

**Board of Trustees Meeting
September 8, 2009 at 7:10 P.M.
Marina Inn Convention Center**

Trustees attending – Dave Rawson, Chair; Tim Stout, Vice Chair; Dave Canaday – Sec/Treasurer; Larry Stenzel

Staff attending – Barb Morin, Village Clerk; Brent Armstrong, Police Chief; Jeff Lofton, Police Officer

PUBLIC COMMENTS FROM THE FLOOR.

Comments were expressed about deer population and how to control it. Jan wanted to know why the public wasn't receiving the financials. Boyd Hamilton asked where Hunter's Friend's donation was deposited. Barb located it and account for it. Dave Rawson opened the meeting for everyone to express their questions. Someone asked about the "72 questions addressed to the BPW". Bill – what is going to have to be cut out of the budget? Please let us know. Mike Kugler – talked about his proposal to make the extra room in the new community center a welcome center room where everyone can have their brochures for a fee of \$50 per month. Someone suggested people listen to Greg Fier for fund raising ideas. Kevin McCoy – is this the new format of the meeting? This is different. Or is this the public forum, or will this be the only time the public can comment, or will there be more time at the end of the meeting. In the past we've done it, the public comment section at the beginning which was odd, and then one at the end. Is this going to be the new format? Dave R – we're doing it now. Kevin – this is it? Dave R – that way it can help us make hopefully better decisions during the meeting. If you have comments – make them now. I'm extending it so you can do that. Ordinarily we only allow 10 min. but we are going on because ... for a little while anyway. Kevin – I would like to hear from you about the conversation we had on the phone about resolving BPW issues, about coming to Jesus meeting if you will, with all parties involved, and sitting down like adults at a table and trying to resolve many issues – 72 questions, shut off procedures, all these issues have complicated into today. When can we sit down and do that? We continually ask this question. You, yourself gave me assurances that once this project was finished, which I argued constantly that this wouldn't matter; once that project was operational that you were going to possibly abolish the BPW at some point. Those were your words. Do away with it. And maybe reassemble it differently. There were some options that you had – some ideas to get at. To date I have heard nothing. Now I understand that you are attorneyless. We spoke a week ago almost, you said Kevin, when I get off the phone, I will get right on it. I hope you did that with all the trustees. I have heard nothing back from you or any of the trustees on the proposed meeting date. I know I met Mr. Stout on our street about this issue and Mr. Canaday – they were both very willing to have a meeting, is what I gathered, I could be misreading that though. Neither one of them said no to me. Thought it might be in the best interest – I know Mr. Stenzel said it multiple times. Greg rarely says anything. I am wondering where you stand and what's keeping you the village of Indian Point, the users of Jakes Creek Sewer Project and the Board Of Public Works sitting down at a table to resolve, like adults and trying to move forward. We talk about good people, we talk about happiness, singing kumbia – I'm all for it, but we are going to have to get to those points, we are going to have to resolve, you can't float along and hope it gets in the rear view mirror

and that's what's I think this issue has done for you personally and some of the board members because it was ... operate. Where are we on that? Is that meeting an absolute no? Are the trustees aren't willing to help negotiate like they have in the past like land owner disputes. They have held group trustee meetings with P & Z and the Village trustees and the members involved. That's all I'm asking. It's very similar type of setting to try to get to the bottom of these issues. There are several issues where the BPW, I hoped may be discovered tonight, but at this point, I have been busy, I have been to a couple of meetings hoping to solve all my problems but I seriously doubt it. The shut offs I had to deal with the past week with law enforcement and coming on people's property and trespassing, without certified letters and whatnot, and other issues. Where are you on that? Where are the other trustees on that? Dave R - okay - are you done. Tim Stout - what I said the other night is "if there are legitimate problems on Jake's Creek Trail (their sentiments are the same) that we would do anything in our power to try to have a meeting and air those out. I have contacted several people since then. Everybody that has contacted April at the Village office with a problem is either tried to address the problem, or it has been addressed. I'm still for a meeting but if we are going to have a meeting and there are going to be accusations, us breaking the law, and corrupt the law, and this kind of.... If you got a problem with that - get yourself an attorney. I'm not going to sit and have you call me unjust, crooked and all these other things. If you have legitimate problems with the sewer project, even though I'm a trustee and I can't do anything about it. I will do what I can, in combination with the BPW to try to heal issues that anybody that has, if they are legitimate issues. As far as all this other crap that is being thrown out there I'm not going to be a party to that. Kevin - I know, I hear you, you are new and you don't have the background, and if you were gone from most of the meetings like you told us as a BPW member, you were gone for months at a time, weren't full aware of what was going on, I can fully understand how it might be crap to you. I never ever think I called you unjust or crooked. I said there are some issues that need to be looked at. I also told you on multiple occasions, I also told Mr. Canaday that (did you tell me to shut up Greg)so if you are frustrated by having a conversation with a taxpayer with a true issue in my neighborhood as a trustee, I'm sorry, unfortunately that's you guy's job to stand and face us and deal with us. If you don't want to deal with us, I suggest you resign your post, and allow someone who chooses to and let's move forward. I've never raised my voice to you. I've never called you crooked. I've constantly asked for months for meetings with you. Mr. Stenzel can confirm this. Mr. Canaday can confirm this. 16.00 Tim - I just got through telling you that I was all for a meeting if we have problems that need to be addressed, but this other crap that you are talking about, we can't talk about it even if we wanted to. Kevin - I prefer not to call it crap, it's pretty important stuff to us up there - so let's refer to it as issues. Tim - okay, I'm sorry, for all these issues that you say you have up there ... if you have all these issues, even if we wanted to talk about this we're not legally - we can't talk about it. Anybody who threatens to sue the Village we can't talk to them. What was said - I will repeat it in front of everybody - let me ...about it. I'll talk about it, I'm not hiding behind anything, I show up at the meetings, my point is "We're to a point as residents, some users on Jake's Creek and we are going to be forced to get legal representation. A group of us does not want to do that. The statement I said was, at the end of the day the only people that win is the attorney's involved cause they got some good paychecks. Now the rest of us may end up with a judgment, we might win, we might get a little bit. That's what I said that day verbatim(15.34). I never said I'm threatening you. I said My point was, is I am offering, just as you guys as trustees, the olive branch if you will, to sit down at a table and discuss this stuff, and work it out as adults, as good people of Indian Point, as neighbors and friends because my point was, and I think you understood it, if you are forced to deal with it legally, and we are forced to deal with it legally, we can't

