

JULY 5, 2010
REGULAR MEETING
7 P.M. VILLAGE HALL

Regular meeting of the Village Board held at the Village Hall and called to order by President Peterson with the following members present: Dillbeck, T. Gibeau, Gregory (arrived at 7:15 P.M.), Kness, Smith (New), Peterson, and Johnson. Absent: B. Gibeau.

Motion by Kness, second by T. Gibeau to accept the June 7, 2010 regular meeting minutes. Roll call votes: Kness – aye, T. Gibeau – aye, and Dillbeck – aye. All votes were in favor, and the motion was carried.

President Peterson nominated Ralph Smith to fill the Trustee vacancy of Deb Peterson. Motion by Kness, second by Dillbeck to accept the nomination of Ralph Smith as Trustee to fill the vacancy. Roll call votes: Dillbeck – aye, T. Gibeau – aye, and Kness – aye. All votes were in favor, and the motion was carried. Ralph Smith was sworn in as Trustee by Village Clerk Johnson.

Gary McMullen present concerning a plugged culvert at his property. President Peterson stated that he had talked to Fire Chief Frenell and the Fire Department will have the fire truck clean out the culvert.

Mary Ann McKinney present from the Mercer County YSB and requesting a donation of \$394. Motion by Kness, second by Dillbeck to donate \$250 to the Mercer County YSB. Roll call votes: Dillbeck – aye, T. Gibeau – aye, and Kness – aye. All votes were in favor, and the motion was carried.

Motion by Kness, second by T. Gibeau to pass the MFT Resolution for funding for the Village's routine maintenance and programs in the amount of \$24,000. Roll call votes: T. Gibeau – aye, Kness – aye, and Dillbeck – aye. All votes were in favor, and the motion was carried.

President Peterson reported that a tree was removed by the Dennis Ryan property by K & R Tree Service.

Motion by Kness, second by Dillbeck to pass Ordinance Number 5, Series 2010 extending the authorization to Illinois Power Co. d/b/a Ameren IP its successors and assigns to construct, operate and maintain an electric utility system for the term of ten years. Roll call votes: Gregory – aye, Dillbeck – aye, T. Gibeau – aye, and Kness – aye. All votes were in favor, and the motion was carried.

Motion by Dillbeck, second by T. Gibeau to pass Ordinance 4, Series 2010 the Appropriation Ordinance for the Fiscal year May 1, 2010 through April 30, 2011. Roll call votes: Dillbeck – aye, Gregory – aye, Kness – aye, and T. Gibeau – aye. All votes were in favor, and the motion was carried,

Police Chief Brendal presented the June 2010 police report. He reported 86,000 miles on the squad, Officer Unsworth resigned, the Village has been quiet, there are a couple people interested in the part time police position, he will talk to them, but he is only thinking of one position.

Village Attorney Steele present and the Board stated their concerns over violations on properties that have been left, and the Village is mowing. The Board had agreed at their last meeting to use an outside source. President Peterson stated that the violations are on properties of Scott Dillman, Roy Coon, Maria Kagee, Scott Dillman,

and the Allen's Bulk Plant. Attorney Steel stated that each violation must be filed, such as the Allen's Bulk Plant property, send the notice, mow, then file the lien. The Board agreed to have Attorney Steele write up the notice.

Motion by Kness, second by T. Gibeau to hire Rod McCaw to mow the bulk Plant at \$75. Roll call votes: Kness – aye, Gregory – aye, Smith – aye, Dillbeck – aye, and T. Gibeau – aye. all votes were in favor, and the motion was carried.

President Peterson stated that if the property is the Village's, the Village can chose not to mow it, and let it grow, because the Village can't enforce the ordinance against itself.

Village Attorney Steele reported on the Contract Funding LLC agreement with the mutual release. Mr. Steele stated that they will release the Village except for any liability for damages to the house. The Board agreed to have Attorney Steele send a letter to Contract Funding LLC that they have fourteen days for the \$3,000 offer with no liability on the house, and that they must agree, or the Village will go back to the lien on mowing and water. The Board agreed to no more compromises. Attorney Steel stated that he would talk to their lawyer, who had stated that he was going to have a meeting with Contract Funding LLC.

