

Village of Indian Point

Trustees Meeting Minutes

Tuesday November 9, 2010 @7p.m.

Indian Point Municipal Center 957 Indian Point Rd

Members present; Jim Daily –chair, Bill Turner – vice chair, Dave Canaday, Carole Kurtz, Tim Stout

absent –Attorney Diana Breazele

Called meeting to order at 7:00 p.m. with the pledge of allegiance

Approval of Agenda for Nov. 9, 2010 motion by Tim second by Dave, motion carried

Approval of minutes Oct 12, 2010 Meeting, motion by Dave, seconded by Carole, motion carried with 1 abstention

Approval of minutes Nov 3, 2010 Budget Meeting motion by Dave second by Tim, motion carried

Dave discussed that the BPW 54,000 budgeted in 2010, was not showing up on the performance sheets.

Treasurer's report for October given by Donna Kustron. It will be filed for audit.

Committee Reports

Planning and Zoning- Greg Maycock - to grant a Zoning Compliance permit to David Counts to build a vacation home.

A motion by Bill, second by Tim to grant a Zoning Compliance permit.

To grant a Zoning Compliance to Diane Carey moved for increased porches and 9 additional bathrooms on her Cottages. Motion by Bill, second by Tim, to grant a Zoning Compliance Permit, motion carried.

It was noted by Greg that the DNR not the BPW had jurisdiction on this project as it is a commercial Property with tanks 3,000 gallons or more.

Boyd Hamilton asked who was doing code enforcement. He wants to hear the tape of the meeting where he resigned. Tim moved to do away with the code enforcement position. No second, motion died.

Roads- Larry Stenzel– Larry as per the meeting of the Road Commission at Thursday's afternoon meeting presented 3 bids for Salt for this coming winter. A motion by Dave, seconded by Bill to purchase the salt from Harry Cooper, motion carried.

We discussed the **Dogwood Trail issue**. The ditch is washing out. Greg Maycock said that the culvert needed to be replaced or enlarged on the opposite side of the road, or any improvements will only wash out. There was a lot of discussion about that area of the road. Greg stated that the culvert by the Ingales home only had a 12" culvert and the culvert by the McGregor's during a heavy rain, has all the runoff from Hillside subdivision draining into that culvert. Because their driveway kept getting washed out, he paved his driveway. Now during heavy rains, the water jumps the road, and runs into the ditch on the opposite side of the road. The road committee will look into the culverts opposite Greg Maycock's business and decide a plan of action to correct the problem. Greg volunteered to meet the committee at the site to show what is happening. Greg said

he would repair the ditch and under the road where it is washing out, once the problem across the road is remedied.

Becky Tucker wanted to discuss the **Jakes Creek and Meadows Lane** intersections. The traffic in this area has increased dramatically. People are not stopping before proceeding. There have been several near accident situations. Becky presented a survey of the traffic patterns that was done, and it described the future problems the Village might face as traffic increased, especially tourist traffic, who are not familiar with the area. She came up with a solution that we could post a sign showing the curve in the road, with a street intersecting. A lot of ideas came from this talk, everything from adding two more stop signs on Jakes Creek Trail at that intersection, adding painted lines on the road, or adding a rumble strips on all three sides of the roadway. It was decided to put up 3-way stop signs and use Metal posts, with white stripes on the road. We would need orange flags, as these would be new signs; if the stripes on the road are not successful, they could add rumble strips at a later time. It was moved by Dave, seconded by Bill to add the signs, striping on the road, and flags. Motion carried

Police & Emergency Management – The grant has been submitted, we should hear sometime in December. It sounds like lots of people applied for grants.