have these discussions. It goes to a different round. That's my point. But if the trustees only position are, what I hear so far, your positions are obviously you're not willing to deal with it. You want it to go to that next level, and spend some dollars on it legally, that's your choice. Tim – I don't want to but you're not giving us any choice. Kent -I've been to every meeting I possibly could. Tim – Let me ask you this. If you went to a meeting right now, what do you plan to accomplish? You're going to go in there, like in the past, you are going to go in there and accuse these people of all these wrongdoings and all this other stuff like this, so even if this were so, even if it is or not, even if it were so, then what are you going to do. We as trustees, we can't do nothing about that. Kevin – actually you can, you... Tim – No we can't. Kevin – you are the overseer of the Public Works, you are the last stop on the chain. Our tax dollars fund the BPW, and have for years. You are the overseer that's all I said. Paul, correct me if I'm wrong - The trustees have no legal right to Or instruct the BPW within limits. They have their own statutes, I understand, the statute of ... I understand. But we are talking about regulatory on paying bills, on how they operate, how they bill their customer's, who has the final say. Paul – Obviously, it's Mr. McCoy isn't it? I would have to look at it more thoroughly, there are statutes of the BPW. They were formed as part of this Jake's Creek project. DNR is part of that whole process as well. They have their own authority, as this Village has some authority over some of the purse strings over that entity. As far as the true interplay as to who has authority for x vs who has authority for y I would be happy to look into that as far as if somebody has a specific question, like in this instance who has the final authority, I'd be happy to look at that. As I sit here right now, I can't say globally who has a say over what. 20.03 Dave Rawson – Kevin – that is why I wanted this opened up here now because there is so much stuff going around. You have trustees up here that honestly really care. Kevin – I hear you. Dave Rawson – Believe it or not we really do care. If we could solve some things, we've been really trying. We have been told that there is not one issue that has been brought to BPW via April, like Tim said that hasn't been addressed. Give us one thing that hasn't been and we will address it right now. What is one of the questions that need to be answered? Kevin – There was an issue with the chair of BPW of using dollars for legal representation for council for a personal issue. Dave R – that's getting pretty heavy. Kevin – yeah that's pretty heavy – you're 150% informed, and has been confirmed evidence wise. You sir. That's one issue. There are several. How about the BPW operating with two members illegally during the entire month of Aug when they don't have a 3rd member to make a quorum, how are they conducting business, how are they paying bills? 21.20 Dave Rawson – Can you hold just a second? Gerry, let Gerry say something. Gerry – I don't very often speak up, but I really really would like to see a meeting where all this could be discussed. I have no idea what these issues are, but I know I have one and it's simply that, when I go up to pay my bill. I ask why I am paying so much for one person. (I can't remember her name) April really doesn't know some of the answers to this. So this is one of the things that could be discussed at this meeting that would be beneficial to all of us on Jakes Creek. I'm sure there are others. I have only read part of the 2004 rules and regulations, let's put it this way, I have only understood part of it, and I would like to understand more of it, and this kind of a meeting, I would really like to see happen. 22.50 Paul – Could I ask something really quick? Out of pure ignorance, this being my first meeting, you all are well invested in Jake's Creek – it is my understanding that BPW has meetings, not trustee meeting. They have open meetings that people can attend. I have heard that, I have not been to any of their meetings, that no one ever attends their meetings and so it would seem, as my first meeting I have ever been to, if you have questions of the BPW, you should go to a BPW meeting and ask them. Kevin – I think Paul that you have an excellent point. I have been to those meetings in the past – they are at 2 o'clock in the afternoon. Anybody that works for a living – that's a hard one to

make. We have asked on multiple occasions to have the meeting moved to a different; they don't seem interested in that. I understand, they probably don't want to interface with the attorney. The attorney is in Virginia, or to interface with a contractor. I can see where special meetings might be held. Most public meetings are held in the evening where people can attend. This group constantly shows, due to their verbal statements at the meetings, their written statements, their emails, I got several copies of that they don't want the public involved, they don't want to hear from the public, and if you do vote - I'm not the only one saying this - and when you do ask a question, you are verbally put off.

1. Dave Rawson - call the meeting to order - Kevin, may I interrupt. We need to get our meeting started and I'll make, let's do it like this, we're not official yet, so let's get our meeting started so we are official. 24.42 I will personally see that we bring this up to this group and if the majority wants to have that meeting, we'll set that meeting. Rest assured, remember this, if we do have that meeting you may be just speaking to us as interested concerned trustees without any responsibilities to make some changes. Kevin - can I hold you to that this time, because this is the fourth or fifth time you have guaranteed me that. Dave Rawson - Larry when I officially call the meeting, would you move that we have that meeting, to discuss it. Larry - I have a comment on Gerry's comment. She said she has read part of the ordinances. When we sit down with all these people, I recommend that we have all the ordinances from BPW and we go through them verbatim if we have to. Make these people understand what they were getting into. If they have any questions, they can be answered in those ordinances. Kevin - do you think BPW would be ready for that meeting? Dave - Kevin we have to get this meeting started. I want to get this started before... Here's what we are going to do, and I'm going to stop it now. We gotta get into our meeting, let's get our official meeting started; Larry at some point would you bring up that motion. Would you all stand for the National Pledge. 25.57 Jim - Point of order - if ... I guess you can you do it this way, but, and I would ask council, wouldn't it be best interest for the Village that comments from the floor section happens after the meeting. Dave - we're going to do it this way, we are going to do it at the first of the meeting because it helps us out because it is our prerogative. Kevin - that's not the way they do it in Branson. Dave Rawson - I'm sorry but this is the way we are going to do it, at least now. Someone - who has the authority for that.

2. Paul Link was introduced as Village Attorney -

3. Census Bureau Report from Christopher Welch - didn't show up

4. Approval of Minutes from August Village Meeting - no one had read them - postponed until next time

5. Treasurer's Report-August financials not complete yet. From what was seen and heard, they are going to be favorable and I will get them to you when they are available. I don't have my formal trustee's report. Meeting before last I was asked to research funding sources for use in repairing our roads and rights of way, and some of the more critical issues that we have. Last meeting there was a controversy that came up - whether we could use general funds for roads or not. With regards to our general funds - original 1989 ordinance which established the general funds sales tax of 1%, looked at previous meeting minutes and reviewed how previous trustees have treated general funds with regards to roads, and obtained a clarification from MML. Unless council disagrees, the trustees have lots of authorization to use general funds to use for roads. Capital funds - copies of the original 1/2% sales tax ordinance and ballots. The ordinance language differed from the ballot. If the ordinance prevails capital funds can be used for the generic category of roads, with nothing else specified. In 1996, had another election for the sales tax to use it only for sewer and wastewater. Because of technical errors, that election was made void, and the Village has reverted to the original use of the capital funds. Subject to council approval, we can use capital

funds for roads. I have documents attached. I have copies of the records. I will ask to have these attached to the records to be part of the record of the meeting.

