

VILLAGE OF KINCAID
115 CENTRAL AVE. KINCAID, IL. 62540
TIME- 6:00 P.M.
MONDAY, DECEMBER 11, 2023
REGULAR MEETING MINUTES

The meeting was brought to order by Mayor Robert Morris.

Roll call was taken by the Village Clerk.

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

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

- Approval of minutes from Novembers meetings- A motion was made to approve the minutes by Trustee Nelson. A second was made by Trustee Lawrence. All Ayes.

- Chastain & Associates LLC. – Ron Legner from Chastain & Associates spoke up and spoke about the water main replacement project. He stated they received an email from the EPA in regards to funding for this project. He stated that they were not ready enough to get a high score with the EPA for the funding. He stated they would submit a funding nomination for and that they do have a permit for it. He also stated that their funding nomination would need to be submitted by March 31st of next year. He says that he is hopeful to get on the funding list by July 1st of 2024. He stated that there will be communities around the area that will not use their funding and so the EPA is asking that if bypass money comes up, which is money that other communities do not use if they are not ready, and that this money could become available to us and we would be able to use them. He stated that they currently use bypass funds when they are available to use for the sewer project. Ron just wanted to ask the board if they were ready to move on with this and possibly use the bypass funds when and if they become available in the first half of 2024 or go ahead and wait till the second half. He stated that the longer we wait we could run into costs going up, but it is hard to say. He stated that we still qualify for the principal forgiveness, which is the 50%. The first thing that would become available would be the loan funds without the forgiveness. He stated that the board does not have any obligation to move forward with the bypass funds, if that is something the board did not want to do at this time. He stated that however, there is no guarantee that we would qualify for the principal forgiveness in regards to the bypass money. Trustee Paso spoke up and wanted to see if she got things straight. She stated that if we apply for bypass money and there are no funds available, then that is no fault of our own. If we do get the bypass money, there may or may not be principal forgiveness attached to it. Ron Legner agreed to this point. Paso then stated that if there is no principal forgiveness at that point, we then have the option to back out and wait for principal forgiveness. Ron Legner agreed to this as well. Trustee Nelson spoke and up and asked when they would need an answer in regards to this matter. Ron Legner spoke back up and stated, that they would like to have an answer by the end of December. Ron stated that if we did wait till the next meeting in January that we could still be put on the list for the bypass money, if that was something the board wanted. Ron stated that the EPA is in contact with communities that have funding and see if they are going to be using them by the end of December. Ron stated that a construction permit is usually good for 2 years. This was stated

after Trustee Warren had asked about term limits. He did state that we may have to renew some of the approvals, but that would not be a complicated thing. Mayor Robert Morris spoke up and asked about the sewer project and how soon that would be up and going. Ron stated that with all documents and approvals, it looks to begin somewhere around September of next year.

Stephanie Brown with Chastain & Associates spoke up and stated that Matt Foster was not able to be at the meeting, so she came in his place. She stated that they are getting ready to submit the PDR to IDOT, which is the project report. She stated it goes through different protocols just to make sure that there are not any problems once they start with the project. She stated that they are getting ready to submit the right-of-way construction permits to make sure there are clearances. For construction observation, it is a federal aid project, which must go out for bid. There will have to be an IDOT certification. There are classes that this person would need to take through IDOT to get approval and she stated there are some classes on line. There would need to be receipts for anything purchases while doing the construction work and they would have to be submitted to IDOT. The person that does the construction observation will need to do material testing with regards to the concrete and samples done as well. They would also have to show IDOT construction experience as well. Trustee Lawrence spoke up and stated he just wanted to know about the \$45,000 to pay for the engineer. Stephanie spoke up and said that, does the person need to be on site, all day every day? Not necessarily, but someone needs to be available to the contractor, if needed to receive materials and tickets. She stated that price is given just assuming that the person is out there every day. She did state that 30% of that was for paperwork and not just being on site. She stated that this was just an estimate and that the board could feel free to shop around and get other estimates. Foreman, Mark Wolfe spoke up and wanted to know about the actual numbers on the Safe Route. Stephanie stated that of course we would get the \$250,000 grant, which is reimbursable and then whatever the observation estimate would be, which she stated would be \$45,000.

