

**MINUTES OF A REGULAR MEETING  
MAYOR AND BOARD OF TRUSTEES  
FOR THE VILLAGE OF FORSYTH, IL**

**Held at the Village Hall  
September 20, 2010**

**Call to Order**

Mayor Harold Gilbert called the meeting to order at 6:30 p.m.

**Pledge of Allegiance**

**Roll Call**

Upon call of the roll, the following Trustees were physically present:

Rasho, Allsup, Morr, Johnson, Hubbard, Reed.

Absent: Johnson.

**Also Physically Present**

Chuck Hunsinger, Darrell Woolums, Larry Coloni, Rhonda Stewart, Heather Kimmons, Charlyn Brautigam, Charles Frey, Deputy Rodgers, Lt. Butts, Sgt. Gessford, Mike Williams.

**Adoption of Consent Agenda**

*\*\* Consideration of items listed on the Consent Agenda under the omnibus vote designation:*

1. Approval of Minutes of the Regular Village Board meeting held September 7, 2010.
2. Approval of Treasurer's report, August 31, 2010.
3. Approval of Bill presented for payment, September 7, 2010. *\*\*Invoices are always available for review upon request.*
4. Approval of Ordinance No. 802, Zoning Variance for Property at 124 Highland Drive.
5. Approval of Ordinance No. 803, Procedure for Making External Mayoral Appointments.

Village Administrator Heather Kimmons mentioned that this morning the Treasurer brought to her attention that the date on the Bills presented for payment under Item No. 3, was incorrect. It should be listed on tonight's Agenda as September 20, 2010, not September 7, 2010. Heather suggested that if the Board chooses to approve the warrants list as presented, it should be noted in the minutes that the date was incorrect, and the action taken would be ratified at the next regular meeting. Trustees chose to do so.

Trustee Hubbard requested that Item No. 5 be removed from the Consent Agenda and be considered separately.

Trustee Morr moved, and Trustee Allsup seconded, to approve the Consent Agenda, as presented with the exception of Item No. 5, and upon placement of the warrants list on the next meeting agenda for ratification of the action taken tonight. Upon a call of the roll, the vote was:

Yeas: 4—Rasho, Allsup, Morr, Hubbard.

Nays: 1—Reed.

Absent: 1—Johnson.

Motion declared carried by omnibus vote.

Trustee Allsup moved, and Trustee Rasho seconded, to approve Item No. 5, an Ordinance outlining the procedure for making external Mayoral appointments.

Trustee Morr questioned the number of votes that would be needed to adopt this ordinance since Trustee Johnson was absent. He mentioned that from past discussion, he believes that it is apparent that two Trustees are against this ordinance.

Mayor Gilbert replied that it takes four affirmative votes to pass an ordinance.

Trustee Rasho commented that in his opinion, the ordinance would only require three affirmative votes to pass it. He pointed out that the Mayor only votes in the event of a tie or in a case where he is needed to make a quorum.

Trustee Reed stated that he believes that if three members vote in favor of this ordinance and two votes against it, the Mayor would need to vote in the affirmative to pass it.

Trustee Rasho stated that it was his understanding that a majority of the members present at a meeting represents a quorum. Therefore, this debate is only causing confusion and complicates the issue. He asked why some members are trying to create uncertainty on this matter. The majority should rule.

Attorney Darrell Woolums was asked to comment on this issue. Darrell stated that the Board has to look at each specific situation of what is being voted on to determine what the law requires. Sometimes the law refers to a “majority” as a majority of the elected officials or entire Board. At other times, a “majority” means a majority of those members present. Darrell commented that he would have to research the matter further to determine exactly how many votes would be needed to pass this particular ordinance.

Trustee Rasho suggested tabling a decision on this ordinance if the Attorney is not prepared to render a decision on the matter. He pointed out though, that in his opinion, the Board has voted on this ordinance on two previous occasions and everyone knows what the majority of Trustees desire concerning it.

Trustee Allsup commented that it was his understanding that there only a couple of things that requires a majority of the entire Board to pass.

Mayor Gilbert mentioned that he would vote to adopt the ordinance if it would help move the meeting along. Trustee Hubbard commented that although he was against the ordinance, he was

willing to vote in favor of the ordinance to keep things simple. He emphasized the need to find out exactly how many votes are needed to adopt an ordinance in the future.

Upon a call of the roll, the vote was:

Yeas: 4—Rasho, Allsup, Morr, Hubbard.

Nays: 1—Reed.

Absent: 1—Johnson.

Motion declared carried.

