

VILLAGE OF KINCAID
115 CENTRAL AVE. KINCAID, IL. 62540
TIME- 6:00 P.M.
MONDAY, AUGUST 14, 2023
REGULAR MEETING MINUTES

The meeting was brought to order by Mayor Robert Morris.

Roll call was taken by the clerk, Stephanie Brown. Gibson- here, Paso- on phone, Lawrence- here, Warren- here, Dees- here, Nelson- here.

The pledge of Allegiance was recited by all who attended the meeting.

- Approval of minutes for July's meetings- motion was made by Trustee Warren to approve the minutes. A second motion was made by Trustee Lawrence. All Ayes.
- McGuire, Yuhas, Huffman & Buckley Associates to give report from the audit- The auditor's passed out to all the Trustee's, copies of the audit that was performed back in June. Buckley went over the audit and spoke about his recommendations as to what few things that needed to be changed in order to better the village in the upcoming year. He spoke about the fact that they needed a more detailed list of Ordinances for the last year and since this was not able to be produced at the time of the audit, they were unable to audit that part. He spoke about not being able to audit any park activities because these are outside of the village. He spoke about each of the funds with the village and how much has changed in the last year. He stated that the general fund was up prior to last year. Everything was pretty much stable in the general fund. Revenue was up 36 % and the expenses were down in the general fund. Motor fuel tax was down, which he stated was not a big thing right now with regards to the state of Illinois. The water/sewer funds were down but that is due to the expenditure that the village is now approving for the projects that are now taking place. Overall, the water was down about \$9,000 and the sewer was up 50 %. He spoke about the fact that he noticed that the village had raised the water rates, which does help with the funds and that they are going forth to keep up with it each year. He spoke about the projects that are coming up and looking into getting funding from the IEPA for help with these projects. He spoke about just keeping up with communications and making sure receipts are being given to the clerk/treasurer in making sure to keep track of everything. He then spoke about his recommendations, which were to make sure we are keeping track of things, especially with regards to missing documents from last year. He also stated that the mayor should be signing everything with regards to documents and warrants for payments. He spoke about making sure to keep track of all checks and balances with regards to receipts and getting those receipts to go along with the bills. He then spoke about possibly making 2 deposits a month, rather than just one deposit a month. He finally stated that moving forward with regards to the billing of the water, that every day if there is a deposit, it should always match what was put into the system for the same day and that everything should be in order. He also spoke about timecards and clocking in and clocking out when you are supposed to and that if a person forgot to do this, then it should be approved by a supervisor before being paid. He spoke about the Motor Fuel Tax with regards to an

expenditure statement that needed to be filled out for the previous year. This was not done, and the clerk had stated that this was something that she had never dealt with before and that there needed to be some training on this before going forth with it. The Treasurer, Beverly Merano spoke up and stated that in the past they had Larry Hoffman, who is with IDOT do the expenditure statements and that he would be coming out next week to go over these documents with us and possibly taking it over. Buckley stated that these are only his recommendations for the village.

- Ron Legner, with Chastain & Associates to speak about loan agreement and 2 notice of awards- Ron Legner spoke up about the agreement from the contractor on the sewer system project. He handed out a document to everyone to look at while he went over the loan agreement. He stated that the state had sent a proposed loan agreement for the village to look over. It shows the bids regarding the pipeline and where we could cut some costs regarding the loan. The verdict of the bid was over the original amount. The loan agreement shows \$731,000 for the verdict contract and \$363,934.50 for the repair construction on the pipelining. The total of the project cost would be \$1.24 million but there are some costs that would be cut out of this total. There would be 30% forgiveness of the loan amount. The interest on the loan amount is 1.36 percent on a 20-year loan. Ron asked the board for approval of the loan agreement and then the mayor would have to sign along with the 2 notices of awards. Trustee Nelson spoke up and stated that he thought the board should leave this out for the committee meeting before deciding. He also asked Ron about the timeline. Ron stated that the bids from the contractors would expire by the 30th of the month. Treasurer, Beverly Merano asked Ron, when he thought the project would be starting. Ron stated that he thought it would happen towards the end of the year. Ron stated that he would reach out to the contractors to see if he could get a more detailed schedule of when they would be starting. Beverly also asked when payment would have to start for the loan, whether it would be at the start of the project or when the project was completed. Ron stated that it would be after the completion of the project. A motion was made to move forward with the loan for the sewer project by Trustee Nelson. A second motion was made by Trustee Lawrence. All Ayes.