President Peterson reported that the Village's mower is breaking down. The Board agreed to have the mower last one more month and check into a new quote on a purchase. President Peterson stated he would contact Kleine Equipment of Aledo.

John Roegiers, engineer on the sewer project from Missman, Stanley and Associates present to report that they received 2/3 of the letters sent out on residents' information. He stated that now they are doing the basement elevations. He also stated that he had corresponded with the EPA about the mix up with the Village of Windsor, Shelby County, Illinois, but that all of our information was correct, but a new number was assigned. He further stated that there was quite a bit of paperwork with the EPA on the design, that the grant period is done September 30, 2010, and plans will be submitted to the EPA by then with Bi-State (Meghan Overton) doing the close out to get the design laid out.

President Peterson asked Mr. Roegiers about the gas leaks that had happened in the Village in relation to the sewer. Mr. Roegiers stated that he doesn't feel the Village will be in that zone. President Peterson stated that he does not want any problems, and Mr. Roegiers said that they will try to avoid that area. Also, present was Jennifer Walker of Missman, Stanley, and Associates and head of the environmental part. Ms. Walker has talked to Village Attorney Steele and the EPA about the gas leaks. She stated that the EPA said that Landtech and Allens' did not want to do highway authority agreement. President Peterson concerns are that the EPA says put in a sewer system, but there may be problems and Landtech wants the Village to sign off. Ms. Walker informed the Board about ELUC – Environmental Land Use Control, and that they had sample results showing no contamination. The Board agreed that if nothing is showing up, then why sign the agreement. Attorney Steel stated that the Village does not need to take on a duty they don't have to. The Board agreed that the Village needs to see results from samples taken by Landtech. Attorney Steele stated that legally there is no advantage to signing the agreement. The Board is concerned that there are more problems than what they have been made aware of along Ninth Avenue, such as monitoring wells, gas leak from the

bulk plant, and dirt that may be contaminated. President Peterson stated that he would get with John Roegiers on where the other gas leaks are.

President Peterson reported that the Village got maps for the emergency program from Bi-State, and he will try to finish the project up.

President Peterson reported that the tile on Walnut Street by the John Walsten property at First Avenue down the waterway is broken, and Tom Whiting gave an estimate of \$1300 to fix. Also, he stated that the ditch at Second Avenue is full of dirt and need to be cleaned out, and Tom Whiting gave a cost of \$200 to do

Motion by Dillbeck second by Kness to hire Tom Whiting to clean out the ditch at Second Avenue at a cost of \$200. Roll call votes: Gregory – aye, Dillbeck – aye, Smith – aye, T. Gibeau – aye, and Kness – aye. All votes were in favor, and the motion was carried.

Wilbur Brooks of the Maintenance Department present concerning his job description. President Peterson explained that Richard Bland is the superintendent, and he has the orders of what to do. The Board agreed that Patrick Kness should not mow the Ball Park, that Steve Kness should since he is the Trustee. Trustee Kness stated that the mowing was done for a tournament and free of charge.

Motion by Dillbeck, second by Kness to hire Blucker, Kneer, and Associates as auditors for the Village this year. Roll call votes: Gregory – aye, Dillbeck – aye, Smith – aye, T. Gibeau – aye and Kness – aye. All votes were in favor, and the motion was carried.

Motion by Kness, Second by Dillbeck to authorize the June 2010 bills. Roll call votes: Kness – aye, T. Gibeau – aye, Smith – aye, Dillbeck – aye and Gregory – aye. all votes were in favor, and the motion was carried.

Motion by Kness, Second by all to adjourn. Voice Votes; All votes were in favor, and the motion was carried. Meeting adjourned.

Claudine D. Johnson, Village Clerk