COMMITTEE REPORTS

- A. Village Office Task Force—Jim Adams, Boyd Hamilton, Carol Kurtz – New building right at front door of the Village. Concrete slab has been poured and the foundation is done, the framing has been done, all the trusses are up ready to put on the roof. Received from the fire dept today a certificate states that we have to have a permit. On schedule, and the metal will be here Oct 2. Earthtones are the colors – environmental compatible. Electrician can't do anything until the bldg is dried in. In the original bid of \$291000 there was no well or sewage holding tank, but will still be well within budget, when we finish this. Mr. Stenzel had a question on the well. All the bids were around \$10,000 except Lefty whose bid was \$8,500. Bldg recommends the Lefty drilling bid be accepted. Depth will be 485. Casing – standard 34.40 residential casing. \$5 per foot to drill, \$10 a foot for 84 feet of casing. Dave Rawson – You want us to award the bid to Lefty's Drilling. Any discussion? Larry motioned that Lefty's bid be accepted. Dave Rawson seconded and asked for any discussion. Call for a vote. David Canaday – I think we need to establish a framework – ordinance, resolution, whatever; to give the committee some freedom to work so they don't have to come to the trustee's for every little thing. I think we need to give them authority for the committee to do their work up to a set amount. Police dept can spend up to \$500 without trustee approval. Larry would like to make that \$1000, as long as they stay within budget. Dave Rawson – have a motion on the board to award the bid to Lefty – motion and a second – all those in favor – Larry voted nay, Greg Fier – aye, Tim Stout – aye, Dave Rawson – aye and David Canaday – aye. Another motion to give the building committee authority to spend up to \$1000 without board approval. Legal recommends that the trustees draw up an ordinance to address the need for trustee approval. Paul – for the future draw up an ordinance for memorialization the authority to spend up to \$1000 so that 6 months from now if you are wondering what authority there is. Larry – really there is no budget, we have bonds for \$318000, but they really don't have a budget. So we can't take it out of the budget. Dave Rawson - Discussion – have our attorney create an ordinance to cover in the future that this is the vote that is on the board – not to exceed the money in the bank. Call for a vote – all those in favor – Ayes – unanimous. Boyd – the only thing we have and we don't know what the ruling is going to be. Should we use concrete or poly. Dave Rawson – if you follow the plans, it says it can be concrete or plastic as long as it meets the specifications indicated in the engineering report. Boyd – and the holding tank. It could be concrete. Carol had some prices on holding tanks. Would like to get the holding tank in when after the well and as they are doing the plumbing, we would like to get the holding tank in while the people to do it are there. Dave – is it going to be over \$1000. Boyd – no right at \$1000. He wanted to find out concrete vs poly. Bert – either one is acceptable as long as you follow the specs. Boyd – we got a bill for \$1500, who is responsible for that? BPW? Bert – no you have to have that. Dave Rawson – we will have to figure that out later.

Larry - Mike Kugler gave us a letter last month in regards to different people on the point to make some money for the new building. I would like to make a motion that the extra room in front of the building be made into a Welcome Center for all businesses for the point. Any business that has business on the point can have a brochure in there, or whatever. Dave Rawson – is there a second. Dave Canaday seconded. Dave Rawson – so what you are saying is that anybody, any business on the point would be able to put their brochures in there. Is there going to be a cost involved? Larry –Mike do you want to explain that. Mike Kugler – Yeah, what we are looking at is a flat rate. It is an inclusive center, it involves 42.25 anybody. It's not just for the Chamber of Commerce (C OF C), it's for all business on the point. Initial proposals are we are going to have brochures on display - \$50 a slot to put your display or brochures up there. All businesses are welcome to advertise. Additionally we are going to set up, if this should pass, I have businesses that have committed to assisting – working on fundraising for money to be donated towards the building, if you want to call it the principle, to help pay it off soon, raise money for operating expenses. That would commence immediately, as soon as we get a vote from the trustees. Guaranteed this would be an open inclusive welcome center. Larry - Where would the \$50 go? Mike – it would be determined by the trustees. Our goal here is to go where there is all community, all businesses, getting

