

Village of Wapella
Executive Session
December 17, 2013
Village Hall

Present were Trustees Vernon Meadows, Brad Karr, Rusty Karr, Shay Burke and Suzanna Holland. Absent was Trustee Logan Redman. Also present were President Rich Karr, Clerk Elizabeth Weikle and Attorney Heather Kimmons.

President Karr said the first item is whether to release minutes from June 21, 2011.

The Clerk said she has not read them in a while but the first section says Walnut Circle litigation.

The Board agreed to leave them closed.

Rusty Karr asked if there was a way that the attorney didn't have to attend the billboard hearing since it seems to just keep going.

Attorney Kimmons said she had not been going to hearings because they keep getting postponed.

Shay Burke asked if there was really a reason for someone to go and represent us.

Attorney Kimmons said the discussion was made previously for us to monitor it. It is up to you.

President Karr said what we are spending for that is peanuts.

Rusty Karr said but \$20, \$20, \$20 and then we hit one hundred.

Rich Karr said I agree.

Rusty Karr said whatever is going to happen is going to happen, we are not going to change the verdict.

Rich Karr said we aren't even named in it. We are just monitoring it.

Attorney Kimmons said no we are named in it but we are letting the other parties take the lead in it to save on our cost. We are going in on their coat tails and they are doing most of the work. It is set again in January and I am hopeful as I said last time. The Clerk sounded very confident that this one would happen. This is the first time we have ever been set for more than a 15 minute setting. We should know at that point whether the Village will have to continue as a defendant. There are a couple motions to dismiss. We

are waiting to see what happens with that. Hopefully, I will have something to report to you at the next meeting.

The Clerk said the second set of minutes June 19, 2012 were about Walnut Circle.

The Board agreed not release them.

The Clerk said the next two sets have to be approved for content and whether or not to releases them.

The Board agreed to approve June 18, 2013 for content with the correction of moot being spelled correctly. They will not release them.

The Clerk said the next set June 25, 2013 is about Buraglio but needs to be approved for content.

President Karr asked if the Clerk would look for the ordinance about Christmas bonuses while they looked at the minutes.

The Clerk located it and said it was a resolution.

President Karr said that it was not binding to us the way it was written.

Attorney Kimmons said there is a section of the minutes that need to modified to show how it pertains to the topic at hand.

The Clerk said that the first few times that section was discussed it was related to the topic at hand but then there was a chunk of time that it wasn't and she didn't know how to portray that in the minutes.

Attorney Kimmons advised that we should word it as discussion on general accounting practices as related to the treasurer's duties.

The Board agreed to approve them with corrections and not release them.

President Karr said the next thing we are going to talk about is the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the Village under Section 2 (c) 1. We are only talking about compensation and that is Christmas bonuses for the town employees. Elizabeth found a resolution from 2009 that just says be resolved by the Trustees and President of the Village of Wapella that the chairman of finance and accounts department is directed to issue Christmas bonus checks to each employee that has worked 500 hours in calendar year 2009 and remains an employee as of December 15, 2009 in the gross amount of \$120. That was the only resolution you could find Elizabeth?

The Clerk said yes.

President Karr said the \$120 is so they clear \$100.

Rusty Karr said so we can give whatever we want?

President Karr said yes. I guess I should just ask Ed what he is talking about.

Shay Burke said I am sure that is what he was talking about because he said it was a resolution.

President Karr said this is not binding to us. We can make it for any amount we want. For any amount of work hours we want. Do we have any employees besides Willie that have 500 hours?

The Clerk said not currently employed.

President Karr said that because they are at will I don't know that any of them are not employed.

The Clerk said the only one that I know that might have come close is Gary and it is my understanding is doesn't work for us anymore.

Rusty Karr said he got a better job and is gone.

The Clerk said he has turned in his keys.

Vernon Meadows said then Willie is the only one we got.

Brad Karr said I really don't like the idea of calling it a Christmas bonus. I'd rather see us call it a year end performance bonus. Where I can base what I see on what I want to give. When we call it a Christmas bonus, we feel obligated.

