

Village of Wapella
Special Board Meeting
March 4, 2014
6:00 pm
Village Hall

1. Call Meeting to Order.

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

3. Public Comment, 3 minutes per person. None.

4. Discussion and vote to adjust mowing bill for the 2013 Mowing season for Canadian National Railroad. The Clerk reported that Canadian National had contacted the Village and were questioning the bills sent to them. They said they were never notified of the change in the price of mowing from \$35 to \$50. They indicated that they would be protested the bill for the 2013 mowing and would indicate to the Village that they would like to discontinue having the Village mow. The Clerk reported that a letter had arrived from them since her phone conversation. The letter stated they were protesting all three years of mowing. It also served to terminate the Village's mowing agreement. The Clerk advised that the Board have the Attorney attempt to collect. Brad Karr asked if they said they would be interested in keeping the agreement with us. The Clerk said that they indicated that the proper procedure was to notify them ahead of time to arrange an agreement so it could be budgeted for. They also indicated that they would not agree to \$50 an hour, they could have it done cheaper by someone else. Brad Karr said he would like to maintain the contract if possible. Vernon Meadows said another thing that I don't think will help us is the amount of hours put in. President Karr said it is almost double the previous years. Attorney Kimmons said she will contact the Railroad and attempt to reach a settlement with them for the mowing. She will also work on an agreement going forward for the maintenance of the railroad right of way.

5. Work/Study Session to work on an Employee Handbook. President Karr said the Board had received a letter advising them of some of the issues associated with the employee manual as it is currently written. He said they have advised that the manual contains no at-will language. He said it contains no FMLA or policy on harassment. He also said it contains no language for overtime and the work week as listed is incorrect. The physical every year is illegal. Initially, what we need to decide what we want to give the employee for benefits and what we expect from the employee. The Board then discussed what should be paid holidays. They agreed on 7 days by eliminating Christmas Eve. They discussed removing the section on a physical exam and instead have maintaining a CDL be part of the manual which could include an exam as part of the licensing process. The attorney said she would look into what the standard policy is on drug testing. They discussed vacation and breaking up the 40 hours, so it didn't have to be

taken in one block. They then discussed how the hours would be given out per year. They decided to leave it as written. They then discussed merit bonuses and how they would add them to the manual. Attorney Kimmons said they can always give those out. They don't even need to be in the manual. She said it could be in the manual as a possibility or something for the employee to strive for. They left sick leave alone. They decided the section on military leave needs to be written so it is current. They then discussed that FMLA needed to be included. They said that jury duty the employee should get off as well as time for a death in the family. The retirement policy, we basically don't have one. They then discussed the safety rules. Attorney Kimmons didn't think they were a bad idea, they lay out what is expected of them. She said she would have the attorneys look and see if anything is way out of line. They decided to leave the safety rules but make sure we can comply with OSHA. They then discussed telephone use and work logs. They did away with physicals in the manual. They then went back to discussing telephone use of personal phones on the job. It was decided no personal phones except for emergency use only. It was also discussed about upgrading the Village's cell phones. They discussed random drug testing and decided to let it fall under the CDL testing. The Attorney said she would check on drug testing policies. She also advised the Board that somewhere in the manual, it should say who each employee reports to. The Board then discussed priority of each department when it comes to employees. It was discussed that the priority order should be as follows: Water, Streets and then Health and Safety. The Attorney advised that if there was an issue between two departments, then the President could ultimately make the final decision. They then decided to leave the section on respecting Village residents. The next thing discussed was the section on mileage. It was decided that mileage would only be given to employees if the Village trucks were not available for use. They decided to leave the employee responsibilities. They then discussed what would be done if they didn't follow the rules. Attorney Kimmons said that is why we need the at will language in the manual. She will ask the attorneys in her office to give us some language to help in that department. Brad Karr asked if termination would be a Board decision since that is the way he would want it to work. Attorney Kimmons said that is the way she believes it work now, she would have to look into it. The Board members discussed how to handle situations when employees don't show up to work. Attorney Kimmons said they could warn them. She said she would ask the attorneys at her firm to see if they have better ideas, if this is a chronic problem. She also advised that most municipalities have a mid-season evaluation with there supervisor. The Clerk then asked if a decision had been made on leaving in the employee responsibilities. President Karr said yes. The Clerk said that they need to go through that section since it contained items that are no longer relevant to the Village. The Board then went back to discussing how to implement the full time position and how to allow a current employee to move into that position. The Board discussed how creating a manual would give incentives to keep employees. Attorney Kimmons she would take the Board's ideas back to the attorneys in her firm and see what they could work out for the Village.

6. Motion to adjourn. Logan Redman motioned to adjourn. Suzanna Holland seconded. Meeting adjourned at 7:33 pm.

President Rich Karr



3-18-14