

Village of Indian Point
Board of Trustees Meeting
Tuesday, August 11, 2009 at 7:10 P.M.

Members Present: Dave Rawson, Chairman; Tim Stout, Vice Chairman, David Canaday, Secretary/Treasurer; Greg Fier, Larry Stenzel

Staff Present: Barb Morin, Village Clerk; Brent Armstrong, Police Chief; Jeff Lofton, Police Officer.

Dave Rawson called the meeting to order with pledge of allegiance at 7:10 pm Tuesday, August 11, 2009.

Inducted Tim Stout as newest Trustee – Tim, please stand, raise your right hand, "I, Tim Stout, do solemnly swear that I will support the constitution of the United States and the constitution of the State of Missouri, and that I will faithfully demean myself in the office of Village of Indian Point Trustee." Welcome aboard.

Larry motioned that we accept the resignations of Tim Stout (BPW) and Arno Wehr III (BPW) and Bill Turner (Board of Adjustments). Greg said it was not next on the agenda. Larry motioned that we add it to the agenda to officially accept Arno Wehr, Tim Stout and Bill Turner. Dave Canaday seconded. Dave R – Any Discussion? Ayes were unanimous. No Nays.

Dave Rawson take motions for nominations for Vice Chairman of the Board of Trustees. Larry motioned for Tim Stout to become Vice chairman. Dave C seconded. Any discussion? Ayes unanimous. No Nays.

Approval of Minutes from July Village Meeting – Dave R entertained a motion to approve the minutes. Larry motioned to approve the minutes. Tim seconded. Ayes unanimous, Motion carried.

Treasurer's Report-July financials – David Canaday reported that financials for July had our total income remains below our expectations. We are roughly at 45% of our expected income. Our sales tax income has increased from 37% of budget to 44%. Our July sales tax income was about 85% of our budget. The way the budget is set up, they came up with an amount and divided it by 12. Our income is weighted heavily in the tourist season. As a percentage, our sales tax income is increasing and getting closer and closer to our budget. Spending is down – to date we have spent \$48,000 more than we've taken in. The monthly ending balances in our accounts are a total of \$60,500, an increase of \$9500 since June. Tim moved that the Treasurer's report be accepted. Larry seconded. Ayes were unanimous.

COMMITTEE REPORTS

Village Office Task Force—Jim Adams, Boyd Hamilton, Carol Kurtz – We've started. Boyd – groundbreaking August 15, 2009, Sat morning 9 am. 2 newspapers, and a TV station will be there. Want to get a plaque of the true pioneers to put in the entryway of the new building. If there are any recommendations send them with an essay or reason why these individuals should be recognized and give it to a committee member. We will be pouring concrete, and we do have a signed contract, a performance bond, a payment bond, carry insurance on it – the Village is completely covered for this building. Jim – they will start our well next week. They were digging footings today, and will probably pour them, and bringing in the shot rock. Larry asked about the

sewer. Jim said they had drawings from Heithaus Eng. They have okayed it, they have layed it out to what they want and we have the drawings on it. Larry – will that be coming out of the building fund. Jim – yes. Dave – they have approved a holding tank and pumping until such time as there is access to the sewer project. Larry – It's not going to be a sewer tied to this project. Dave – if the opportunity presents itself later it will be another decision to be made at that point.

Planning & Zoning Commission-Greg Maycock. They did meet August 6, 2009. Dave R – Hartzel – split the lot.

Roads - Brendon Tucker – Cave Lane has a bad spot that has taken Cave Lane and deteriorated the road up by Arno's (Tribesman) and another problem –(showed pictures of rain damage at Shook's) Larry – there is a golf cart driveway – they put walkways going across the ditch and the culverts under the walkway are plugged up and the water is coming around and running down into the driveway, washing all the sediment from the Tribesman's driveway into Shook's yard. It is also running down the road to the dock, an easement road. Shook's father put in a cement culvert running all the way down to the lake and it handles some of it, but the water is not getting there because all of it is going across the road. Eventually there will have to be a new culvert. If debris removed, or new culverts put in, the water could get to the culverts and go down the cement culverts. The culverts need to be cleaned out and the ditches dug out. Need to divert water to the cement culvert. The Village has ordinances that the owners of the culverts are supposed to maintain the culverts and ditches. Bill 30 Ord 90-4a and bill 7 Ord 90-4 – all safety of all culverts at entrances and exits of the Village roads shall be furnished and installed at the property owner's expense when the entrance and exit is constructed. All such entrances and exits must be approved by prior to and after installation by the Village Roads Committee. Any entrance or exit serving a residence or business constructed before the date of this ... They need to be taken care of, we need to decide who's responsible for it. Larry - I got a bid of digging the stuff out of there, cleaning the ditches out and it comes to \$900. Would Mr. Wehr want to put new culverts in? They would not want the culverts out, because that's how the people get across the road. If they would pay for old culverts – we could take the old one's out and put the dirt back. Brenton – we should visit with them. Dave – come back after visiting with Arno.