### **Public Comment**

Superintendent Mike Williams of the Maroa/Forsyth School District No. 2 was in attendance to address the Board concerning the purchase of the land where the new grade school is located. He presented the Village with a check in the amount of \$92,500, and noted that this is the second payment to the Village as part of the district's repayment to Forsyth for this property. Mayor Gilbert thanked Mike for coming tonight to present the money to the Village.

### **ADMINISTRATION REPORT**

#### **LAW ENFORCEMENT—**

- Lt. Butts, Deputy Rodgers, and Sgt. Gessford were all in attendance to comment on recent activity in the Village officers have responded to. Lt. Butts stated that officers appreciate the opportunity to provide law enforcement services for the Forsyth community. He mentioned that the Sheriff's Office hope to continue the wonderful relationship they have with the Village and trust that officers live up to the Village's standards. Lt. Butts pointed out that the five officers assigned to Forsyth, want to be here.

- Officers continue to do bike patrol. The bikes are a great policing tool to use for the officers since they allow access to areas where a car may not be able to go.

- Sgt. Gessford mentioned that officers have been very busy with retail thefts over the past couple of weeks at the Mall and other businesses in the Village. He also reported that the 3<sup>rd</sup> shift deputy recovered a stolen vehicle last week.

- Deputy Rodgers asked Trustees to consider installing flashing lights along County Highway 20 near the school zones. The lights may help remind motorists of the school zone, and help increase safety of the kids in that area.

Trustees discussed this idea briefly and agreed to place it on the agenda for the next meeting for further discussion.

- Lt. Butts stated that it was brought to his attention that the Board may be discussing tonight the idea of possibly expanding its liquor licenses. On behalf of the Sheriff's Office, officers have no opinion on the matter. Officers will support whatever decision the Board makes on this issue. They will continue to conduct alcohol compliance checks in the Village and support the education and training of servers and clerks in establishments where alcohol is served. Lt. Butts stated that officers will continue to be proactive and enforce all Village ordinances and State

laws regarding alcohol.

Mayor Gilbert mentioned that he received a letter last week from Deputy Hoffman on behalf of the Sheriff's Office regarding the "BASSET" (Beverage Alcohol Sellers & Servers Education Training) program for servers and clerks, and noted that he shared it with the Village Administrator. Mayor Gilbert commented that the letter actually encourages the Village to require this training for all servers, clerks, and managers of establishments that serve alcohol. Other communities have adopted similar guidelines and Mayor Gilbert suggested the Board strongly consider doing the same. He suggested that before Trustees make any decision on changes to the Liquor Ordinance, more details about this program and other information be provided for review.

- Trustee Morr asked the status of the recent residential burglaries in the Village. Lt. Butts reported that these incidents remain under investigation, and noted that a lot of resources have been put into solving these crimes.

- Sgt. Gessford mentioned that deputies continue to patrol the area along US Rt 51 where the speed limit in the construction zone has been lowered to 35 miles per hour. Residents should be mindful of this change.

#### **ADMINISTRATIVE REPORTS —**

Village Administrator Heather Kimmons mentioned that in addition to her report, Trustees have been provided with written from the Public Works Director, Attorney, Librarian, and Engineer to review. Mayor Gilbert asked if there were any questions concerning any of these reports.

- Trustee Morr asked the status of the Oreana Water Main Project. Engineer Chuck Hunsinger reported that he was unaware of any progress with the easements in the past month. Farmers are busy harvesting their crops, which may be part of this.

Seeing no further comments, Mayor Gilbert thanked Staff for providing the information to the Board.

#### **OLD BUSINESS:**

##### **Approval of Ordinance No. 804, Special Use Permit for Phillips 66**

Trustee Hubbard moved, and Trustee Reed seconded, to approve Ordinance No. 804, as presented. The Special Use Permit allows the property owner to exceed the number of wall signs as provided in Section 8.4 C (1); authorizes the owner to maintain two wall signs as specified and described in the request for the permit; allows the owner to maintain the blank wall sign on the north side of the building, contingent upon that at each time a restaurant is in operation in the building, the name of the restaurant will be displayed on that sign. The permit also grants to the owner the authority to maintain an electronic sign for gas prices which is a changeable copy sign within the meaning of Section 8.4 C (8), and allows the owner to maintain the display of an ice machine and propane tank storage rack which is otherwise prohibited by Section 5.5 (B) (11) (iii). Upon a call of the roll, the vote was:

Yeas: 5—Rasho, Allsup, Morr, Hubbard, Reed.  
Nays: 0—None.  
Absent: 1—Johnson.  
Motion declared carried.

