

VILLAGE OF KINCAID
115 CENTRAL AVE. KINCAID, IL. 62540
TIME- 6:00 P.M.
TUESDAY, OCTOBER 10, 2023
REGULAR MEETING MINUTES

The meeting was brought to order by Mayor Robert Morris.

Roll call was taken by the Village Clerk, Stephanie Brown.

Gibson- here, Paso- here, Lawrence- here, Nelson- here.

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

- Approval of minutes from September's meeting- A motion was made to approve the minutes by Trustee Nelson. A second motion was made by Trustee Paso. All Ayes.

- New Business

- Possible Goose Hunting out at the Lake/Land Area- Foreman, Mark Wolfe had brought this up due to a Land Lease Owner wanting to know about goose hunting. He stated this is more of a liability issue, just because someone could get hurt, shot, or sewed. He stated that it would just be a blind draw, that anyone could just come here and goose hunt. Attorney Jared Rahar and spoke up stating that in Taylorville it goes for residents first in line, but if someone lives outside the city limits, then they would be pushed to the back of line for hunting purposes. Mark spoke up again and stated that this resident just wants to know if he can just goose hunt right out his back door. His house is about 50 yards from the lake. The resident leases the property that is very close to the water. He leases the land from the village that is close to the area of the Kincaid Lake. He is not in city limits, but he does lease the land from the village. There was talk that people already deer hunt out there on the property. The whole issue of this was in regards to liability reasons. There were questions whether or not the person was going to be hunting on land or on a boat. Attorney Jared Rahar stated that it is up to the board to make the decision. Trustee Lawrence spoke up and stated that right now we do not advertise that people can just go out and hunt on the properties, they just do it on their own. This is not a discussion of charging the people to hunt on the land. Mayor Robert Morris spoke up and stated that maybe we should have them sign a waiver just to protect ourselves. The waiver would need to state specifications as to just the lease owner and not open to the public. A motion was made to allow goose hunting on leased property by Trustee Paso. A second was made by Trustee Nelson. Gibson- No, Paso- Abstain, Lawrence- no, Nelson- yes.

- Passage of Annual Appropriation Ordinance- A motion was made by Trustee Nelson to accept the Ordinance. A second was made by Trustee Paso. All Ayes.

- Passage of Annual Tax Levy Ordinance- A motion was made by Trustee Nelson to accept the Ordinance. A second was made by Trustee Paso. All Ayes.

- Passage of Ordinance Determining the Amount of Money Estimated to be necessary to be Raised by Taxation- A motion was made by Trustee Nelson to accept this Ordinance. A second motion was made by Trustee Lawrence. All Ayes.

- Passage of Truth in Taxation Certificate of Compliance- A motion was made by Trustee Nelson to accept the Certificate of Compliance. A second motion was made by Trustee Paso. All Ayes.

- Approval of Trustee's and Mayor's Salary paid in November- A motion was made to approve the Salaries by Trustee Lawrence. A second motion was made by Trustee Nelson. All Ayes.

- Discussion on the Ordinance for non-payment of water bills- The Village Clerk, Stephanie Brown had brought this up because she had found the in the Ordinance #748 it stated that there was a reconnection fee of \$50 for non-payment of the water bill and the water was shut. She was told that there would be a \$50 disconnection fee and a \$50 re-connection fee for non-payment of water bill. She stated that this ordinance did not state that clearly. Trustee Lawrence spoke up and stated that it was voted upon in the past of the \$50 disconnection and re-connection fee for non-payment on the water bill. Trustee Nelson spoke up and asked if the blue cards that are sent out each month, have the same verbiage on them? The water bills do not say the disconnection fee or re-connection fee of \$50 each. Trustee Lawrence stated that there was an ordinance that was past awhile back stating the disconnection and re-connection fee. The clerk was just wanting clarification on this, due to the fact that there are quite a few people that have outstanding water bills and not paying their monthly water bill. She also stated that there are people who skip out of town and leave without paying their water bill and then not letting us know either. She then spoke about the deposits and that we do use people's deposits to put on their last bill. The deposit for an owner is \$50, whereas, a deposit for a renter is \$150. Trustee Lawrence spoke back up and stated that there should be a new ordinance that states the \$50 disconnection and re-connection fee. The clerk stated that she is going to look into this. Foreman Mark Wolfe stated that the ordinance should read, \$50 disconnection fee, \$50 re-connection fee and that they also have to pay the outstanding balance, as well as, next month's bill. Trustee Lawrence stated we should probably put on the water bills that are sent out, \$50 disconnection fee and \$50 re-connection fee. The clerk stated that there are rules posted up on the board at the village hall for the water. She stated that bills are due by the 10th, a penalty fee is assessed on the 11th and shut off day is the last Tuesday of the month, which begins at 9am. Mark Wolfe spoke back up and stated that if you do not pay your bill, you get shut off. You do not get to fall 2 months behind. If you cannot pay your bill, then you are to call our office and make arrangements. Trustee Paso stated that we are losing money this way by letting people get by with non-payment. She stated that if they owe the bill, then they need to pay it. She stated that we can work with people, if they truly need the help. Attorney Jared Rahar spoke up and stated that if we need to amend the ordinance to state the correct verbiage, then we can do so. Trustee Nelson stated that we do not need to let people get so far behind that they cannot get caught up and that they need to be making some attempt to pay extra on their bill to get caught back up. Mark Wolfe stated that there is a 10% fee for a