Laz E Daz – Roads Committee is in full agreement with Battaglia's and Mr. Trobrish with the proposal to Mr. Anderson. Larry made a motion to vacate Birch Lane. Mr. Trobrish will get the full 30 ft, Mr. Anderson will get 15 ft, Still Waters will get the other 15 ft. It's a 30 ft wide road, so they each get half. The Battaglia's would get the easement attached to their lots. The new driveway for lot 8 would come in off Hickory and this would become a driveway for lot 8 (between lot 4 and 9). The only thing not agreed to is a retaining lot for Mr. Anderson. The Still Waters are paying for lawyer fees, surveying. Tim – I agree they should vacate the road, the question is if there is an agreement between all the parties. Need a written agreement among all the parties before the road is vacated. Larry – need to draft a letter – Allen wrote a memo for everyone to sign if Anderson was here tonight. Dave R – get signatures before they vacate the road. Larry – have new lawyer look at proposal before signing. No reason not to vacate road if everyone is in agreement. Allen – the original Birch Lane that was never built, actually owned by us. Don't ask me why it was built. Still Waters would give back Birch Lane. Sycamore goes to Magnolia. If we get rid of that, when we go to final plat Doug doesn't have to worry about staying within 30 ft; he wants to shift the driveway 35 ft to the buildings then we won't have a problem.

Map Lane – need to get it approved to get it chip and sealed. People on Map Lane have health issues and getting an ambulance or fire truck down that road is very tricky. The holes are getting bigger, it will cost more unless we do something about it soon. Need to get Trustee's approval to get Map Lane chip and sealed - \$22,800. Larry – did we have the bids back for Mayden Lane. Bids were \$1800, and 1846. Larry – I know we approved that. We have in roads \$16,466.41. The village is spending \$1800 on Mayden Lane which is not a safety issue. Brenton

– The Village could have a lawsuit. If someone had a health issue and help couldn't get to them in time, there could be a lawsuit. Barb – I found some trustee minutes regarding Map Lane. I July 8, 2008 it was suggested the road committee not do anything until all digging is completed in the fall. June 10, 2008, Bob Cary recommended the road be repaired, dig out and patch area approx 60 ". Map Lane – dig out and repair one area approx 9' by 50' patch as needed. Wait on Map Lane until the connections are completed with the Jake's Creek Trail wastewater project. May 13, 2008, the Village has not passed an ordinance accepting all roads except for Indian Point. The collector and minor roads are considered sub division or private roads and no changes can be made until such time as the Village accepts all roads. Technically the collector and minor roads are considered private. Larry – those roads have all been accepted now. There is sewer work being done on Map Lane now. Mr. Wehr said they will fix whatever they tear up. I agree they should wait until they are finished, if they are working on it now. Brenton – you have to pass something now, so whenever the sewer is done these people know they are going to be getting something. I have two emails from Jim Mosque. In 2007 Jim emailed and asked who to contact to get the holes in the road repaired. 4/25/08 emailed Bob Cary – there has not been any roadwork done so the holes are getting larger and wider; the longer the holes go unfilled, the more damage they will be doing. Nothing done to roads since Bob Finely brought the roads up to specs. Larry read Bill 7 Ord 90-4 – section 1 – Safety – work that is deemed necessary for acute safety will have priority over all other work. Dave R – after the sewer project is completed, there will be fewer big trucks. Larry – We approved Mayden Lane and that would have been another \$1800 we could have put towards Map Lane. Brenton – I drove all the roads, and Map Lane needs attention right away. Chip and sealing bid for Map Lane would be \$20,736. Dave – how much is needed to repair Cave Lane? It's going to come from your budget too. Larry – we are doing safety issues first. Map Lane is a high priority. Canaday – there will be more money in the roads account next month. Larry – we need to take out of reserves or general funds. I recommend we make a motion to fix Map Lane; take it out of reserves, and if more money comes in put it back into reserves. Dave R accepted it as a motion. Larry made a motion to accept the Advanced bid – the lowest bid. Barb – you can use capital for capital improvements. Dave we are trying to find the money. Barb – we have to check back at the office tomorrow. I can't make that decision right now. Dave C – our income from June was about \$3700. Barb needs some time to study in the office to find out where that money would come from. Larry – need find out where it's coming from and exactly how much we need. Dave – put on agenda next Tuesday for special meeting.