much needed revenue through donations and brochure fee. If you pass this tonight, I will then ask for authority to set up a committee where the money is collected from painted bricks, etc. Collected by this committee and the money would be escrowed to be used later on by the community. Dave Rawson – Maintenance of that room would be handled by who? Mike – we haven't got that far yet. Dave Rawson – that is an issue. Someone would have to keep the racks filled up. People would be coming and going. Larry – businesses would keep their own racks filled up. Mike – we are just looking for assurances that it would be open to all businesses. It's a welcome center, inclusive. We get past that point and then we will go into the other part about who's cleaning and taking care of... Doug Battaglia and I had a nice talk today and we are excited about jumping into this. We want very clear assurances that it is a welcome center. Dave Canaday – What about staff? Who would staff the center. Mike – at this time what we are envisioning is like a rest area. When you pull in a rest area, you normally walk in there for rest rooms and stuff and you see where they have brochures along the walls, and displays of a map to show you where you are, something that is very self intuitive for the customers, but additionally we talked about having a map legend like you see in malls, with an Indian Point Map. 45.45 Mike – we haven't jumped too far ahead because we want to find out where we are, where the board stands on this. Later, when we do have authority to go on with this we will look to a plasma covered box, we may have a large oversize scale, a sheet metal layout of Indian Point, with LED lights telling where resorts are, condos restaurants, everything. Dave – this would be strictly done as a committee of the Village, not some other enterprise. Historically the issue is, there would be people coming and going, and there would be people asking for restrooms at visitor's centers, so we probably need to consider those things. Tim – I know what you were showing me, but basically you want to keep the chamber out of the building? Mike, right – chamber members can be included, but it's not to be a function of the chamber. Tim – I understand that there are some people who are upset with the chamber, or don't particularly like what the chamber is doing, and I understand the direction that you are coming from, my thought on this is – the chamber is a nationally recognized – every city, everywhere you go, when you want information you go to the chamber of commerce. My thought on this is, like I said I know some people don't like the direction the chamber is going in, and some of the people of the people on it, but if you've got this much support for this, why don't you guys get involved with the chamber and make it the way you think it needs; do you understand what I'm trying to say. We have the chamber of commerce at Indian Point that is trying to help the people (or the businesses) on Indian Point. Right there is more brochures up there than people that is interested in them. Mike – Tim when I originally brought this up, it was not my intention to debate this, but my point is – I went to Doug Battaglia, I respect his opinion paramount to almost anyone here on the point, and Still Waters is not a member of the chamber, but if I was to schedule an event, that would be the first person I would talk to. The fact that the Village Community Center is going to be paid for by all the people through taxes, not just the businesses or the chamber, it seems fair that it be all inclusive center and it's their prerogative not to be members of the chamber. Tim – I understand that, but is there a possibility that you could work this out to where In my opinion you got a lady up there who does a super job. Mike – they would still be there. Tim – What I'm getting at is, why can't we incorporate her as well as you in this deal. Mike – Because the people that I've asked to help me with the fund raising and so forth are not interested if it's the chamber. The chamber is not excluded from this. This is not for 19 businesses exclusively, this is for 50 businesses inclusively. Boyd – I traveled all over the country – I have never seen a Chamber of Commerce in a government building. Paul – some issues everybody should think of is the legal issues of "slip and fall" . Who is going to be the person on the liability insurance. There is going to be people going in there, and any time you invite the public there is a potential for a "slip and fall" or any other claim. Are you looking for the Village to be the the tenant? Mike – We would get an insurance policy, we are not going to take a Larry – take it out of the \$50. Paul – another issue you might think about is that is going to be an all inclusive – anybody can put their stuff in there; there might not be here today but six months 2 years from now – what if a business opens up here that is unseemly then what do you do about keeping that brochure out? I'm just bringing up issues that may come up. Dave Rawson – Mike I think Paul is bringing up some points, and I think everyone here would agree that the building is for everyone here on this point, and if one business is allowed in there, all businesses should be. Paul has brought up some issues. I don't think we know enough to make a good decision, we need to know about staffing, insurance, liability, before we can make a decision. Larry - \$2500 a month, you don't think we can afford the insurance? Dave Rawson – that is not the point, you say that anybody who wants in there can pay \$50 a month to put their brochures in there, what about people who can't afford it. Mike – we will work on it, this isn't an exclusive, this is an inclusive Dave Rawson – We need more BPL. Mike – if it's chamber involved Doug's not in it. If Doug's not in it, I'm not in it. That's not meant as a threat. The reality of it is I'm willing to give volunteer time here, I'm not holding a 1/2% collection over your head. Volunteers go and collect donations for the community center. I have a proven track record of donating to this building \$1,020. I gave it a long time ago before we even

broke ground or anything. Until we get to the point that the assurances of the board of trustees – Doug’s not in. I have been asked by the building committee – Boyd, Jim, Carol – to get busy with fundraising and organize a team. B is waiting on A. A goes then b goes, it’s sequential. Three quarters of the trustees all are on wait. It’s a team member, all inclusive. Larry – I can’t hear, but like he said A is waiting on B, or B is waiting on A. If you want to start raising funds, we have to get off our butts and do something. They are ready to do this. If we sit down and approve this tonight – it’s going to be a welcome center – that’s all we’re asking, is for it to be a welcome center. Sit down and get a committee, then sit down and work out who’s going to man it, who is going to pay for the insurance, who is going to do this. There may be some of that \$2500 that’s going to be going towards insurance, going towards a part time person, that might also help in the office. We know we need more help in the office. Something like that. You know we are waiting. We just keep putting stuff off and off and off. He brought up two different points. 2 months ago Dave Canaday asked for a special meeting to raise funds because of our finances. We have yet to see a meeting. What about that special meeting? We have yet to see a meeting. We’ve got to start doing something, or we are going to go broke. Dave R – Well make a motion. Larry – I had a motion – it’s on the table, and seconded. We are waiting for a vote. Dave Rawson - Dave Canaday – my concern is that our people be protected. My concern is that people in the office – Barbara or Brent or people working in the office be interrupted by people who might want to know a good place to eat, or want to know if they can park there to go to Silver Dollar City. I want to protect our own people. Is that something we can do? Mike – yes. This is one of the things that will need to be worked out. To be honest with you, I think at the end of the day, Doug has these same ideas that we are going to put in a big time welcome center of Indian Point and there will be a staff, but the area is for the public, so there shouldn’t be through traffic coming over there to the Village office. There is a separate entrance way, walled off from the Village office. If people come in there to get quick information, see what they want, can grab it and be on their way. Greg, Doug, Brenton - they want to do these kind of things. (Mike talked on) Dave Rawson – OK, we have a motion on the table, can I have a second. Dave Canaday – can I make a suggestion – could we change the motion to approve this subject to the details being worked out with Mike’s committee. Greg Fier – I think we should lay it over until next month. Dave Rawson – Mike who did you want on your committee? Mike – Boyd has already been drafted -I think we can build a committee with Carol, Jim and Boyd – we can’t make the decision until the board. Mike I trust them with the ...I will just turn it over to them. Also have Jim Daily, Brenton Tucker, Greg ... Doug Battaglia, I have more people not written down. Dave Rawson – so if we make the amendment to the motion, is that acceptable to you? Larry – if we keep putting them off, it is just going to mess them up. Tourist season is over, if we don’t get something going quickly, so it can be going for next season, we will be sitting here again without a welcome center. Dave Rawson – okay the motion is to make it a true welcome center where everyone will be welcome in it for a fee. The amendment was. Dave Canaday – it was a suggestion – vote on it. If it passes, it is subject to working out the details with the cre... Dave Rawson – Call for a vote – All in favor – aye – unanimous. It passed. 1:00.00 I think it would be great if the chamber and all the other businesses could work together in one room. Dave Rawson – I think it will end up that way, we just have to work on it. Couldn’t hear a lot of what was said because of the rain. Carol handed out the first bill for the new building. Dave said the trustees would have to look the financial papers over. Dave asked if Carol needed approval, she replied no, FYI.

- B. Roads-Brendon Tucker (1) Map Lane - backed up by the rain. Wouldn’t be able to start on it for 2 weeks. There would be a way in and out even if it were one way. Brenton Tucker, Brent Armstrong, and Bob Cary put up signs at 4 different places, and cleaned out 2 culverts. Larry – at Table rock circle there are 3 or 4 signs that say 30 mph; do we just want to take those down? Is that what we are going to do. Brent – we just didn’t have time today. Didn’t have the machinery. Brenton said they would fix Jake’s Creek and Almond another day.
- C. Birch Lane – Larry would make a motion to vacate Birch Lane as per agreement – all three parties have come to an agreement. Mr. Anderson, Mr. Trobrish, and Still Waters are all here to sign. Still Waters attorney had the agreement ready to sign. Tim Stout – seconded. We are in discussion. All agreed to sign the document as long as the wording was the same as the email. Still Waters – it’s identical. Dave Rawson – Is it short? Mr. Anderson why don’t you read it. Larry – while he reads that you want to go on ahead to the police. Paul – he is shaking his head that it’s okay. Vote – All in favor – aye – unanimous. Done deal, we’ll vacate that, it’s never been used anyway.