late charge. He stated that if we would raise the late fee, we would probably see more people paying their bills on time. Then he spoke about the fact about the ones that skip out on their bill and leave the home. Most of the time it is renters that are skipping out on their bill. He also spoke about raising the deposit for renters up to \$300. Trustee Nelson spoke up in regards to holding the landlord responsible for non-payment of the renter. He stated this because where do we draw the line on these people skipping out on their bill and who is deemed responsible for the outstanding balance that is owed. Mark Wolfe reiterated that maybe if we do raise the deposit up to \$200 for renters, that if they do skip out and have an outstanding bill, then the deposit would cover their bill that they skipped out on. This issue will be put on next month agenda for possibly vote.

- Applications for new water service- The Village Clerk, Stephanie Brown brought this up for discussion. She stated that right now we just have a basic form that just has us getting a new customer, their name, address, phone number and if they are renting or buying. She stated that other municipalities have a more explicit application form and they are also charging an application fee. She stated that this is just something to think about in the long run, especially with this people who are skipping town and not telling us they left and then their bill is racking up and we do not know where to send the bill to. We have people who come in and state that someone moved out several months ago and then they are left with the outstanding bill that the previous person had, which is no fair to them. She stated that drafting up a new application that has more information on it, would be beneficial in the long run. She stated possibly getting email address and possibly references as well. Trustee Nelson spoke up and asked if when a person comes in to put water in their name for a rental property, if we take a copy of their lease. This was never done before, but is something to consider when re-doing the application process. Foreman Mark Wolfe reiterated to the fact that if we raise the deposit up to \$300, then it would keep us from having to track people down who are skipping out. There was talk about before that the landlords were responsible for the bill if the renter skipped out without paying their bill. Trustee Nelson spoke up and stated that in Sangamon county with CWLP, that if a tenant who is renting from a landlord, happens to be subject to shut off, then CWLP will contact that landlord and let them know before it gets shut off. The Village Clerk did say that our system does have it to where we can put the landlord's information in for the service, as well as, the tenant's information. Attorey Jared Rahar spoke up and stated the liked Trustee Nelson's idea of where, if they are renting, then they need to bring a copy of their lease agreement. Gathering more information is going to better in the long run. Trustee Paso spoke up and stated that maybe we should talk to some area landlord's and see what they thing we should do in these cases. This issue will be discussed further on the next month's meeting.

- Signed agreements for consumers on water bill payment plans- The Village Clerk, Stephanie Brown brought this to the boards attention. She stated that there are several people that how very high-water bills, due to a leak or just non-payment. She stated that it would be a good idea to have these people on payment plans and have signed agreements that they will pay a certain amount each month, on top of their current water bill. Trustee Lawerence made a motion to have signed agreements for people on payment plans. A second motion was made by Trustee Nelson. All Ayes.