**Approval of Ordinance No. 804,  
Special Use Permit for Lowe’s Home Improvement Store**

Trustee Morr moved, and Trustee Hubbard seconded, to approve Ordinance No. 805, as presented. The Special Use Permit grants the business to (a) maintain outdoor display of storage buildings in 22 parking spaces along the west side of the Lowe’s site only; (b) maintain an outdoor display in the Quickload area under the store canopy of approximately 70 square feet for lumber products, trailers, propane cylinders and bottled water; (c) use 7 parking spaces in the Quickload area to display lawn and garden products; and (d) maintain summer long displays in the parking lot in an area where such displays currently exist. Section 5.5 (B) (11) (iii). Upon a call of the roll, the vote was:

Yeas: 5—Rasho, Allsup, Morr, Hubbard, Reed.  
Nays: 0—None.  
Absent: 1—Johnson.  
Motion declared carried.

**Strategic Plan Approval**

Trustee Allsup moved, and Trustee Rasho seconded, to approve the Strategic Plan, as presented. Upon a call of the roll, the vote was:

Yeas: 5—Rasho, Allsup, Morr, Hubbard, Reed.  
Nays: 0—None.  
Absent: 1—Johnson.  
Motion declared carried.

**Staff Organizational Structure and Clerk/Treasurer Oversight**

Mayor Gilbert referred to the different documents the Village Administrator included in Trustee meeting packets for review and discussion. Documents included copies of the Job Descriptions for the Clerk, Treasurer, and Administrative Assistant, and Ordinance No. 784, outlining the duties and responsibilities of the Village Administrator.

Mayor Gilbert specifically referred to the Village Clerk’s Job Description, and asked Trustees to look at the first page, and the paragraph that reads:

*“Process all liens, promissory notes, legal agreements, and serves as the Freedom of Information Act (FOIA) Officer, in consultation with the Village Administrator.”*

Mayor Gilbert reminded Trustees that the Board already designated the Village Administrator as the FOIA Officer. He suggested the language be changed to state that the Clerk is the Assistant FOIA Officer and remove the words “*in consultation with the Village Administrator*”. He also suggested that on Page 2 of the document, the paragraph that reads:

*“Processes Freedom of Information Act Requests in consult with the Village Administrator.”*

Mayor Gilbert suggested this paragraph be changed to read:

*“Processes Freedom of Information Act Requests in consultation with the Village Administrator.”*

Trustees discussed these suggestions and agreed that both paragraphs should be changed.

Trustee Hubbard asked Attorney Darrell Woolums if the language in the Village Administrator’s Ordinance was enforceable.

Darrell replied that he has already said he does not believe the Board can transfer the Mayor’s responsibility to supervise the Clerk and Treasurer to the Village Administrator. Nevertheless, the Board has chosen how they want to handle this issue. Darrell emphasized that he does not know what more he can say.

Mayor Gilbert asked Village Administrator Heather Kimmons if there was only one ordinance regarding her position right now. Heather replied that the other ordinances pertaining to her position have not been changed. Ordinance No. 784 outlines the duties and responsibilities for the Village Administrator and was adopted in January, 2010. Mayor Gilbert asked Darrell if he has reviewed Ordinance No. 784.

Darrell replied that he had. Mayor Gilbert also asked Darrell if the ordinance was in line with State law. Darrell referred to Section 6 of the ordinance that states:

*“**Powers and Duties:** The Village Administrator shall supervise and coordinate the work of all departments or the Village that are created by the Mayor and Board of Trustees. He/she shall be the Chief Administrator of the Village and to that end shall have power and shall be required to:...”*

Darrell stated that the reference to the Village Administrator as being the “*Chief Administrator of the Village*” should not be confused with the Mayor as the *Chief Executive Officer of the Village*”. Darrell commented that he does not know if this is a conflict or not. He pointed out that he has said many times, the affect of this ordinance appears to try and diminish the Mayor’s power and authority. He added that from all of his research concerning this issue, the language used in this ordinance is inappropriate. Darrell stated that his findings show the Village Administrator is simply an aide to the Mayor. The Administrator can only perform the duties delegated to that person by the Mayor. Darrell stated that he has been consistent in his comments, but noted that he has not seen any authority to make him think otherwise. He stated that if the Board chooses to transfer the power and authority from the Mayor to the Village Administrator, in affect they are trying to change the form of government. Legally, this can’t be done without putting the matter to a referendum. Darrell commented that he has said this many times, both verbally, and in writing and has not changed his opinion on this issue.