- D. Police & Emergency Mngt - Charlie Neubert was not present. Larry – we have an ordinance that has been on the table I don't know how many months – about the golf carts. Again, the whole summer went through without the golf cart ordinance being approved. Brent – it's not ready because we need to amend it for the business aspect. Dave – you need to get that done before we vote on it. Can you get it done by ...Why don't you get the amendment in right, so what we are approving or disproving is correct. Brent – need to amend it – if you are using it for work related use. Dave – why don't you get that completed and get copies to us so we can look at it. I should have it in the morning. Larry – we have a chairman on the police committee that is illegal. We have an ordinance and we've never changed the ordinance. We haven't approved the ordinance change, and MR Neubert hasn't been here, to any of the meetings. What are we going to do with this ordinance. We have had one P & E meeting since April. We don't know what is happening with the sirens, we have had no meetings on that, no committee has met. We also need another member on the police board. Brett Stump said he would still volunteer be on the board. We need to approve the appointment. Dave – Paul, Larry was saying he questions the legality of Charlie being the chairman and that they haven't had any meetings. Paul – I want to know why Larry is challenging Charlie as chair. Larry- Because we have an ordinance that says he can't. Paul – that ordinance has been amended. Larry – No it has not. The ordinance has never been approved. Paul – why don't the trustees approve it tonight? Charlie is a good man. Larry – we have to be legal, don't we Paul? Paul hasn't seen the ordinance. Paul said he could look at a copy of the new ordinance.
- E. Police Chief Remarks – put up new stop signs. 25 unless posted and a 40 mph posted. 25 in residential neighborhoods. Awarded a grant for \$5741 Local Law Enforcement Block Grant Recovery Act through Jagg– it will buy us three radios, a Radio and car cable.
- F. Board of Public Works-Bert Lehman – read a report that can be put in the file. BPW has two open seats for the BPW board. Board of Public Works regular meeting was scheduled for Sep 2, was canceled and the Sep meeting was postponed until later. All residences currently connected to the Jake's Creek Trail system are fully functional and operating. Temporary sewer line installed in Map Lane has been completed and is serving two properties. An additional line has been run to two properties currently under construction. BPW will consider next projects after new appointments to the board. Meetings will be held for input as to possible areas to sewer. Properties that have a special interest to being added to the system should call the BPW. Village water study is currently at a standstill. Most of the engineering is completed and is waiting for the water committee to report. The committee is without a chairperson to make this happen. The BPW is soliciting a person to appoint to this position. Persons interested in volunteering for this position should contact BPW. As always all persons are invited to attend the BPW monthly meetings and the BPW would be happy to entertain questions from the attendees. The next monthly meeting will be posted when the next meeting date is set. Bert would like the people to consider two people to appoint to the board – Jim Chafe and Diane Cary. Dave Rawson – Gerry what was your question. Gerry that we make sure everyone has copies of the rules and regulations. As we go down the list, we can have explanations so we can understand them. When it comes to paying a certain amount a month, everyone is paying the same whether there is 1 or 4. What is fair? When she asked April, she said they had to go through a year and then they averaged out the year and then they know what you used. If meter hasn't been read through the year, how are you going to average it out? Read that they are going to average it out during Jan, Feb and Mar. Do you even have the equipment to read the meters? Bert – User charge ordinance is on the internet and is available in the office for the asking. Everyone is paying a flat fee for the first year. Different rates for seasonal, full time, then commercial. DNR has requirements to be met. Larry wanted to recommend. Larry wanted to see paperwork from the DNR showing that they set the rates. Larry – why did two homeowners receive registered letters and others didn't. Legally not required to send registered letters, but did on a couple. Larry brought up an ordinance from Zurich. Bert – legal opinion was that it had no effect on our situation. On Map Lane – why did the trustees not have to approve that trunk? Bert – we did it through the BPW. Larry – it is my understanding that all contracts, according to your ordinance, have to be approved through the board. Bert – our attorney advised otherwise. I would suggest you

talk to Mr. Link or Mrs. Deitzman and find out what their opinion was. Larry - In regards to that, I make a motion to remove Bert Leman from the BPW according to bill 76 ord 03-14 under section – Mr. Link would you look at it and see if it is legal? Vacancies on the BPW shall be reported to the chairperson of the board of trustees, and will be filled as original appointments. The appointment shall be made for only the unexpired portion of that term. Qualifications of members – the members of BPW shall be electorss of the Village who have resided therein for the period of 2 years before their appointment. Not more than two members shall belong to the same political party and it's administration, shall in all respects be entirely nonpartisan, no member shall hold any other office either by appointment or election. Mr Leman is on the TCED board. At that time as member of official board and any member of the BPW who shall accept the nomination or appointment for any other office, during his official term shall be deemed thereby to have resigned as a member of the board and shall be vacated. For 2 years he has been serving on the board illegally . Greg – They are referring to other positions in the village. Larry – they are saying any other office. Paul – I hate to do this but, I would need to research this. There has got to be a definition in another ordinance, or around this, or in the BPW statutes that define what the other offices are, whether they are elected offices in entities such as the Village of Indian Point, or if it would include quasi government offices such as TCED. Larry – I think it says any other office. Paul – I know what this says, but when you read statutes or ordinances, you read them collectively as the grouping of statutes or ordinances for that particular entity. I would agree with you on it's face that if all you looked at was this ordinance and evaluate it. Larry – Okay. Paul – I don't know whether it would be in state statutes or other ordinances that went along with. Would you say that being in Chamber of Commerce would be a part of Indian Point? Paul I wouldn't say the Chamber of Commerce of Indian Point is a governmental entity. Larry – it doesn't say governmental. Paul – generally speaking, when these kinds of things are written, it's dealing with elected officials like statewide offices is generally what they mean. When you see these ordinances, for instance if you are the director of public works, typically you can't accept an appointment to a statewide DNR position while you are director of Public Works, cause there might be a conflict of interest is generally why those things are put into state law and then brought down into local ordinances. I would agree with you that just looking at the face of it when it says any other office you would say any other office. I do not know without researching it, if this is brought down verbatim from a state statute, and then there is another state statute that defines, often time in statutes there is definition of the elected offices. Sometimes there is a case law, where someone has filed a lawsuit where there is a court of appeals that has written an opinion saying this is what constitutes other offices. I can say, on the face of this document this says any other offices. I can't say that definitively say that any other offices have been defined. Larry – okay we have a motion on the table. Dave – is there a second? Dave Canaday- I think legal needs time to review. Larry – I understand. Dave Rawson – Paul is coming into this kind of cold. Paul – even if I'd been here a year I would still say I would need to look at it. When we are talking about removing, I would like to know ... do some checking on it. Dave Rawson – How about if we postpone it? Larry – can we postpone it to the special meeting? Paul – if we have a special meeting in a few days, let me know, and I will have a definitive opinion on that. Dave – At least within a couple weeks. Larry –I remove the motion. Back to Police and Emergency – Paul reviewed it, and doesn't see anything wrong with it, so I make the motion to accept bill 144 Ord 09-06. Paul – I did look at it, and all it is doing to the one on the books is saying the chairman has to be a member of the trustees – the only change that is being made is that the chairman of the P & E board DOES NOT have a member of the trustees. Dave Rawson – So we are changing it so it doesn't have to be a member of the trustees. Larry – does this have to be read? Paul – at least read it by title before you vote on it, and the second time at the end of the meeting. Larry read Bill 144 Ord 09-6 An ordinance established for the Police and Safety advisory committee of the Village of Indian Point, Missouri. Dave Rawson – what this would do is change the ordinance so that you don't have to be a trustee to be chairman of the committee. I think the police board should meet every month. We will have to read that again tonight – Larry will you be sure to do that. Saw a truck backed up to the siren, are they fixing it. Brent Armstrong 1:30.34 said the siren repair man said it might be a chain system and that would be a simple fix. Point of order - Kevin – this is going to be the opportunity to ask questions of the BPW chair. Dave Rawson – no no not from the floor. Kevin this is the opportunity to address the BPW chair on all the little Dave Rawson No, no, I'm sorry, I gotta move on,

