

Village of Wapella
Regular Board Meeting (rescheduled from January 20, 2015)
February 2, 2015
7:00 pm
Village Hall

1. Call Meeting to Order.

2. Roll Call. Present were Trustees Vernon Meadows, Rusty Karr, Suzanna Holland and Rosalie Summers. Absent was Trustee Shay Burke. Also present President Rich Karr and Clerk Elizabeth Weikle.

3. Motion to approve minutes from December 16, 2014. Vernon Meadows motioned to approve the minutes from December 16, 2014. Suzanna Holland seconded.

Ayes: Vernon Meadows, Rusty Karr, Suzanna Holland and Rosalie Summers.

Nays: None.

Absent: Shay Burke.

Motion carried 4 to 0 with 1 absent.

4. Motion to approve all okayed bills. The Clerk reported that there were only two changes on the bill submitted list. We had a late charge on Birkey's of \$2.00. The Ancel Glink bill had been adjusted down around \$260 after a review of the bill. Vernon Meadows motioned to approve all okayed bills. Rosalie Summers seconded.

Ayes: Vernon Meadows, Rusty Karr, Suzanna Holland and Rosalie Summers.

Nays: None.

Absent: Shay Burke.

Motion carried 4 to 0 with 1 absent.

5. Department Reports.

A. Streets- No Report.

B. Health & Safety- Suzanna Holland reported that she had three trees that Fryman's Tree Service would be removing at the park free of charge.

C. Water- The Clerk reported that she had lifted one lien and placed one new lien. She also reported that there was one water adjustment needed for a water bill.

D. Zoning-No Report.

E. Finance- Rosalie Summers wanted to discuss Resolution 10-2 and the utility tax being transferred to the right account. She also discussed that the Water Project Fund is being charged a service fee of \$10.00 a month. She would like to see the money transferred to the account. Rusty Karr said he thought the money was being put in the water fund. The Clerk explained that Resolution 10-2 does say that the utility tax is supposed to be moved. The only utility tax that is being moved, that it refers to is Ameren. The Ameren Utility tax currently goes into the park fund, because that was originally used to pay the park bond down. No Board since has gone through the procedure to get it moved into the right account. I have

the paperwork pulled because I was asked by Logan before he resigned. We would have to get a checkbook for that account which we haven't had. We would have to send a check out with the tax forms they sent us to get it transferred. But the Resolution does say it is supposed to go in the water fund not the water project fund. Rosalie Summers thought it should be changed to say water project fund. Either way we need to correct it because one is going to one fund and telecommunication tax is going to another. President Karr said we will see what Neal has to say about it when he gets here.

i.) Presentation from Neal Kuester from Feller and Kuester CPAs LLP
(This item was moved above Executive Session).

6. Public Comment, 3 minutes per person.

Jane Buraglio said the fee was coming out because of low balance and money should be transferred in. She also said the Resolution only exists as long as the Board exists.

Mark Miller said to look into putting water CDs into that account.

Dale Karr asked about working on an ordinance for the water.

7. New Business for Discussion and Vote:

A. Set date for trailer removal at 601 North Chestnut. Vernon Meadows thought we needed to come up with a solution for removal. Rusty Karr asked if there were any repercussion since he was initially given a permit. The Clerk said that Heather had advised us that there was some provision that would protect us. Suzanna Holland asked if the Clerk remembers what, if anything, that Heather suggested. The Clerk said that Heather had advised us that he does have an opportunity to try to re-apply for the Special Use Permit. He would have to go through the whole process again. He would also have to come back with some different plan of action such as updating certain things. She said that really that would be something he would have to do on his own. She said we could put any kind of perimeter to get him to make some kind of decision. Rosalie Summers said the current trailer doesn't meet the ordinance in the first place but I hate to see anyone move in the winter time. President Karr said I say give him to July and if we have to give him 60 days notice, we will have time. There is going to have to be some kind of notice given to him. We can't tell him he has to be out by February 15th. Rosalie Summers agreed he needed time, she suggested 30, 60 or 90 days. Vernon Meadows said 60. The Clerk said plus 60 days gives him enough time, in case he wants to try for another permit. Mostly what you are looking for is some kind of response from him because right now we haven't heard anything from him. If you send him some kind of letter advising him of his 60 days, a least you have opened the door for some kind of discussion. President Karr said and if it is not moved in 60 days what? Suzanna Holland said that is when the lawyer takes over. The Board then agreed that the initial letter should come from the lawyer. Rosalie Summers then asked if he had been notified that he had been denied. The Clerk said she was unsure. Normally, the person would be at the hearing and meeting and know that they were denied but this is an unusual circumstance since he did not participate at all. Willie Strange said he had contacted him about the hearing and he said he wasn't going to attend. The Clerk said this letter will serve that