Board of Public Works – Shelia discussed the meeting held with the DNR. She has spoken with Charlic Zitnic and Doug, the financial part of the DNR. She shared that to get another \$100,000 in bonds, that selling on the open market; we could expect to pay bondholders about 6%. If we sold them through the DNR, we could expect more like 2% for bondholders. She has the necessary steps to close out the existing bond money, which includes an independent audit for 2009 and 2010, and the current state audit would not suffice. An independent audit was a requirement to sell the bonds to the state. The engineer is working on the necessary documentation for procedures required as was discussed in the Budget Meeting. According to the Ordinance 1-57, the Village was supposed to set aside 11,880 per year from Nov 30, 2005 for this system. Greg stated that the Village was to pay out the seed money, engineering fees, and legal fees, and the BPW was supposed to pay that seed money back to the Village, with the bond proceeds, so it would be available for starting the next project. That has not happened. Once the system was in place, the Village was supposed to pay the BPW 11,880 each year to repay the debt; Shelia also stated that the Village was supposed to get a prorated portion of the Capital Sales Tax. Greg said the BPW portion of that Sales Tax was a % based on the population at that time, to reduce the user charges. Shelia also seemed to remember that the BPW was to get all the Sales Tax funds, and a 2nd time they were supposed to get a percentage to set aside for their current portion. She said the Ordinance was passed, but never certified. Dave felt the Capital monies were to pay for Waste and other Capital Improvements, but did not include road maintenance. In reading over the ordinance, it states Capital funds are to pay for BPW, other capital expenses, initial paving of roads, and maintenance of these expenditures, and the retirement of bonds. Shelia said that they had not been setting aside the funds for the retirement of the Bonds. Jim said he felt the Village has met or exceeded the \$12,000 per year, because not only have we committed the \$12,000, we have also taken over the payment of the tanks and the SRF loan. We have paid YTD about 63,000, so added to the \$12,000, we have subsidized the BPW \$75,000 this year, solely for BPW and Jakes Creek Trail project. The committed percentage of the Sales Tax came about when they were proposing a system for the entire Village. The bonds sale were approved, but never issued. Bonds were approved for \$4,000,000, and we have used only about \$750,000. Trustees expressed concern that if we can meet our debt now, how will we cover another \$100,000 in debt. It will take a lot more cash. Jim stated that we will have to go out for loans, i.e. Bonds, i.e. loans; we are still well within our means. If we don't get approved for Bonds, then we have no choice but to go out for loans. At the DNR meeting, they seemed to believe that we could work this out. Shelia felt that the bonds for the repairs would sell a lot better if they could show that the Capital Sales Tax was devoted entirely for the BPW. The BPW was to create the user fees to have the system pay for itself. Shelia stated that they do not have as many users as they estimated. Greg said they should have done projected cost vs. the actual cost of the system and a projected user fee based on the number of users vs. the actual number of users on the system. Jim said

according to his discussion with Charlie Zitnik that if the \$100,000 would take care of the problem, they could take care of it. The Engineer print shows a duplex pumping system, but it was not built that way. Shelia said we did not create the problem with the system, but we are the ones that have to correct the problems. Crown View was supposed to pay cash when the system was installed. Shelia said they did pay. The problem is that the fees were set up based on the duplex system, and that is not what they have. The audit information that Shelia has, contains certain items that have to be audited. The trustees felt that the Village paid 7,000 for an independent audit, and now are paying between \$20,000 and \$30,000 for the state audit. Bill asked why the engineer could not give a total cost for the correction of the system. Shelia said the DNR has the plans, but need to approve them, and if the DNR makes changes, then the engineer must make the changes, which will change the total cost. Cindy LaPage said the DNR should be finished with its review in the next few weeks. A few folks are not paying. The tanks are a big question. The BPW is going back to late penalties, and going back to shut off for non-payment. Jim said that all the vendors have been paid for the installation of the project, but the tanks were never finished. If we let these people get away with not completing the work as it was designed, then we will have the same problems on future projects, over and over. Some tanks have been installed, but never hooked up to the system. The ones we don't know about not being hooked up to the system, are the ones we need to worry about. Dave asked if they thought about giving the Seasonal income folks any kind of break. Greg said the fees are set on usage for the entire year, and spread over 12 months, so in the summer when tourist season is high, the user will pay less than the usage, and during the off season, they will be paying more than their usage. Total project was told to be 1.3 million, whereas the total we paid was 1.8 million. Jim said we want to help the BPW get through the process of fixing the problem. Shelia said they can't continue to use capital money to pay for the unit; it needs to come from user fees. Until we have some solid numbers, anything on the budget is just a Guesstimation. Jim said that Greg Cole's pump went out. It is only 5 or 6 months old. Brent is going to go there tomorrow. Greg Maycock said that if we don't take care of ourselves, others will take care of it for us. We need to have our own jurisdiction. The BPW and the P&Z were established to protect us from others telling us what is best for our community. Shelia was worried about changing banks in the middle of this. She was told that realistically they won't be going out for bids until after the first of the year.