- New Business

- Sign & Gate out at the Dump Site- Foreman Mark Wolfe spoke up and stated that the driveway going into the Dump Site was a resident's property. Since then, this resident has passed away, so Mark stated that if they sell this property, then we will have to move the road over. He stated that we do have a road easement, which is just a little way over from the current road. He stated that they are getting ready to put a gate up down there and hours of when you can dump. He stated that people will not be able to dump on the weekends. Mark also stated that people will not be able to use the regular trash bags anymore, that they will have to use the paper bags. He also stated that people would go down at night and on weekends and just throw the leaves in the trash bags down there and then the village guys would have to empty everyone of them before taking them down to where they are burned. He stated that we really need to put a gate up and a fence around it as well. He spoke about how Taylorville has their dump and the fact that you must show your ID to even dump at their dump place. Trustee Lawrence spoke up and stated that as of now, we do not know what is going to happen to that part of the property and he wanted to see if we could put this on the next agenda for next month to discuss. Lawrence spoke up about the lots that have trailers on

them and see if the village could purchase it to utilize it for the dump station. Mark stated that he had spoke to the son, who's father had passed away, about the property, but the son was not sure what he wanted to do with it just yet.

- Raise Price on Golf Cart Stickers- Foreman Mark Wolfe stated that he called around to several different communities to see what their prices were for golf cart stickers. Taylorville is \$100, Edinburg is \$50 and Stonington is \$35 but they are thinking about raising their prices. Mark stated that we sold around 68 stickers last year. He is asking the board that in the next up-coming year that we raise it to \$50 per sticker. Trustee Gibson spoke up and stated that he did not have a problem raising the price of the sticker, but he wanted the people that do not have stickers to be stopped and not able to drive them because of not having a sticker. A motion was made by Trustee Lawrence to raise the price of Gold Cart and Side-by-Side stickers to \$50. A second motion was made by Trustee Paso. Nelson- Abstain, Dees- yes, Warren- yes, Lawrence- yes, Paso- yes, Gibson- yes.

- Dump Tank out at the lake- Trustee Gibson stated that he had this put on the agenda, but it has since been taking care of.

- Part-time Police Officer- this will be in closed session later.

- Paid Leave for All Workers Act 2024- Trustee Nelson spoke up about this and stated that this act will go into effect on January 1st, 2024. He stated that his understanding of it, was that this was a paid leave act for all workers. He stated that if they are hourly, salary, or part-time that would receive this time. He stated that they way he read it, that people could earn an hour, each 40 hours worked per week. He stated that you would not be allowed to take any leave for the first 90 days. Trustee Nelson also stated that he thought it would be a good idea to put everyone that is full time on salary, excluding the par-time people. He stated that this would help with saving on costs and any overtime. Mayor Robert Morris and Foreman Mark Wolfe both spoke up and stated that this would not be able to apply to union workers, unless they decide to change the contract. Nelson stated that at his restaurant, they require someone to give a 24-hour notice before taking a personal day. Mark Wolfe spoke up and stated that it is the same for his workers. They must give a 24 hour notice as well before taking a personal day. The clerk spoke up and asked if Trustee Nelson had read through the whole thing. Her understanding of it, was that people who already get vacation time, which is paid leave time, would not be eligible for the paid time off leave act. Trustee Nelson stated that he just wants us to be consistent with everyone who works here at the village. Mark stated that his workers already receive personal time under their contract. A resident of the village spoke up and wanted to make sure that we put stipulations on the time used per year, in case someone was to quit and wanted paid out for time accrued. Trustee Nelson wanted to know if the workers can carry over any time to the next year. Mark Wolfe stated that they can carry over 5 vacation days but no personal time. Mark stated that the next few weeks he will be running a "Skelton crew", due to the fact that everyone is trying to take their time off before they lose by the end of the year. Trustee Paso spoke up and wanted to wait to till the next meeting to give us time to look over this and present this at the next meeting so that way it will match our contract. Paso just wanted to make sure it meets our needs and that we follow what we are supposed to be doing. There was discussion about that the fact that it possibly applies to people who are not getting personal days right now. A motion was made to put this on the next agenda by Trustee Warren. A second was made by Trustee Nelson. All Ayes.