purpose, it will notify him of his denial and his need to remove the trailer. It will also give him plenty of time to contact us and attempt a new permit. Suzanna Holland motioned to have the lawyer draft a letter giving 60 days to remove the trailer which would include explaining the denial and his options. Vernon Meadows seconded.

Ayes: Vernon Meadows, Rusty Karr, Suzanna Holland and Rosalie Summers.

Nays: None.

Absent: Shay Burke.

Motion carried 4 to 0 with 1 absent.

B. Board decision for removal of Trustee. (This item was moved below executive session). It was also discussed under Executive Session section 2 (c) (3).

C. Tampering of water serviced at 500 S Third Street. (This item was moved below executive session).

Presentation from Neal Kuester from Feller and Kuester CPAs LLP: He went over the three letters that were presented to the Trustees. He highlighted in his letter of findings lack of segregation of duties which is standard because of the size of the Village. He then went through the management letter. He discussed dividing of payroll between departments. In Water, deposits should be coded as liability not revenue. Utility Tax resolution needs to be cleaned up. The Clerk and Treasurer are going to work on tying out water deposits and quick books. The garbage levy is up and not used, we should think about adjusting that. Audit fee for next year will be \$5000. No real big items, just cleanup items. He then went through some items in the actual audit. Rusty Karr asked about changing the payroll. Neal Kuester said that the way it reads now all the payroll is coming out of general government. His advise was to make it look like it is coming out of more departments such as streets. He suggested allocating it between departments. We could have 30% of his time coming out of each department. Then nothing would have to change with the process, just the report itself. Rusty Karr said we are not keeping track of hours. Neal Kuester said take a month and have everyone keep track of their hours then use that to come up with the percentages for allocated. Then revisit that once a year to make sure that it remains correct.

8. Executive Session.

A. Discussion of minutes of meetings lawfully closed under section 2 (c) (21).

B. Litigation under 2 (c) 11.

Vernon Meadows motioned to go into Executive Session for the above reasons. Rusty Karr seconded.

Ayes: Vernon Meadows, Rusty Karr, Suzanna Holland and Rosalie Summers.

Nays: None.

Absent: Shay Burke.

Motion carried 4 to 0 with 1 absent.

Rusty Karr motioned to leave Executive Session. Vernon Meadows seconded.

Ayes: Vernon Meadows, Rusty Karr, Suzanna Holland and Rosalie Summers.

Nays: None.

Absent: Shay Burke.

Motion carried 4 to 0 with 1 absent.

9. New Business for Discussion and Vote Cont.:

C. Tampering of water serviced at 500 S Third Street. Rusty Karr motioned to put a 2nd lien on the property of 500 S Third St for water usage. Vernon Meadows seconded.

Ayes: Vernon Meadows, Rusty Karr, Suzanna Holland and Rosalie Summers.

Nays: None.

Absent: Shay Burke.

Motion carried 4 to 0 with 1 absent.

B. Board decision for removal of Trustee. Vernon Meadows motioned to have the lawyer proceed with removal of the Trustee. Rusty Karr seconded.

Ayes: Vernon Meadows, Rusty Karr, Suzanna Holland and Rosalie Summers.

Nays: None.

Absent: Shay Burke.

Motion carried 4 to 0 with 1 absent.

D. Vote on whether to release Executive Session minutes from June 17, 2014.

Rusty Karr motioned to approve the Executive Session minutes from July 22, 2014 but not release them. Rosalie Summers seconded.

Ayes: Vernon Meadows, Rusty Karr, Suzanna Holland and Rosalie Summers.

Nays: None.

Absent: Shay Burke.

Motion carried 4 to 0 with 1 absent.

10. Motion to adjourn. Vernon Meadows motioned to adjourn. Rosalie Summers seconded. Meeting adjourned at 8:05 pm.

President Rich Karr _____