- Discussion of upcoming events (Trunk or Treat, Garlic Fest)- The Village Clerk had this put on just to decide time's for things and also for Trick or Treating times. Foreman Mark Wolfe stated that he thought that Trunk or Treat took the place of Trick or Treating. It was decided that Sunday, the 29th would be Trunk or Treat from 4:30-7p.m. Trick or Treating Times would be Monday, October 30th and Tuesday, October 31st from 6-9 p.m. Mark Wolfe stated that with the Trunk or Treat that everyone who is going to be involved can start setting up at 4pm that day. He stated that he has received many donations from local area places here in town, so we should have plenty of candy to pass out to the kids. Mark spoke about the Garlic Fest and how they have been selling plenty of tickets, but still have more on hand to sell before the 11th of November. Trustee Lawrence stated that Trustee Paso will be making the Bagna Cala and that we also have the American Legion reserved for that day. He also stated that people would be bringing up desserts and that if anyone else wanted to bring up deserts for the Garlic Fest, they can bring those by on Friday, November 10th to the American Legion. He stated people are making a variety of cakes, cookies, pies, and brownies for dessert.

- Discuss possible upcoming changes to Employee Insurance (BCBS)- The Clerk, Stephanie Brown had this put on the agenda. She stated that there is a possibility that the insurance might go up after the first of the year, but she was waiting for Nicole, with Diamond Brothers to get back with her about the upcoming changes. This will be put on the agenda for next month.

- Old Business

- New Electric Service for the Village Hall- Foreman Mark Wolfe spoke up and stated about the upgrade to the electric service and the conduit. He stated that the power would go underground instead of across the street. He also stated there would be a new meter base, in case the village board ever decides to get a generator. He also spoke about not having the overhead lines, which can cause issue with power outages due to storms. The total cost for the electric service would be \$3680.36. Trustee Nelson spoke up and wanted to know that if we ever went to solar for the village would that change anything with Ameren. He wanted to know if we would need a 200-amp service if we went to solar. Mark Wolfe stated that he does have solar out at his house and a generator. He stated that Ameren does not give you money for the solar, they just give you credits. Trustee Nelson stated that he truly believes that the future is with Solar but that he does see the importance of having the lines underground. Trustee Paso spoke up and wanted to know if we had the funds to purchase this new service. Treasurer, Beverly Merano stated that this would come out of the general fund, so she said they need to stick to this amount. A motion was made by Trustee Paso to purchase the new electric service for the village. A second motion was made by Trustee Nelson. All Ayes.

- Work to be done out at Kincaid Lake- Foreman Mark Wolfe spoke up about getting a dump tank for the sewer out at the lake. He stated that we are looking at around \$3,000 for the tank, then we would need some lake line, pipe line and a little more. The total would cost around \$4500. This would come out of the Lake Lot money to do this. A motion was made by Trustee Paso to do this and not to exceed by \$5,000. A second was made by Trustee Nelson. All Ayes.

Trustee Gibson spoke up and wanted to know how soon this would be done. He did not want us to have to wait till next March to get it done. Mark Wolfe stated that he believes that weather permitting, they can have it done by the 18th of November.

- Kitchen at the Park- The Clerk spoke up and stated that this was discussed at the last meeting and she reiterated to Trustee Nelson that he was going to get in touch with the Health Department. Trustee Nelson was not able to get in touch with the Health Department. Trustee Gibson stated that he thinks that everything needs taken out of the kitchen and redone. Foreman Mark Wolfe spoke up and stated that the Health Department will probably just come in and tell us that we need to tear down the building and just start over. Mark stated that there are several things that need to be fixed but we just need the Health Department to come in and do a walk through to tell us what needs fixed. Trustee Nelson stated he would get in touch with Brenda, who could come and give us an estimate and let us know what needs to be fixed. Mark Wolfe asked if this was what we want to do with the extra \$10,000 we got from the insurance claim, was to fix up the kitchen. The bathrooms have already been updated. Trustee Paso asked about putting in a different building that was more concrete and would hold up better. She stated we could have it more insulated as well. Trustee Lawrence spoke up and had a few figures in regards to the rebuild and he came up with around \$23,000. Trustee Paso spoke up and again and stated that the building might not have to be as big as it is now. Mark Wolfe spoke up and stated that the Health Department was always concerned in regards to the floors being in two separate pieces. There was talk about making the park look nicer, so that people would use it more. Mayor Robert Morris spoke up and stated that we should just take everything out and redo things inside and clean it up. The board wanted to get some numbers together for this building for the next meeting. This issue will be put on the next agenda for discussion. The Clerk, Stephanie Brown spoke up about the fact that when they community club had rented out the kitchen for the Labor Day Picnic. They signed an agreement stating that they would pay \$250 for deposit and \$250 for rent. Unfortunately, there was only payment for \$250 for the deposit. The Community Club did get a copy of the agreement. There were some minor issues that needed fixed and cleaned at the kitchen. The Community Club did fix a few things that should have been done prior to them renting the kitchen. The \$250 deposit was given back to the Community Club and the board decided that since the Community Club had paid for some boards to be replaced and the fact that the kitchen had not been properly cleaned prior to them renting it, that they would just forget the charge of the \$250 to rent the building. The board did state that it needs to be inspected before and after use. Trustee Paso spoke up about possibly talking to the Community Club in regards to doing something for July 4th up at the park next year. Trustee Lawrence stated that he spoke with Brenda Brown, who works with the Community Club and that she stated they would help us out with things in regards to fixing up the kitchen.