- Old Business

- Having Resident's use paper bags for leaf pick up- Foreman Mark Wolfe spoke up and stated that he wanted to talk about this and that he looked into how much it would cost for us to purchase them. He stated, to recoup our cost, we would need to charge around \$1.25 a bag. He stated that he went to Ace Hardware and they were \$3.00 per bag there. Trustee Lawrence stated that this was discussed a long time ago, but nothing was ever done about it. A motion was made by Trustee Lawrence to charge \$1.50 a bag. A second motion was made by Trustee Warren. All Ayes.

- Surveying at Garden Street Easement- Foreman Mark Wolfe spoke up and stated that the line is down by Springfield Street and Garden Street. He just wants to make sure the workers do not get off the property. The cost to survey the property would be around \$1500 to \$2000. Trustee Lawrence stated that this is something that needs to be done and has been needing done for quite some time. Trustee Warren spoke up and asked how soon this could be done. Mark stated, that as soon as we tell the guy, he can put us on the list to survey. Mark stated that it could possibly be around February before it gets done. Trustee Lawrence made a motion to go ahead and hire this guy to do the surveying. A second motion was made by Trustee Gibson. All Ayes.

- Annexing with Jeisyville- Attorney Jared Rahar said he spoke with Quinn Broverman and hadn't heard much from him. The board wanted to know how much it could cost for us to have him prepare all the documents. Rahar stated that it would be a minimum of \$100 just to get all the proper documents in place. Foreman Mark Wolfe spoke up and stated that all this is doing, is just getting it put on the ballot and that Kincaid might not even want to vote on this.

- Allowing Golf Carts out at the lake- Trustee Warren put this on the agenda. He stated that he had passed out the new rules and regulations for out at the lake, which stated that we will allow people to utilize golf carts out on the lake property. No off-road usage or crossing any state highways. Anyone not using the golf cart properly or following the ordinance will not be allowed to use them. Trustee Lawrence spoke up and asked that if someone goes out there with an RV to rent a spot, what we were going to do in regards to that and golf carts. Warren stated that is something that needs to be discussed, since right now we charge \$25/per night for the RV spot. He was talking about possibly charging a \$10 fee to utilize the golf cart while renting the spot for the weekend. A motion was made by Trustee Warren to allow golf carts out at the lake. A second was made by Trustee Gibson. All Ayes.

- Ordinance to change the use of 4-Wheelers in town- The village clerk spoke up and stated that this was brought up before and she stated that there was just a revision to the previous ordinance, which now states, in section H, that 4-wheelers will no longer be allowed to be permitted on the roadways through town. Golf Carts and Side-by-Sides are still allowed to be driven in town. A motion was made to accept this new Ordinance by Trustee Warren. A second was made by Trustee Lawrence. All Ayes

- Ordinance for the charge of non-payment on a water bill- The village clerk spoke up about this topic and stated that it was discussed previously in a meeting that the Ordinance before was not stated properly. Now the new Ordinance, which is a revision of the previous one, stated that there is a \$50 disconnection fee and a \$50 reconnection fee, for non-payment of a water bill. A motion was made to accept the new ordinance by Trustee Lawrence. A second motion was made by Trustee Nelson. 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.- A resident wanted to know if there were pro's and con's list for the annexation. Trustee Nelson stated that he got the vibe that the Village of Jeisyville was not interested in the annexation. Mark Wolfe stated that the pro's would be that we could get more grants and about 90% of the community is either on a low income or get some type of assistance. He is also stated that would be a little more motor fuel money, which is based on population. He stated that population growth is really our only pro about annexing. A resident of the community spoke up and asked if Mark would have to hire another employee to help maintain the streets and road ways over in Jeisyville. Mark stated they already do that now, so no, he would not need to hire a new worker for that. Another resident spoke up and asked Mark about the man-hole covers around that need risers and covers on them. He stated that there are some by the gas station and down on Edison. The resident was just concerned because of biker season coming up in the next year. The resident also asked about what the outcome was on the Daum and Duran case that went to court against the village. Attorney Rahar spoke up and stated that the cost total was \$10,750, which was mostly attorney fees.

- Approval of bills- A motion was made to approve the bills by Trustee Lawrence. A second was made by Trustee Nelson. All Ayes. Trustee Paso spoke up and asked about the money that was taking out and going into the sewer reserve fund. Paso stated that since we have hit a short fall, and since money is tight, should we consider suspending the allotment to help the reserve until we get back on our feet. She stated to just to suspend it or stop transferring it for now. She wanted to know if the board would be willing to suspend this money for a period of 6 months. A motion was made by Trustee Paso to suspend the allotted money. A second motion was made by Trustee Nelson. All Ayes.