- VISITORS:

VISITORS- A PERSON SHALL BE PERMITTED AN OPPORTUNITY TO ADDRESS OFFICIALS UNDER THE RULES ESTABLISHED BY THE VILLAGE (3 MINUTES PER PERSON) 5ILCS 120/2.06g- Mayor Robert Morris spoke up first and stated that he did not want anyone to speak up unless it was their turn to talk during this time. Citizen Steve Brown spoke up and wanted to know how people could comment on things, if they don't get a chance to hear about what is being discussed first. Steve Brown spoke up and said that the board would talk about something and approve it first without letting the citizens of the community talk about the issues first. Steve just wanted to let everyone know it just wasn't fair to have the visitors portion before the meeting. Mayor Robert Morris stated that this was how he wanted things to go in the meeting.

Another Citizen by the name of John wanted to know what was going on with the bathrooms down at the park. Mayor Robert Morris spoke up and stated that this was going to be discussed.

Louis Selzer, who is a resident of the community and spoke up, stating that he did not think it was fair that the residents that come up to the meeting cannot voice their opinion about what the board is discussing because the visitor's portion is at the beginning and not at the end. He stated that they are the ones that sit there and listen to everything, and they are the ones that pay the taxes, so their voice should be heard. He stated that they should have a chance to respond to what is being discussed in the meetings. He stated that he wanted the board to take this matter into consideration, otherwise the board is basically kicking them out the door (in his words). The Mayor spoke up at this point and stated that we would change the visitor portion till after the meeting.

- Old Business

- Making changes to the employee handbook to reflect sexual harassment training once a year- Trustee, Sue Paso was on the phone but unfortunately had to get off. This was something that she was supposed to be present for. This will be tabled till the next meeting.

- Using a Ring Door Bell for the Village Hall front door- The clerk spoke up in regards to this matter and stated that she had brought this idea previously before the board about ordering one off of amazon. The one Ring Doorbell that she had investigated was for \$69.99. The clerk did state, that when she alone at the office, she will lock the front door and just let people in as they come to the office. Trustee Lawrence spoke up and asked the clerk how things were going while just locking the door. The clerk stated that things are ok at times, but then there have been a few instances where certain people have come in while other customers are being waited upon, and then that person would be asked to leave. Sometimes they would leave, and other times would ask for things from her. Trustee Nelson made a motion for the clerk to purchase the Ring Doorbell for the front door. A second motion was made by Trustee Gibson. All Ayes.

- Bids for the building at the park and fixing of the bathrooms- The clerk spoke up and stated that she did get a few bids for the building and for fixing the bathrooms. So, for the plumbing of the bathrooms, it was Jeff Durbin and his bid was \$2,364.57. Jeff gave a list of what the supplies would cost and an account for the labor costs. Mike Maras gave a bid for the pavilion at the park and his bid was \$4,710. Regarding the tree that still needs removed down at the park by the pavilion, Midland Tree Service gave an estimated bid of \$1500 for the removal. Foreman, Mark Wolfe had got an estimate from RP lumber for the supplies to replace the building and that estimate was \$4,150. Trustee Lawrence spoke up and explained to everyone about the fact that the storm damage to the building is what the board has been discussing about the past few times. Trustee Gibson wanted to know about the insurance company. The clerk spoke up and stated that the insurance company has already started the claim on the building, and they have copies of the estimates for everything. Trustee Nelson stated that we do not need to move forward with anything just yet until we hear back from the insurance company on the claim. It was talked about that the bathrooms were not part of the insurance claim. They are a totally separate deal altogether. With the Community club wanting to put on the Labor Day picnic, there was talk about getting the bathrooms fixed before that weekend. A motion was made by Trustee Nelson to go with the bid from Jeff Durbin on fixing

the bathrooms, just if they could be fixed before the Labor Day picnic. A second motion was made by Trustee Warren. All Ayes.

- New Business

- Hiring a cleaning company to clean the kitchen at the park- Trustee Nelson spoke and stated that he had a gentlemen that could clean the kitchen for \$150 total and that Nelson would donate his trustee money to pay for it. Trustee Lawrence spoke up regarding having this done too, especially with the picnic coming up. He stated that there should be a folder or some sort of checklist in the kitchen so that whoever is responsible for the kitchen would clean up after the event is over with. Trustee Nelson stated that this is why there was talk before about having them pay a deposit and rental fee for the kitchen, so that if it was cleaned then they would get their deposit back. Motion was made by Trustee Lawrence that Kip Nelson would donate his trustee money to have the park kitchen cleaned and that there would be a check off list available as well. A second motion was made by Trustee Warren. All Ayes.