Tree Trimming – On Indian Point Road – Brenton had a bid of 5 ft from the edge of the road and 5 ft over around all the signs and stuff from Hansen's Tree Service - \$4,750, another est just around the signs – 5' in front, 5' in back and 5' all around to the edge of the road for \$1,975. Brent Armstrong – the state of MO and MODOT came down and drove the roads and recommended all the signs be cleared. There are several signs you can't see – one at Wolf Lane and one at Table Rock Circle. Brenton – one just north of Golden Arrow you can not see. Road committee is recommending \$1,975 to go around each sign so you can see the signs. Larry – we don't know how far that covers – that did not show specifics as to how far around the signs would be cleared. 14' high and 5' either side of road sign is CATS tree service bid. Greg F – property owners used to volunteer to keep their property clear. Put on agenda for next Tuesday's special meeting.

Police & Emergency Mgmt-Larry said there was no meeting this month. Larry made motion to accept Golf Cart Ordinance. Greg F – don't you have to read it. Brent Armstrong laid out 15 copies. Larry – all we have to do is read the title. Asked to wait to pass any ordinance until we have a lawyer.

Police Chief Remarks – suicidal deer. Increase of deer moving and standing in the ditches. Most are by Still Waters offices. Tornado sirens – have 3 on the point only 2 are working.

Board of Public Works – have a report to add to the minutes. Meeting for July 1, 2009 was cancelled. Meeting was held on July 31, 2009. The August meeting has been postponed until later this month. Jakes creek trail is fully operational and discharging over 22000 per day. Operating limits are far below statewide limits set by DNR. Even with the tourist season the system is well below that approved by DNR. Jakes Creek Trail is completed, with all work finished except some minor adjustments to be made by the contractor, and warranty work. All residences and commercial properties are fully operational. Close out details to satisfy DNR requirements have been completed and are filed with the state for the SRF funding. BPW investigating ideas for next project. The village water study is currently at a standstill, most of the engineering is complete and is waiting for the Water committee to finish and issue a report. The committee is without a chairperson to make this happen. BPW is soliciting a person to appoint to this position and finish this project. A detailed set of financial statements is on file at the BPW Office. Larry – who is doing the job on Map Lane? Bert - Rich Hill Contractors. Larry – Was that let out for bid? Bert – Yes –the cost is \$23000+. Larry – where is that money coming from. Bert – BPW. Larry – you have that much in capital? Bert – of course. Dave R – there were 14 bids mailed out to contractors, and was put in the local newspaper, we have one bid.

Transportation Coalition/Stone County Transportation-Jan Hoynacki – As far as roads go – no progress. Met with Ms. Pressley fully intend to make our efforts known as soon as we get that commissioner in Stone County. She is interested in roads and the east west corridor for Stone County, namely the Peninsula Parkway. No news about George Cutbirth's replacement. IPPEMA Indian Point Police and Emergency Management Auxiliary is in the process of being formed. A meeting will be on Aug 20, 2009 and all are invited. We want input from everybody. We know that the Village needs money. We all want police, fire and emergency services – we want them to be there when we need them. We are forming an auxiliary to purchase extra things needed by the police department – sirens and other items – we have a wish list, and will prioritize it and list items that are deemed most important. Talk about how to go about fulfilling the needs. A secondary goal is to see this group to be a means to get together again like we used to in the old days and socialize and have some fun, and have some fund raisers in combination with it. We have a new building and we would like to have our first fund raiser be at that building, so we can tie the two together. We want to support our police and emergency services.

CAAD-Kent Turner - left a report to include with the minutes. Flock at the Rock benefit this weekend. Approve a proclamation for the benefit. TCED would like to have 2 members appointed to the board. Trustees need to reappoint Bert Leman to the board. Bert serves as Treasurer of the board, he oversees the accounting and systems and required reports which are many times larger and much more complex than the Village books. He works with the Auditor and is probably the only member with a complete and thorough knowledge of the finances. This group controls more than \$8 million in funds. Larry made a motion to renew the proclamation for the Flock at the Rock. Greg Fier seconded. Discussion? Unanimous Ayes. Barb is to write up a proclamation.