- Zoning report- Trustee Lawrence had nothing for his zoning report

- Approval of Treasurer's report- Treasurer, Beverly Merano passed out her report earlier in the meeting to all the board members and asked them if they had any questions. A motion was made to approve the treasurer's report by Trustee Warren. A second motion was made by Trustee Lawrence. All Ayes.

- Clerk's report- The village clerk spoke up and stated two things. She stated first that she has started preparing a "Bible", which basically is a book containing all information on how to run the office, in case of an emergency or something else. She stated that with regards to the water bills, there have been several customers that have asked about autopay, because sometimes they forget about paying their bills. She stated that she had spoke with Nick Clark, who is associated with Beacon website, which pertains to the new water meter. He had told the clerk that there is a way that they can be set up to where the customers can go on their app and set up autopay, but it would have to go through pay star, which is what we use right now for online payments. Pay star and Beacon would have to coincide with each other to get this set up.

- Police report- Officer Mathon stated that Officer Mahan had finished K-9 academy on Friday and then on the 13th of this month, he has a stated test, that the dog would have to pass to

make him certified again. He stated that the police department is 38% under budget for the month. He stated that the calls are down but traffic stops are up for the month. He stated that they are now back to being fully staffed, after about a year and 3 months. He stated that it is great to everyone back and he is hopeful that things will be looking better than they were a year and half ago. Trustee Nelson spoke up and asked Officer Mathon, that in regards to hiring another part-time police officer, that they would still be staying within the magic number of 99 for hours. Officer Mathon conformed that this number was correct.

- Foreman's report- Foreman, Mark Wolfe handed his report out to all the board members. He spoke about the fact that they did get the dump station put out at the lake for the RV spots. He stated that they should have water hooked up out there by the end of the year. He did state that they are coming along with getting the new kitchen done down at the park.
- Attorney's report- Attorney Rahar spoke up about the judgement on the Daum and Duran case and how much was paid out by the village. He also asked the clerk to send him the new Ordinance that had been changed in regards to this matter. He stated that the Heikes matter was continued and after with some lengthy discussion between the judge and him. He stated that there was talk about having Officer Merker being brought in to be cross-examined, since he was the one who issued the ticket in the first place. Rahar stated that the other Ordinance case with Dobyms did not go to court since the defendant paid the ticket. He stated that the Circuit Clerk's office is needing some type of documentation with regards to payment since it had been filed in their office. He stated that they are still waiting on Mr. Shehadah and his appeals to file things first.
- President's Report and comments- Mayor Robert Morris spoke up and stated that he wanted to thank Mark Wolfe and all the city workers for doing such a great job down at the park with the kitchen.
- Trustee's Report and comments- Trustee Nelson spoke up and stated that he had two quick things he wanted to speak about. He stated that first and foremost, he is going to be donating his salary to the park activities, but he was curious how our interns were doing here at the village. Foreman, Mark Wolfe spoke up and stated that they both have been doing very well and have been helping with the kitchen down at the park and helping at the lake. Trustee Nelson also wanted to know if the interns would be able to work next summer or not. The clerk spoke up and stated that she could contact CACC and see if they can continue to work throughout the summer.

A motion was made to go into closed session by Trustee Nelson. A second motion was made by Trustee Lawrence. All Ayes. The time was 7:00 p.m.

- Closed Session:

- 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)
- Meeting to consider the appointment, employment, compensation, discipline, performance or dismissal of specific employees. 5ILCS 120/2(c)(1)

A motion was made to come out of closed session by Trustee Nelson. A second motion was made by Trustee Gibson. All Ayes. The time was 7:40 p.m.

A motion was made by Trustee Nelson that as of January 1st, Officer Hubbs would be making \$23/hr and not \$19.60. Then when raises come up in May of next year, Officer Hubbs would go back to \$25/hr. A second motion was made by Trustee Lawrence. All Ayes.

A motion was made to hire another part-time police officer by Trustee Nelson. A second motion was made by Trustee Gibson. All Ayes.

A motion was made to adjourn the meeting by Trustee Dees. A second motion was made by Trustee Warren. All Ayes. The time was 7:43 p.m.

The minutes were typed up by the Village Clerk

Stephanie Brown