- Payment to Dirt Riders for the village disbursing of limbs- Trustee Lawrence spoke up and stated that, anytime we have storms or damage to trees and things of that nature, that we also have a place down at dirt riders to dispose of these things. Dirt Riders allows us to do this free of charge, so Trustee Lawrence would like the village to give something back in return. Trustee Lawrence made a motion to give them a \$250 gift certificate for the family to go have a nice dinner somewhere. A second motion was made by Trustee Nelson. All Ayes.

- Payment for Chief Mathon's father for taking care of the K-9 dog- Trustee Nelson spoke up and wanted to know if we had an official number of how much to give him. There was discussion of how much Officer Merker was getting per day for the dog. Trustee Lawrence spoke up and stated that DJ's dad did not ask for anything and that he just offered to take care of the dog for now. It costs somewhere around \$28/day just to kennel the dog. The board discussed paying \$500 to DJ's father for the care of the dog. A motion was made by Trustee Nelson to pay DJ's father \$500 for the care of the K-9 dog. A second motion was made by Trustee Lawrence. All Ayes.

- Approval for concrete pad for the K-9- Trustee Lawrence wanted this to be on the agenda. He stated that last time they had to pour a pad for the K-9 when officer Merker had the dog. He stated that the pad was around 7X9 total, and they would have to pour the pad, wherever the dog would be going with the new officer. It would be around a few yards of concrete to pour. A motion was made by Trustee Lawrence to pre-approve the Kennel pad to be poured. A second motion was made by Trustee Nelson. All Ayes.

- Back-up generator for the Village Hall- Trustee Warren wanted this brought up as to something to think about. He did not want anyone to come up and give us any prices until he brought it before the board. He stated that we have been lucky the past couple times with the storms that have come through the town. He feels that it is imperative that the village have a back up system that allows us to do our job, just in case of any power outages. Estimates are always free of charge. Trustee Nelson spoke up and wanted to know how solar would come into

play with a back up generator. A motion was made to table this idea by Trustee Nelson. A second was made by Trustee Lawrence. All Ayes.

- Aerator system for the park pond- The clerk stated that she had quite a few different estimates for Aerator systems from different companies. There are a few that were quite expensive and it would just depend on what type of aerator system that the board wanted for the pond. Foreman, Mark Wolfe stated that both he and Trustee Lawrence spoke to a guy who quoted a price for around \$2,000 to put a system that would be underground. Trustee Lawrence stated that the guy he spoke with had stated that it would be an aeration system, that it would be snag proof and they would just need to dig a trench underneath. Trustee Lawrence stated that the reason this issue was brought up, was since a lot of the fish in the pond had died from the excessive heat that we have been having. He stated that this idea was brought up several years ago, but nothing was ever done about it. Trustee Gibson spoke up and stated that he personally does not feel that we need this type of system down at the pond. The purpose of having the aerator system would be to keep the pond clean, help with oxygen levels and keep the fish from dying off in excessive heat. Trustee Nelson spoke up and stated that he feels this is something we should investigate for the near future, in case this does happen again. A motion was made by Trustee Nelson to table this until the next meeting. A second motion was made by Trustee Lawrence. All Ayes.

- Signs for the park- Foreman, Mark Wolfe stated that they are wanting to put signs up with limits on fishing, especially with regards to Bass Fish. There are already signs down at Kincaid Lake and so Mark had stated that we could be the same signs, with the same information and style, around the pond area. He stated it would cost us around \$189.00. The size of the sign would be a 30 X 60 sign. Trustee Warren spoke up and stated that he would like to donate his trustee money to pay for the sign. A motion was made for Trustee Warren to pay for the sign out of his trustee money. Motion was made by Trustee Lawrence. A second motion was made by Trustee Nelson. All Ayes.

- Selling of property across from the park- Foreman Mark Wolfe handed out a copy of the map to each of the trustee's regarding the property. It used to be part of a mine at one time or another. So, the owners had stop paying the taxes on the property. He stated that the property went up for sale several weeks ago. He stated that he called about it and the village bought it for \$831. It is the lot that the bathrooms sit on right now. He stated that central avenue come through and split the lot up. He stated that the lot is split with Bechelli in the front part of her lot, so he spoke with her about possibly splitting the \$831 with the village when selling it. Mark wanted a motion to be made that she gets half of the cost. The village Attorney was on the phone at the time of this meeting and so they board was wanting to ask him a few questions with regards to this property, but then Mark Wolfe spoke up and stated just to table it for now. A motion was made to table this until the next meeting by Trustee Lawrence. A second motion was made by Trustee Dees. All Ayes.