Trustee Rasho mentioned that Ordinance No. 784 was passed by the Board, and noted that Darrell's argument has been heard on several occasions. He referred to the ordinance and mentioned that Heather has not proposed making any changes to it. The Board knows very well what Darrell's opinion on this matter is. Trustee Rasho stated that he does not believe this matter needs to be rehashed. The only issue before the Board this evening relates to the Clerk and the Treasurer. He stated that it is now time to put this ordinance behind us and move on.

Village Administrator Heather Kimmons pointed out that her intent at this meeting was not to revise the Village Administrator Ordinance. Her intent was that by providing Ordinance No. 784 for Trustees to review was simply to show that the language in the ordinance refers to three categories: "*personnel, employees, and appointed officers*". Heather explained that Trustees can take this ordinance, which has been thoroughly discussed, and approved, and make it work with what she has proposed in her written report. In summary, the proposed changes add a reporting requirement for both the Clerk and the Treasurer. The changes are harmonious with Ordinance No. 784, and Heather again noted that it has already been approved. Heather stated that the language prepared recognizes that "*appointed officials*" are not the same as "*employees*". What is being suggested is that the Clerk and Treasurer positions be considered as "*personnel*" for the purpose where, as stated in the Village Administrator's ordinance, that the administrator can recommend "*personnel action*" to the Mayor and Board of Trustees. Heather reiterated that this language is harmonious with the Village Administrator's ordinance and does not, in her opinion, usurp the power from the Mayor in any way. It simply makes things consistent with what the Board has already done. It follows the same logical path.

Mayor Gilbert questioned Heather on the items highlighted in the Village Administrator ordinance. Heather replied that she is not proposing any changes to that ordinance. She simply highlighted some items to use for discussion.

Trustee Allsup asked if Heather's intent was to only review and act on the Job Descriptions this evening, or was the plan to do something more.

Heather replied that any changes in the organizational structure for the Village should be done in a step-by-step process. She explained that in her opinion, the first step is to get the job descriptions revised and approved first and then prepare ordinances for the clerk position, which the Village does not currently have. The ordinances should state that the Clerk is a member of the administrative department, considered personnel, and is an appointed official. Heather stated that the same things should be reflected with regard to the Treasurer, but noted that the Village does have an ordinance for this position. It should be revised to clarify that the Treasurer is personnel, she is an appointed officer, not an employee, and she is a member of the administrative department. Again, this would be the first step in the process.

Trustee Hubbard pointed out that in his opinion, Item H in Ordinance No. 784 states:

*(H) Recommend personnel action to the Village Mayor and Board of Trustees including salary and wage adjustments, promotions, demotions, layoffs, suspensions, discharges and other disciplinary actions.*

He then referred to the Treasurer's Job Description, on Page 2, under the Supervisory Controls section, and mentioned that in his opinion, the two paragraphs conflict.

*"SUPERVISORY CONTROLS:*

*The Village Treasurer shall perform the duties and functions of the office of municipal treasurer as provided by statute and ordinance and shall report to the Village Administrator..."*

Trustee Morr commented that the way he reads it, is that the day-to-day supervision of the Clerk and Treasurer would be the responsibility of the Village Administrator.

Trustee Rasho mentioned that the Clerk's Job Description is not consistent with the ordinance for the Village Administrator. Specifically, Section 6 H.

Heather emphasized that she made no changes to this section of the job descriptions. Her intent was only in regard to the day-to-day operations.

Trustee Rasho commented that he was very surprised to learn that there was not an ordinance for the Clerk position. He mentioned that in his opinion, he believes the Village Administrator is just trying to pull everything together.

Heather stated that her intent is not to try and change things, just to try to clarify this issue for now, and for the future.

Trustee Rasho moved, and Trustee Allsup seconded, to approve the revised job descriptions for the Village Clerk, Village Treasurer, and Administrative Assistant; and to task Staff with preparing a Clerk's ordinance and revise the Treasurer's ordinance as stated hereinabove to reflect that both appointed officials are included with "*personnel*," and are part of the Administrative Department. Approval also includes revising the Clerk's Job Description to reflect that person is the Assistant FOIA Officer. Upon a call of the roll, the vote was:

Yeas: 4—Rasho, Allsup, Morr, Gilbert.

Nays: 2—Hubbard, Reed.

Absent: 1—Johnson.

Motion declared carried.

Trustee Rasho commented that for future discussion and deliberation, the issue of what is considered to be a "*majority*" needs to be clarified.