- Help with tearing down buildings- Foreman Mark Wolfe spoke up in regards to this issue. He stated that there was a lady that received an ordinance for an unsafe building and that she needed help with tearing it down. He stated that the village could help with this, but that the owner would need to pay for labor and the use of dumpster and backhoe. He did state that if the cost would be too much for the owner that we could put them on a payment plan. He

stated that the rental of the backhoe would be \$60 and the truck would be \$50, plus the cost of labor and wages. He stated that we cannot do every job out there, but it depends on the size of the building. He stated that this would be at our discretion and judgment call on who we can and cannot help. He also spoke up about the fact that this would only be a one-time thing for each owner. Attorney Jared Rahar spoke up and stated that he does not see any problem with this, other than having a liability waiver, stating that if tearing down the building would be a risk to the employees. Trustee Paso spoke up and stated that when doing this, that we make sure the owners have a clear title on the property before going ahead with tearing it down. A motion was made by Trustee Lawrence to go ahead with this. A second motion was made by Trustee Nelson. All Ayes.

- Changes to the Ordinance Forms- Trustee Nelson spoke up about this issue and stated that we have discussed this in the past but never really made a decision. He stated that if people are not in compliance that right now it is \$250 across the board. Trustee Lawrence spoke up and stated that at the last meeting it was brought up to have it at \$250 for the first offense, \$500 for the second offense and \$750 for the third offense. Trustee Nelson wanted people to know that we are not out to take people's money, we just want to make sure that everyone follows things. The Village Clerk spoke up and wanted to know if we were still giving out warnings first. The board talked about using your discretion in regards to what offenses get warnings first and what ones get a citation. Trustee Nelson stated that it should be a warning first before receiving the citation. Trustee Lawrence spoke up and stated that it should also be at the officer's discretion. Trustee Nelson stated that he would like it to be the same across the board. A motion was made to change the Ordinance Forms to if it is a citation, they get \$250 for first offense, \$500 second offense and \$750 for third offense. First motion was made 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 OF KINCAID (3 MINUTES PER PERSON) 5ILCS 120/2.06g- No visitors spoke up at this meeting.

- Approval of bills- A motion was made to approve the bills by Trustee Nelson. A second motion was made by Trustee Lawrence. All Ayes.

- Zoning Report- Trustee Lawrence issued 5 building permits

- Approval of Treasurer's report- Treasurer, Beverly Merano handed out to the board her report and she stated that when she had a meeting with the finance committee, they went over the appropriation. She also stated that we had allocated \$195,000 for the water meters and we have since already gone over that amount. She stated that they upped the amount to \$250,000. A motion was made to approve the Treasurer's report by Trustee Lawrence. A second motion was made by Trustee Paso. All Ayes.