- Fall Garage Sales- The clerk spoke up about this idea and stated that a few citizens of the community had reached out to the office and wanted to see if we could do fall garage sales.

The dates that they were looking into would be September 29th and 30th. The clerk stated that several people would like it put in the paper this time, but Trustee Nelson spoke up and stated that he liked the idea with the last garage sales, where the clerk made up flyers with every house listed on it. The previous clerk had put the garage sales in the paper, but there had been a small fee charged to each person that wanted their house listed in it. The clerk stated that she thought this would be something that people would not agree to, since they would be paying for the listing. A motion was made by Trustee Nelson to use the dates of September 29th and 30th to have the fall garage sales. A second motion was made by Trustee Gibson. All Ayes.

- VISITORS:

VISITORS- A PERSON SHALL BE PERMITTED AN OPPORTUNITY TO ADDRESS OFFICIALS UNDER THE RULES ESTABLISHED BY THE VILLAGE (3 MINUTES PER PERSON) 5ILCS 120/2.06g - A citizen by the name of John spoke up again with regards to the park bathrooms and wanted to know what the village was going to do with money that was donated and then he wanted to know if it went out for bid. The clerk spoke up and stated that it was not posted in the paper but however it was posted on the village page on Facebook, as well as, the village website. John stated that there are some people that cannot get online or have access to do so. He wanted to know if we were going to have the bathrooms inspected after the job was done or not. He just wanted to let us know that he was going to keep an eye on things, since he is a plumber.

Louis Selzer spoke up about certain projects that are beginning to happen with the village. He stated that he just wanted to make sure that the village is diligent in preventative wage with the state. Mayor Robert Morris spoke up and stated that we are doing that because it is a state law.

Another citizen spoke up in regards to the pond and he said how nice it is for the kids to be able to fish down there. He stated that he sees about 5 or 6 kids that are usually down there fishing. He asked if would be feasible for IDNR to stock the pond for us. He also asked the board if they would have problem if he donated some fish to stock the pond for the kids to fish in. The board did not have any problem with him donating fish to the pond. He thought it would be nice since there are so many kids that like to fish the pond. He also stated that he just wanted to make sure how much to donate, because he did not want to overstock the pond. The board thanked him for the nice gesture.

- Approval of bills- Motion was made for approval of bills by Trustee Gibson. A second motion was made by Trustee Lawrence. All Ayes.
- Zoning report- Trustee Lawrence spoke up and stated that he issued one building permit on a shed.
- Approval of Treasurer's report- Treasurer Beverly Merano spoke up and stated that we had received our first installment of property tax, which was \$53,000 that was in the general fund and she closed out the savings account and she put that money into the water fund. She stated that she would like to have monthly meetings with the finance committee. Trustee Lawrence spoke up and stated that they used to have these meetings with the finance committee and the police committee. There was discussion about having these meetings set up again soon. A

motion was made to approve the Treasurer's report by Trustee Nelson. A second motion was made by Trustee Dees. All Ayes.

- Clerk's report- the clerk spoke about how much had been collected overall from the purified water and the bulk water. She also spoke with regards to the credit card reader machine that was installed several weeks ago to the bulk water machine. Unfortunately, they are bringing us a new one that has the button on the side to add more money, so the consumer does not have to keep swiping their card every time. Trustee Nelson spoke up and wanted to know if we have implemented the new rate for the bulk water machine, but we have not yet, until we get the new card reader machine put on. The clerk also spoke up and stated that we are still waiting on an ethernet cord to come in for the set up of the card reader machine. She also talked about the fact that CTI is still a few months behind with install due to not being able to go under the railroad. Foreman Mark Wolfe spoke up and stated that the railroad is wanting to charge CTI \$10,000 for them to go underneath. He stated that there are around 8 crossings right now. The clerk also talked about the Midland Area Community Club and how each year they put on the Labor Day Picnic at the park. Brenda Brown, who helps with the Midland Club brought by the office a form for donation from the village to have our name posted on a banner up at the park. In years past, the village has donated \$100 to contribute to them and have the name posted. A motion was made to do the \$100 sponsorship to the Midland Area Community Club by Trustee Nelson. A second was made by Trustee Lawrence. All Ayes.