Transportation Report-- No report

Trail update- Tim reported that there is one issue on road easement on Bradford property. We might have to go to Galena to research it. Tim has a timeline and it appears that it will be after the first of the year, before we can put the project for Phase I out for bid. We need 4 or 5 approvals yet. It is going slow, but moving ahead. We have a preliminary drawing for Phase II

Recycle Report- Betty Fier –Betty asked if they could use a PO from the Village, so purchases would be tax exempt. She had to have a can opener repaired. She paid sales tax on it, but it did not amount very much. A motion was made to give Betty a copy of our tax exempt certificate, by Bill, seconded by Dave, motion carried. Betty also said their old picnic table is about to bite the dust. She asked if anyone wanted to donate or build a picnic table. Jim and Tim were going to build a picnic table out of treated lumber, but they have not done it yet. She also said their Beatification funds will be transferred to the Landscaping fund when the new board is installed. There is about \$7,000 in the fund. Recycling is important, please notice she left a couple of gifts for each trustee. Betty also represented the Village recently. There were several grants given out... The Point did not apply this year.

First reading of Ordinance 10-04. It appears that this is not the newest version of this ordinance, so we will get the correct copy and post it for 30 days.

First reading of Ordinance 10-05 Bill 151 – Ordinance establishing an Economic Development Committee. Roll Call Vote.... All unanimous.

Special Reports –.

IP-PEMA- Rhonda Stout. They have \$954.25 in their funds. She talked about the popcorn and candy they have been selling was intended to bring folks earlier to the Trustee Meetings. The Chairman is the only one coming early. They are going to quit offering the popcorn and candy at this time. If people start coming earlier, they will start again. They are still thinking about fund raisers like a Village wide Garage Sale, in conjunction with other Village events. They are open to suggestions. Bill commented that the pop machine always seems to be out of change. Rhonda will check it in the morning.

Welcome Center LLC Fundraising Report- Carole reported that they sold 1 brick and about 14 t-Shirts. All bricks that were sold have arrived.

Old Business

Municipal Court ordinance- It was decided to have a public meeting. Open meeting an hour before the next Trustee meeting in December was discussed. We can't enforce the bills or can't create rules and enforce them. Are the rules correct? It was later decided to plan an open meeting December 13, 2010 at 6:00. Some discussion followed as to how to get notice to the public about the meeting for a Municipal Court. The newsletter and Internet site were discussed. We could get information about the Court and the Budget included in a Smoke Signals newsletter.

Banking-The bids have arrived. It was moved by Dave, seconded by Carole that we go with Table Rock Community Bank as the Village Bank. Shelia stated that the BPW needs its own access to on-line banking. She expressed concern that it would be a lot further do make deposits. It was pointed out that it was only 3 miles further, 6 miles round trip. She was concerned about being covered in case of accident, when using a private vehicle for Village or BPW business. She talked about the BPW getting their own tax ID#, so they could take care of their own. It was pointed out that the BPW is a division of the Village of Indian Point, so a different tax ID would not be allowed.

BPW wanted a sales tax Ordinance, so a portion of the funds would go to the BPW. Shelia did not know how we would get loan approval or bond approval without an Audit for 2009 and 2010.

The budget has already been approved, but there was some discussion, so Carole made a motion to approve the budget for 2011, seconded by Bill. Motion carried.

New Business

Second Reading Ordinance 10-05 Bill #151. Roll Call Vote was unanimous, motion carried.

Jim Daily stated that the **Attorney letters** have gone out for bids for the 2011 year.

A register of **Accounts Payable** for checks issued were approved. Motion by Dave, seconded by Carole, motion carried.

Village Building -Jim Adams will fix the doors and he can be paid from remaining funds in Bank of Missouri.

Betty wants to get a **quilt frame** to display an historic quilt. She also reported the Bazaar was a success but the food was not a big seller.

Motion for adjournment. A motion by Dave, seconded by Bill.

9:15 pm