Vernon Meadows said you don't want to be a scrooge.

Rusty Karr said I agree 100% performance bonus is way better wording.

Brad Karr said if you want to give that money to the employee two week before Christmas, I don't care. I just don't like to see it labeled a Christmas bonus.

Shay Burke said I think we should do it the way it is now and change it the following month.

Rusty Karr said so, we change it for next year, so we reward him for how hard he has worked.

President Karr said Willie won't care what you call it, as long as he gets a hundred dollar check.

Brad Karr said but everyone wants a Christmas present. I feel a little bit guilty about not giving him one.

President Karr said lets give him a check and call it a performance bonus.

Shay Burke said that is what I am saying, I would change it after this one.

President Karr said but next year when we are talking about it, it will be in the same month.

Rusty Karr asked if we could change the resolution next month and start calling it a performance bonus.

President Karr said if you want to change it, lets just change it. Why wait a year? Call it a performance bonus now.

Rusty Karr asked When do you want to start calling it a performance bonus, Brad? Now?

Brad Karr said we can wait until next meeting if you want.

Shay Burke said my only thing is it says when we come back to vote on Christmas bonuses for employees.

Attorney Kimmons said I think this one is one where you have a little wiggle room. Whether it is a Christmas bonus or year end performance bonus. I think it is just a matter of semantics. I don't think the PAC would be concerned with this agenda item, if you voted to have a year end performance bonus rather than a Christmas bonus.

Shay Burke said we can give him whatever and then say going forward it will be a performance bonus.

President Karr said we can talk about performance in here. What is your issue with Willie's performance?

Brad Karr said how come the meters didn't get read when we had nice weather? That is three times this year, twice in the spring time, that he refused. I talked to the Board and nothing was done.

Rusty Karr said he said nobody had told him.

Brad Karr said nobody has to tell him. He has worked here how long? He knows.

Rusty Karr said I concur. He was saying how he opened the meter pits last year..

Brad Karr said cause doesn't want to do it.

Rusty Karr said I am not defending him. I am just telling you what he told me. He said last year he opened the pits and some of the pits got frozen and we busted water meters.

Brad Karr said he'd do anything to get out of reading water meters. It was muddy one month and he wouldn't read them because he didn't want to get his knees wet. And that was the statement he made.

Shay Burke said why didn't you go buy him some knee pads?

President Karr said so that is the main issue, he picks and chooses what he wants to do? So, we are going to give him a Christmas bonus, cause if it were a performance bonus he wouldn't get one. Is that what we are going to tell him? Cause if it is going to be based on his performance we need to tell him, if you expect to get this next year it is going to be a performance bonus.

Several Board members agreed.

Shay Burke said that is what I was saying, was give him whatever as a Christmas bonus and let him know going forward, it will be based on your performance.

President Karr said well for the 50 time since I have been President, we need to get an employee handbook to spell these things out, so they know what to expect.

Brad Karr said he had one from Wapella, I am not exactly sure when it was done.

President Karr said he would like to see it, then we could work from that.

Brad Karr said give me a couple of days to dig it up.

The Clerk said if it is the one I am thinking of it was the one Dave worked on that Terry Redman had started.

Brad Karr said it could be.

The Clerk said but it never passed.

President Karr said if you will get it to me, I will look at it. So, back on topic.

Vernon Meadows said lets give Willie a performance bonus.

Rusty Karr said do we leave at \$120?

President Karr said is that enough to clear \$100?

The Clerk said she didn't know. I didn't figure it.

Vernon Meadows said it was last year.

The Clerk said but last year tax rates were different. Give me a minute to figure it. I would just motion to give him \$100 after taxes. Last year, it was \$106 that gave him \$100, this year it will be different because of the different tax rates.

The Board agreed to motion to give \$100 after taxes as a Christmas bonus. They agreed to give it with his payroll this week. They also agreed to leave executive session.