Mitigation Plan, the Village will be able to receive assistance from Emergency Management as well as FEMA in the event of a natural disaster causing damage or distress within the Village of Shelby.

**12. OLD BUSINESS:**

a.) Shelby Village Administrator Position

The Village Council conducted four interviews for the Village Administrator position. Two candidates were chosen as the top two candidates for the position and had spent some time in the Village office with staff. One candidate withdrew her application due to accepting a different position.

John Sutton moved to approve the selection of Phil Morse as the lead candidate for the Shelby Village Administrator position and to authorize Interim Village Administrator Jae Guetschow to negotiate an Employment Agreement Contract to be presented to the Village Council at the August 12, 2024 Regular Council Meeting.

Seconded by: Mike Termer.

Roll Call Vote:

Ayes: Sutton, Termer, Crothers, Zaverl, Omness, Trott, and Inglis.

Motion Carried 7-0.

**13. NEW BUSINESS:**

a.) Village Employee Health Insurance Renewal

The Village of Shelby’s Health Insurance Policy is up for renewal. The new policy begins August 1, 2024. The West Michigan Health Insurance Pool (WMHIP) submitted a proposal to the Village which offers a lower deductible plan at a lower cost. The Village’s current health insurance premiums are based on the ages of each member and their dependents, which is a large factor in the Village’s current rates. The WMHIP premiums are not based on age; rather, they are based on claims experience. This helps to keep the cost lower for smaller employee groups.

The Village currently has a high employee deductible plan with Lenz-Balder which will increase in cost



from our current annual rate of \$67,081.80 to \$75,296.64 as of August 1, 2024. The WMHIP offers a low employee deductible plan at an annual cost of \$72,099.00; thereby, saving the Village over \$3,000.00 a year.

Mike Termer moved to approve the resolution authorizing the Village of Shelby membership into the West Michigan Health Insurance Pool (WMHIP) for a minimum of a three-year period. (see attached)  
Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis.

Motion Carried 7-0.

Mike Termer moved to switch to the Priority HMO 500 90 Plan and HSA HMO 1600 90 Plan for a Policy Term beginning August 1, 2024, and ending December 31, 2024. Be it further resolved to renew the Delta Dental and VSP Vision Plan for a Policy Term beginning August 1, 2024, and ending December 31, 2024.

Seconded by: Steve Crothers.

Roll Call Vote:

Ayes: Termer, Crothers, Zaverl, Omness, Sutton, Trott, and Inglis.

Motion Carried 7-0.

#### b.) Shelby Public Schools Utility Bill

In 2010, Shelby Public Schools apparently requested an account (one of several associated with the Thomas Read Elementary School building) be deactivated while renovations were in process. It was thought that water service to the building would be provided through two other service leads. It appears that there was no curb stop to the service lead or did not close completely. During the recent demolition of part of the structure, the DPW was asked to remove the water meter. At that time, DPW Supervisor Jeremiah Helenhouse discovered that 2,781 units of water had been used during the ensuing 14 years.

Shelby Schools Superintendent Mark Olmstead has become aware of a main break that is believed to have taken place at that time and could have been responsible for the large water usage. Further investigation of that break is taking place now and no action will be taken at this time.

#### c.) Apptegy Website

Interim VA Guetschow provided the Council with a proposal he received from Apptegy for a new Village website. This is for informational purposes only and the Village will seek more proposals when the Village is prepared to move forward with updating the Village of Shelby website.

### 14. COMMITTEE REPORTS:

#### a. **PLANNING COMMISSION: Ex-Officio: John Sutton, Paul Inglis:**

The Planning Commission meeting scheduled for July 16, 2024 was cancelled due to lack of

agenda items.

**b. WATER & SANITATION: Chair: Mike Termer, John Sutton:**

Nothing to report.

**c. STREETS AND SIDEWALKS: Chair: Dan Zaverl, Curt Trott:**

Nothing to report.

**d. PARKS, REC. & BLDGS: Chair: Damian Omness, Steve Crothers:**

Nothing to report.

**e. FINANCE and INSURANCE: Chair: Steve Crothers, Mike Termer:**

Nothing to report.

**f. PERSONNEL: Chair: John Sutton, Damian Omness:**

Nothing to report.

**g. ORDINANCES – Chair Curt Trott, Dan Zaverl:**

Nothing to report.

**15. PAYMENT OF BILLS:** Steve Crothers moved to approve the payment of the bills of July 22, 2024 in the amount of \$95,092.95.

Seconded by: Curt Trott.

Roll Call Vote:

Ayes: Crothers, Trott, Termer, Zaverl, Omness, Sutton, and Inglis.

Motion Carried 7-0.

**16. ADJOURNMENT:** Mike Termer moved to adjourn the meeting at 7:40 P.M.

Seconded by: Damian Omness.

Voice Vote: All in favor.

Motion Carried.

Council minutes are not official until approved at the August 12, 2024 Council meeting.

Approved

*Crystal Budde*

August 12, 2024

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Minutes Respectfully Submitted by Crystal Budde, Village Clerk/Treasurer

Date