save it for a special meeting. Kevin – why is it good for some and not for others? I'm confused here. Dave Rawson - I have given you so much time Kevin. Kevin – No, this is the opportunity to interface with.... I came here today, cause I work during the day and I have a couple specific questions, I'd love to know the answers. Dave R – Why don't you wait to see if we have a special meeting. Kevin – I have requested to speak, and you denied me chair... Larry – If you do it for one, you have to do it for the rest. You have to be fair. The longer we argue about it the longer it's going to take. Dave – can you do it in two minutes so we can go ahead with the meeting? Kevin – I can do it as long as it takes. Dave – I'm not going to hold up the rest of the meeting for you. Kevin – I am going to take the rest of the meeting - I want the answers. Dave – Let's hold off right now. If I have some time later I will. Kevin – well – chair – how can I get.... I've tried the legal way and I can't get on the agenda, and you don't follow policy. I've followed policy before, and you don't have the official meetings. Then you take questions as the meeting progresses from the crowd. Kevin – I take affront at that, I have been picking everybody that raises their hand. Kevin – I bet everyone here would agree that that is what has gone on here. Dave – Kevin – I'm going to have to ask you to sit down because we are going to go on with our meeting. I care very much, but we are going to go on with our meeting. Sit down Kevin, please. Kevin – mr. mccooy if you don't mind, mr mccooy if you don't mind... you seem to call everybody else that. Dave – how about this – McCoy sit down, please. Kevin – Mr. McCoy would be nice. At what point, sir? How am I going to be able to address the board and Mr. Leman with my work schedule since I can't ... Dave Rawson – you know I tried to accommodate you, Kevin – you have not, sir; I know you like to say that out loud for everyone in the audience Dave – That's it. Either sit down or leave! One of the two. - Brent – if he keeps on you will have to escort him out. Point of order sir, Roberts rules of order – point of order. It's a public meeting – speak up. Kevin – I know your this and you are trying to make a point and I know what you are up to, but I'm not going to let you disrupt one more meeting of mine, any more than you already have. Just trying to be part of thepublic process. Dave Rawson - Brent – I'm sorry, (to Kevin) you will have to leave. Kevin - Formal request Dave Rawson – I tried to work with you, but you have it on camera. Kevin – Formal request – how can I do that to get my questions answered, because this man chooses not to answer my questions. Dave – You came to disrupt the meeting – you are winning. Kevin – I'm not raising my voice, I don't want to disrupt. I have questions I want answered. Larry – Mr. Chairperson, all night long you started out the meeting , just try to understand this, I know you want to get the meeting done. Dave – That was before the start of the meeting, I allowed public comments. All night long you have let different people stand up throughout the meeting, he has a question he wants to ask the Chairman of BPW, that's all he wants to do. Dave – Do you know what that question is? You as a trustee have the right? Larry – No I Don't. I don't know what the question is, but he has a right to ask a questions. Dave – No, not from the floor. Trustees do, but not from the floor. Larry – You let others ask questions. Barb – shouldn't he ask it in a BPW meeting? Dave – Yeah.

- G.
- H. Tim would you give us a report on trails.
- I.
- J. Larry – when are we going to have a BPW meeting? Let's set a date right now. Dave – make a motion. Larry – I make a motion with the trustees, BPW and Jake's Creek trail people in the next two weeks. Dave Canaday seconded. Discussion. Kevin and Jim - Thanks Dave
- K. Dave Rawson – You gotta realize you are not helping your cause; Kevin you have never helped your cause with this board by causing a disturbance. Kevin – you haven't helped me out since April – you promised me phone calls and everything else. Dave – don't make up things. Larry – We are in discussion right now. Dave – We are in discussion. Be still Kevin...If he says anymore Brent – take him out. Larry – as to discussion – it's got to be in the next two weeks, so we have to make a decision right now. Does anybody have a calendar? Dave – we haven't voted yet to see if we are going to have the meeting. We have a motion to have a meeting and we have a second. We have discussion and we need a date. (have an attorney there too) Dave –any other discussion; call for a vote. All in favor, for having a meeting that would cover the BPW issue. All those in favor. Larry – All three – BPW, Jake's Creek and the trustees. I make a motion then. Dave – For discussion – I'm not sure that we can ; Paul you will need to study that – are we even in a position to We can invite BPW; Bert would you be willing to be part of that. Bert – I have suffered enough abuse, I don't think I need any more. All those in favor – Dave Canaday aye; Larry aye; Greg Fier – opposed; Tim abstained.