Recycling-Betty Fier- really busy now. Filled the blue trailer in a month. The paper is just about as full. Could use more volunteers. Sometimes we have 5 working. The first hour is non-stop. We do have people going on vacation, and could use extra. She went off topic and said the Village was founded because of need for roads. We need to consider a 1/2 % transportation tax to maintain our roads.

Chamber of Commerce- Mary Chafe – volunteers at the C o C building – have lots of people coming in and asking where to fish, where to eat, information on Indian Point.

Trail Report-Brett Stump – Have a new trustee – Tim Stout –would you be able to take over?

Greg Fier – we need a real estate tax and a transportation tax.

Old Business

New Village Attorney trying to make a decision between two attorneys. Barb had called him late in the afternoon and left a message. The call had not been returned yet. Barb would call and do an email vote. Larry made a motion that when we find out the dollars we do an email vote on the floor. Tim seconded. Discussion? All in favor? Ayes unanimous. Barb going to call the trustees and get the votes.

Mayden Lane – chip and seal. Last time we voted to do it, but just to make it official we vote to accept the low bid. Greg – so moved. Tim seconded. Discussion? Larry voted "NO". The others voted Aye. Voice vote – Larry –no; Dave Canaday – yes; Tim – abstain; Greg – yes; Dave R – yes. Three ayes – the ayes have it. It's been four years since we promised Kim Cook that we would chip and seal the road.

New Business – fill appointments tabled until .

next Tuesday, Aug 18. 2009

(a) Setting Up Housing Authority (Discussion & Select Chairperson)

(b) Seat on BPW –

(c) Seat as Chairman for Water Board

(d) Board of Adjustments

Approval of accounts payable – Barb presented the payroll and accounts payable for checks written since the last meeting. They were approved by unanimous vote of the trustees. BPW paid the check refused last meeting. Boyd asked what became of \$1,020 donation for the new community building.

Tuesday Aug 18, 2009, 7 pm – special meeting include Map Lane, ord for Golf Cart, Brush cutting, Police and Safety, appointments for empty board seats, financial about paying for Map Lane and Mayden Lane. Need Lawyer to approve these (not sure what these were). If we make our decision on a lawyer, he may be able to review them ahead of time. Dave Rawson invited anyone who would like to serve on one of the boards, please let us know.

Bert Leman reported on TCED. The tax district and the city of Branson (about \$10 million) that the tax board administers all those funds by a contract with the Branson CDV – hired just like if you would hire someone to develop a marketing program and approved by the board. It includes TV ads, clip ads, trade shows, sports shows, and magazine ads. Per the Lakes properties, the State of MO has a matching grant program. Stone County is eligible for \$200,000. Only about 1.5 million goes for administrative, the rest of it goes to marketing.

ICPPEMA – Auxiliary to support the Police and Emergency Management Auxiliary. If you want a job done, give them the ideas and turn them loose.

Comments from the floor. Jan spoke against having Hansen's tree service.

Boyd – asked about \$1,020 donation from Mike Kugler. Barb is going to find it.

Jennie Muscove and Fred Noel talked about Map Lane and the medical needs for a good road.

Betty – Quilt made long time ago to put up in new building with a picture of the women while quilting it.

Jim – asked about sirens and emergency grants. Brent Armstrong – MO didn't get any grant money in Missouri from NOAH.

Larry – need to look into annexing Hwy 76, from 76 Indian Point to 265, Crow's Nest – just the roads. Dave wants to annex roads from where Branson West ends at the fire station, and the others to protect ourselves.

ADJOURNMENT- Greg Fier made a motion to adjourn at 9:10 pm. Dave Rawson seconded. Meeting adjourned.

Larry moved, Dave seconded to reopen the meeting to approve the Hartzel plat. Dave – at P & Z meeting we approved the plat with the agreement that the Trustee's approve it tonight. Dave Rawson entertained a motion to approve the Charlie's Place subdivision. Larry made a motion to approve Charlie's Place subdivision. Tim seconded. All in favor "aye". Unanimous. Approved.

Dave Canaday motioned to adjourn. Tim seconded. Meeting adjourned.