- Clerk's report- The village clerk spoke up and stated that she handed out the report for the bills and deposits for the month of September for the board to look over. The bulk water machine has been doing well, since putting in the new card reader. The bulk water reports are now on crypto pay, which shows how much we are collecting each day. Bulk water we collected

\$663.45 and used 83,111 gallons. Purified Water we collected \$109.50 and used 511 gallons. Trustee Nelson asked if people set up appointments for golf cart stickers or do, they just randomly come in? He wanted to know if they could pay for this online through Pay Star. They can pay for their sticker on line but they will still need to bring their cart in for inspection and show proof of receipt to get their sticker. Trustee Nelson was just wanting to see if people can do things like this on line, since we are cashless. The Clerk spoke up and stated that speaking of cashless, we need to decide for certain if this is what we are doing. She stated that when she first started working here, she was told that we are not to take cash anymore. There was an issue with a gentleman who tried to come in and pay for his ordinance and outstanding water bill with cash. The clerk told him we do not take cash and that he would have to come back with a check or money order. Unfortunately, the guy never came back with the money. So, there was a discussion of the fact that we could lose out on money since we are not taking cash right now. The clerk also reiterated that there have been times a few Trustees have brought in cash and we are not supposed to take cash. Officer Seath Hubbs spoke up and stated that if someone comes in on the weekend to pay their ordinance, especially if it is for a towed vehicle, that they will take the cash because they have no way of running a credit card with no machine. The clerk just wanted to have things clear whether we are going to take cash or not take cash at the village. Trustee Paso stated that she is not in favor of taking cash in the office. Trustee Paso stated that people can go to Krogers and get a money order or to the bank to get cashier's check to pay for things here at the office. When the officers take cash, they log it and put it in a sealed envelope with the receipt and then it is put in the safe. The board discussed this issue and stated that it should be at our discretion whether to take cash. The whole issue was because of missing money in the past. Trustee Paso reiterated that she does not feel we should be handling any type of money here in the office. If it is posted that we do not take cash, then we do not take cash.

- Police report- Officer Seath Hubbs handed out his report to the board members and went over the calls and reports that happened in the last month, as well as, what bills they had allocated over the month.
- Foreman's report- Foreman Mark Wolfe went over his report for the past month. He went over all the locates, water main breaks and stated that there were a total of 764 new meters installed. The new meters are not up and going. He also stated that he had met with the engineer's regarding water lines in Bulpitt and went over the sewer project. He also went over upcoming things for the coming months, as well as, his budget totals and supplies.
- Attorney's report- Attorney Jared Rahar spoke up and stated that he would talk in closed session about the pending litigation. He stated that Shehadah is appealing the decision that the judge had made in court. He did get sentenced to 92 months in prison. There are other charges that they are going over since he was in Christian County Jail. He asked if Atteberry had got with us in regards to the Bechelli property that she wants to sell. We gave the property across from the park to Bechelli. Rahar stated that Atteberry would draft up the documents and the deed but the cost of splitting for the survey fee of this property would be \$1400. Atteberry wants this done sooner, rather than later. Bechelli had donated to the village \$1000, so it would a cost of \$400 for the village to pay. Rahar stated that we would still have to have a motion made in regards to the splitting of the cost.
- President's Report and Comments- Mayor Robert Morris had nothing at this time.

- Trustee's Report and Comments- Trustee Lawrence spoke up and asked Attorney Jared Rahar if he had received some document on 3 lots belonging to Martin Kearney. The property is with Big Mangrove LLC. He stated that we had discussed putting several Lien's on the property. The clerk stated that right now the Lien amount is for \$3,000. Trustee Lawrence asked the clerk if she could go ahead and put another Lien on the property of Cherry St. block 50 for care and maintenance of the property by the city. Trustee Lawrence spoke up in regards to the park pond aerator system and it is a no go with the American Legion splitting the cost with us. He spoke about the property by the church, they had a court hearing, everything was clear and handed over to the judge and the property was supposed to be handed over to the church but we have not seen any paperwork yet on this.

A motion was made to go into closed session by Trustee Nelson. A second was made by Trustee Lawrence. All Ayes. The time was 7:45 p.m.

- Closed Session:

- Meeting to consider the appointment, employment, compensation, discipline, performance or dismissal of specific employees. 5ILCS 120/2(c)(1)
- Meeting to discuss litigation when an action, affecting, or on behalf of the particular body has been filed and is pending in a court. 5ILCS 120/2(c)(11)

A motion was made to come out of closed session by Trustee Nelson. A second motion was made by Trustee Lawrence. All Ayes. The time was 8:00 p.m.

- Acceptance of Officer Merker's Resignation- A motion was made to accept Officer Merker's Resignation by Trustee Nelson. A second was made by Trustee Lawrence. All Ayes.

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

The minutes were typed up by the Village Clerk

Stephanie Brown