Larry made a second motion the meeting be held Sep 22, 2009. Tues. night at 7 pm. Will this be open to everybody? yes. Paul is that okay with you. Larry – is there a second? Dave I'll set the date for it. Second. Bring all your questions. You bring it then and we'll answer every question and we will go on all night if we have to. Kevin - I just want the same treatment as other citizens. Dave – you have been. Kevin – no I haven't been. Larry – one more thing – there were 72 questions turned in - does the office have a copy of that? Barb – not that I know of. I would not know where they are. Larry – Does BPW have a copy. Brent – I have a copy. Larry – I have a question of the chairperson of BPW. Do they have a copy of the 72 questions that these people are referring to? Dave - somebody must have a copy. Larry – they were turned into BPW. Mine were only 5 questions. Brent – I'm sure we have a copy in the office, I will just have to find it. Dave – old business.

L.

M. Greg – I nominate Tim Stout to the P & Z board. Dave -Brent – would you please calm there down? We just can't continue with them carrying on. Second? Larry – second. Discussion. All those in favor aye - Dave Rawson – aye; Tim Stout – abstained; Dave Canaday – aye; Larry Stenzel – aye; Greg Fier – nay.

N.

O. Greg – I make a motion for the board of Public Works for Jim Chafe and Diane Cary. Dave, is there a second. Tim – I second. Larry –I also think we need to vote on that before you make the other. Greg – the only nomination that has to come from the board. Larry – No, no you do not, that's not the way the ordinance reads – read it to him Paul! Chairman of the board of trustees originally appoint BPW members. Paul – the chair of the board made the original 1:44.14appointments and so the ordinance says vacancies are filled in like manner as the original. If an appointment is for a person with an unexpired term, may be appointed only for the remainder of that unexpired term. Larry motioned to recommend 2 more people. Bert said in the past he made recommendations to the chair and the chair appointed them and the board confirmed the appointments. Dave Rawson wanted to table the decision. Larry says BPW can't operate legally. The BPW attorney said the BPW can't stop day to day operations. Dave Rawson put Diane and Jim up for appointment and called for a vote by the board. Motion, seconded, discussion. Kevin McCoy interrupted again. Dave Rawson – I think we are going to table this. Jim laughed loudly. Larry – can we put that in the agenda for the special meeting? We need to fill those positions. I personally don't understand how they can be paying bills right now. They can't approve accounts payable legally. Daily & McCoy made some more ruckus. Dave – Brent, he is attempting to get thrown out for the camera and I'm going to ask you to do it, if he says one more word. Without even a question. Larry – right now they can't operate, they can't even approve their checkbook – accounts payable. Don't you have to vote on accounts payable? Answer me! Greg – Mr Chairman – the motion has been made and seconded – let's vote on it. Larry – he tabled it. Dave – I'll vote for the special meeting. Bert – BPW is operating on it's own okay with it's staff. The fact that we have a short board at this point, again the attorney advised us that we cannot stop the BPW processes, if you have the administrative procedures in place, you have to pay your bills, you have to follow the bonds as they mature. The fact that you have a short board has nothing whatsoever to do with the day to day operation. The only thing we are precluded from doing is adopting policy, making reg decisions. As far as the BPW operating the short board has no effect on that. It needs to be filled as soon as possible, but you cannot not pay your bills. Dave – so I am going to back off on tabling it, so if what I understand Paul – Bert – you can make your appointments tonight and you can call for the boards approval. Dave – I understand. So you recommend Diane Cary and Jim Chafe. I will put them up for appointment and call for a vote by the board. Larry – Do I get to nominate the other two? There is a motion on the floor to elect Diane Cary and Jim Chafe. There was a second. Yeah – Tim seconded it. Discussion? Dave Canaday why- I have an opinion. So far Our BPW has been dominated by business owners. I would prefer to see a balance on the BPW with an equal number of non business owners. Greg – Jim Chafe is not a business owner. Larry – Diane Cary is. Dave – any other discussion? Call for a vote – Dave Canaday – nay; Larry Stenzel – nay; Tim Stout – aye; Greg Fier – aye. Greg Fier – you got two and two, you get to break the tie. Kevin laughed. Dave Rawson – alright Kevin you've laughed at me for the last time. I vote Aye. Greg asked if Dave voted I. Dave R – yeah it's a done deal. Jim Chafe and Diane Cary are the new BPW board members.

Approval of accounts payable – Dave Canaday– I haven't seen the accounts payable. Larry – asked to get a copy of the accounts payable to know what is being paid. Also can we get a copy of the agenda sooner than today? I understand there was a problem today, but this has been going on. We need to be kept informed. I knew nothing about Mr. Anderson being on the road committee. I knew nothing about the trustee. Dave – is Mr. Anderson on the road committee? Larry – Anderson and Battaglia's being settled between the three of them. As being on the road committee I would have known; we need to be kept informed. A simple email Doug Battaglia sent out is going to keep us informed of this. We need to be careful about what is going on in the Village. Barb – doesn't the road chairman let you know? Larry – Did you email that to him? I didn't see anything that went to him. Barb – I just thought you all knew. it hasn't been a trustee issue, it has been between the three people. Larry – As being on the road committee, we have a trustee issue is, and we have to vacate a road, we should have known that before tonight's meeting. Barb - Didn't you move to vacate last month? Larry – no we did not. They had to settle between the three of them first. Barb – you did motion last meeting. Larry – I heard nothing since last meeting. I knew nothing about it, except for my callDave – okay – Paul. Larry – also there is an email about salt for the roads. Did you get the email for Harry Cooper from Barb in regards to Harry Cooper in regards to salt. Brenton – No, but I haven't checked my email. Larry – email from Barb – John Worthy from Harry Cooper stopped by today and left a card – we got this today. Brenton – we checked today and we have about 1 1/2 pallets of salt. Larry – the price of the salt is changing by the 30th and we need to decide how to spend this money now, because it's going up by Sep the 15th and we need to order it tonight. Dave Rawson – Well then you need to have a special road meeting to recommend what we do. Barb – I just got the information today just before I sent it to you. Dave - Brenton would you mind taking a look at that and letting us know what you recommend, and we can hope to deal with that before the 15th. 1:52.20