- Police report- Officer Hubbs stated that they had around 54 calls total for Kincaid.
- Foreman's report- Foreman Mark Wolfe stated that he handed out his report to all of the Trustees and Mayor. He stated that they did get 42 of the new meters put in. He stated that it is moving along smoothly, but they might have a few that will be difficult just because of the type that they are. Mayor Robert Morris spoke up and wanted to know about the training with the new software program for the meters. After 10 of the meters were put in, the Beacon software company did a testing on those meters to see how they would run. There will be training done in the office for the new software. The clerk stated that she has been in contact with Beacon and with ACS in regards to getting the testing done.
- Attorney's report- Attorney Jarad Rahar stated that technically it was not on the agenda to talk about pending litigations, so I would ask the village to set a closed session at one of the next meetings to talk about the Duran and Daum matter. A ruling was made and Rahar has not had a chance to look over everything but would like to speak to the village in regards to this matter at one of the next meetings. He stated that there would need to be a closed session meeting before September 11th to discuss what the village plan is after hearing the ruling from the judge on this case. He also spoke about the Shehadah case and that the judge had stated to Mr. Shehadah, good luck in appeals court, that the village and the attorney turned over the documents that they were supposed to. There is not any action currently, but just waiting to see what happens next.
- President's report and comments- no reports at this time.
- Trustee's report and comments- Trustee Nelson spoke up and stated that Jeff Clark from Pawnee had reached out to him and wanted to know if we had heard anything in regards to the power plant and it closing down. Nelson stated that this would be something that we would need to let the village know about because there would be so many semis and traffic coming

through town. He stated that he feels we need to get people's opinion on this matter, especially with the IEPA. This would not be starting till around 2027. Foreman Mark Wolfe spoke up and stated that he had heard that they would be going from the power plant out towards Waste Management. He said he heard it would be 80 loads a day, for ten years but he was not certain about that number. Trustee Nelson just wants the board to make sure we are making the village aware of what is to come. Mark stated that he was going to investigate this matter a little more. Trustee Lawrence stated that someone had reached out to him about zoning issues with regards to what is going with the power plant and them closing and such.

Trustee Lawrence spoke up and stated that first off, he would like to apologize to Alex Thompson. He wanted to apologize for what the mayor and the police had done with regards to hiring him on as an officer. Lawrence stated that on several occasions, Alex was told that he had the job and that in fact, at the last board meeting he was sitting in the office at the police station and that he was told, that he was 99% sure of getting the position. We were told that we did not pay near enough, but then it was asked of him, what was the magic number? It was the boards decision to up the pay and post a job within 24 hours after the fact, but Alex was still told that he had the job. Lawrence also stated that the clerk was told to take down the post. Lawrence stated that Alex told all these things to Lawrence's son, who Alex is friends with. After the special meeting in July, Alex was still told he would have the job, but then after the meeting was over with, Lawrence stated that Alex was told that he did not get the job because of Mike Lawrence. The Mayor reiterated that nothing was said like that to Alex. Trustee Lawrence asked what the vote was that night. It was stated that this was voted down that same night in regards to hiring him. The Mayor reiterated again that there was nothing that was said in the police office. Trustee Lawrence stated that we need to be consistent with what we are saying and doing with regards to hiring and paying people. Trustee Lawrence thanked the board for allowing him to speak.

A motion was made to go into closed session- Motion made by Trustee Lawrence. A second motion was made by Trustee Dees. All Ayes. The time was 7:22 p.m.

- Closed Session:

Meeting to consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees. 5ILCS 120/2(c)(1)

A motion was made to come out of closed session- Motion made by Trustee Nelson. A second motion was made by Trustee Warren. All Ayes. The time was 7:40 p.m.

- Hiring of new police officer- A motion was made to hiring Tyler Mahan for the new police officer position and also for working with the K-9. The pay will be \$25/hr for 40 hours a week. He will have to go through the K-9 training as well as getting his fingerprints done and background check. A motion was made to hire Tyler Mahan as the new police officer by Trustee Nelson. A second motion was made by Trustee Dees. All Ayes.

A motion was made to adjourn the meeting by Trustee Lawrence. A second motion was made by Trustee Warren. All Ayes.

The minutes were typed up by the Village Clerk

Stephanie Brown