Reappointment of Bert Leman to the tax board - Greg fier you made the motion that he was – Bert this is a four year term? – 3 year term. The current term is up the end of this month. Tim seconded it. Discussion? Larry – I think he pretty much answered his own thing – he said he has taken enough abuse from people from the Village. Greg – Did the chair acknowledge you. Larry – yes he did. Dave – Greg – please. Larry – Pay attention sir! He said it himself, he said he's had enough abuse. I know he is representing the Village, I don't think he is representing all of us. (Point of order sir) With everything that has been happening on Jake's Creek, he is representing a lot of businesses in regards to the tax committee. Dave – Paul – Is there any legal stipulation – do you need to look that over, cause there have been some things. McCoy – He is illegal as chairperson of the BPW and now you are going to reappoint him as tax board to represent Indian Point. Jim – can't be done. Paul – This is the same issue we talked of earlier. I said we'd look at it when we have that special meeting. If It looks like serving on TCED would cause, Mr. Leman not to be on the BPW, then the reappointment of him tonight would make it where he would have to be off the BPW if I find that in two weeks. Dave – you mean you need to study it before the next meeting. Paul – that would be the risk Mr. Leman would be willing to take if he got reappointed to the tax board tonight it looks like that ordinance would keep him from being on the BPW, because of holding dual offices, because by getting on the tax board tonight would basically be off the BPW at the special meeting in two weeks. Bert – said he would take the risk. Dave – by voting tonight it would muddy the waters. Paul – if Bert we voted to the tax board tonight, and in two weeks I find he can't be on both boards, he would have to resign the BPW. Dave - asked Bert, what would your choice be. Bert - I could go either way, it's fine with me – I'll take whatever risk there is. I'm comfortable with it. Call for a vote – Greg Fier – yes; Tim Stout – aye; Dave Canaday didn't hear so Dave Rawson explained that if Bert was appointed in for TCED tonight and Paul found he couldn't hold 2 positions at the same time, Bert would have to choose which to resign from. Paul – if the law would be he couldn't serve on both – he couldn't serve on both. Dave Rawson – I hate to do something without the law being clear. If we held for two weeks so Paul can make this clearer, would that be good or bad. Bert said he was treasurer on the tax board. Dave Rawson – but your term isn't up until the end of the month. Paul – may I ask Mr. Leman – on this tax board – is it set up to where you remain on board until your successor is appointed, or are you off at the end of the month if you aren't reappointed. Bert – if this board can't make a decision, that board can. Paul – if you were turned out at the end of the month without the Village board appointing someone, the TCED board could appoint anyone to replace you. Bunch of low talk – can't understand. Bert – TCED has alderman from Branson on the board. Jim – BPW made the ordinance – not us. They made their own ordinance. Dave Canaday – so what are we voting on? Dave Rawson – the vote is on whether or not to reappoint Bert on the TCED. Dave Canaday – I don't know anything about TCED, general opinion Unelected appointed officials need to have some turnover at some point. Dave Rawson – I would like to know what the legal thing is. Tim – It really doesn't make any difference one way or the other. Dave – It does, it could make a lot of difference. Tim – he said he doesn't care. He feels like he researched it, and he feels like he doesn't care. He feels he knows

his answer and he is willing to take the risk. 2:01:00 So what's the vote, to vote up or down, or to table the vote awaiting legal opinion? Larry - the motion on the table is to approve him to the tax board. There has been 3 votes - I voted nay, Greg voted aye, and Tim voted aye. So it's up to you guys to vote, it's gotta go through, you can't change the motion now, can you? Paul - it needs to be voted, unless the seconded is removed and the person who made the motion wants to change the motion. Greg - No I don't, let's vote, come on. Dave I don't know enough about the issues or the background for that position to vote no, so I'll vote yes. Tim do you abstain. Dave R would you allow Dave C time to study it. Larry - you have to ask these two guys - not me. You have to ask these guys, they made the motion, not me. Tim - are you wanting to abstain for your purposes or for this legal matter. Dave C - If I abstain it will be through ignorance of the issue. Tim - They are saying you want us to take our motion back. Dave C wanted to table it for awhile so he could study it. Tim would have to take his second back. Dave C would like for legal to study it, but that is not the issue. Tim - If he is not worried about the legal issue, I don't see why we should be. Jim & Kevin - laughter. Tim - no - the outcome. You guys - this ain't a cheering section back there, we'd like to have some guys that act like adults. If you are not going to act like adults, I for one, would like you gone. Jim & Kevin - we are acting like adults sir. Paul - If Mr. Leman's term would end at the end of the month and the TCED can appoint anyone they want to, it could potentially be other than an Indian Point person. You may want to consider that if this is the only chance you have to appoint someone before his term expires. Dave R - we are going to have a special meeting on the 22nd. That's going to be for the Jake's Creek people only. Dave - we will be meeting and we could make a decision by then. Greg - the real issue is - we need a representative from Indian Point on that tax board, otherwise it will all be Branson people. There are issues that he's in charge of that can't really - this needs to be taken care of. Dave Canaday - Bert's the only candidate for the job. Greg - That's right - he's qualified. Kevin - here is another candidate ready to serve. It's up to the two Dave's. Dave Canaday abstained. Dave Rawson - we have a meeting on the 22nd.)Paul - if you don't want to finish the vote today, you need to take the 2nd back and take the motion back cause right now you have a vote on the floor. Greg - I'm not taking my motion back. I want it voted on tonight. Tim I'm not taking my 2nd back. Larry - vote no and it's tied and then we can wait til we can get legal counsel

. Dave - this is an issue that needs to be pinned down. I want to know the legal things so we can do it. Larry - all you have to do is vote no. Paul - If you vote no it doesn't pass. Then it will have to be brought back on the agenda again. Barb - if it's on the agenda the 22nd, will you have time to appoint somebody before TCED appoints somebody else? Dave Rawson - I'm going to vote nay. Any comments from the trustees?

Greg motioned that we adjourn. Dave C said we can't because we need to approve the accounts payable.

Dave Canaday - All the ap I can locate here. Barb has a question about and I have no clue what it is for. There's a request from BPW for payment of \$12,000 for attorney fees, Barb - this was brought up at the last meeting and the trustees wanted more info about the bill- date of service and details about the bill. April wrote down dates for phone conference for trustees, early bill to trustees. Larry - Mr. Chairman - it is my understanding that the counsel has to give a statement of what everything is for. Have we ever seen it? What that \$10,000 is for. I have seen that statement if it's for what I think it is for, we all agreed that at that time, for in a meeting year, I called Mr. Leman, you told me to go call him. He was supposed to come down with all the bills, that needed to be paid with our accountant to come down and pay. He came there with a letter from his lawyer saying that "we're keeping them from doing business." If that is what it's for, he made those bills himself, as far as I'm concerned. Dave - you as treasurer, how about we find them and give you a set? My motion tonight, with the exception of these two items, Barbara should pass it around and see if anyone recognizes it, with those two exceptions, I motion to approve the accounts payable. Larry seconded. Discussion? All in favor "aye" - Unanimous.

Greg - I motion we adjourn. Tim seconded. Meeting adjourned 9:15 pm. 2:11:00