## **NEW BUSINESS**

### **Change Order No. 1, 2010 Streets Improvement Project**

Engineer Chuck Hunsinger explained that this change order adjusts the contract quantities to equal the as-built quantities. He mentioned that he expects another one later that will add costs for some extra work, but does not expect it to be more than \$13,000. Chuck recommended the change order be approved.

Trustee Rasho moved, and Trustee Reed seconded, to approve Change Order No. 1 to the 2010 Street Improvement Project for a reduction in the amount of \$13,340.20. Upon a call of the roll, the vote was:

Yeas: 4—Rasho, Allsup, Morr, Hubbard, Reed.

Nays: 0—None.

Absent: 1—Johnson.

Motion declared carried.

### **Amendments to Liquor License Ordinance(s)**

Trustee Allsup suggested this item be tabled since one of the Trustees was absent, and allow more time to review the information the Administrator provided.

Trustee Morr asked that the item not be tabled. He stated that he was curious to hear opinions from each of the members present.

Trustee Hubbard stated that he asked for this matter to be placed on the agenda two weeks ago, but was told Heather was not quite ready to bring it before the Board for discussion. He mentioned that in his opinion, amending Forsyth's liquor licenses is an opportunity for the Village. Trustee Hubbard pointed out that the gas station owner has written a letter to the Village asking that they be permitted to sell beer and wine at their place of business. He reported that he has talked to a lot of people about this issue, and has found very few that are opposed to any change in the liquor license policy. Trustee Hubbard also expressed interest in the idea of having a "*Friar Tuck*" store or something similar come to the Village.

Trustee Morr commented that he has heard from a few of the residents who are opposed, but the majority of those he has talked to are in favor of amending the ordinance to allow the sale of alcohol at service stations. Residents are frustrated that they have to travel to other municipalities to purchase beer or wine and then go back home.

Trustee Reed reported that he has talked to more residents about this issue than other ones, and his findings were interesting. Older residents appeared to be more opposed to amending the ordinance, and also women were more opposed than men. He stated that overall he has no problem allowing the sale of beer or wine at the service stations, as long as the restrictions on the business are reasonable.

Trustees debated this issue at length. They talked about the display of advertising signs, the hours alcohol could be sold, requiring the BASSET educational training, and whether or not another license classification should be added.

There was a consensus from the Board to direct Staff to investigate appropriate conditions for amending the "Class C" Liquor License, and present options for modifying this classification for the Board's consideration.

Mayor Gilbert stated that for the record he was opposed to making any changes to the liquor license ordinances, but noted that he was aware the Board is going to do what the majority of the Board wants to do.

## **Library Plan B**

Trustee Reed referred to the information provided by the Library Advisory Committee showing what the committee is proposing to do to increase work space for employees and utilize space that has not been used in the past. The committee refers to their proposal as “*Plan B*”. In the Librarian’s written report, Head Librarian Jean Campbell explains that Plan B is an alternative to facility expansion that was developed as a result of re-thinking the use of space within the library, realigning some spaces that were underutilized, and reconfiguring others to improve workflow and efficiency in the library. The committee proposes purchasing two types of shelving units. One would be used for one-sided media and a second unit consisting of two double-sided frames, is similar to other shelving units that are located throughout the library. Because of the relocation of the tree and FAME board and the proximity to the exit, the committee is also asking for authorization to purchase and install a sounding alarm on the door. The estimated cost of the shelving and alarm are \$2,934.73.

The second part of Plan B is to address the employee work area in the library. Plan B calls for the reorganization of the work room and installation of two workstations along the west wall of the workroom. Head Librarian Jean Campbell provided Trustees with a list of the other proposed changes the committee is recommending the Board approve. They include:

- Typewriter moved to the west countertop
- Blinds added to the four windows leading into the library (\$448)
- Two windows that look directly into the library remain uncovered
- Replace countertop on work surface of former circulation desk (\$1,256)
- Modify same to make more convenient
- Relocate file cabinets to area behind children’s librarian desk

Trustee Reed mentioned that the committee reviewed several ideas for improving the library without spending a lot of money. The committee spent a lot of time trying to prioritize the suggestions discussed. He mentioned that circulation has almost doubled in the last 10 years, and it was agreed that the reorganization of space was a high priority.

Trustee Reed reported that the total cost of the items proposed is \$18,955.63, but would like authorization to spend up to \$22,000 in the event, an item ends up costing a little more than what was anticipated. Trustees briefly discussed this request.

Trustee Reed moved, and Trustee Morr seconded, to authorize the Library Committee to spend up to \$22,000 for the improvements outlined in Plan B. They include purchasing some new shelving units and the reorganization of work space in the library, as outlined in the committee’s proposal. Upon a call of the roll, the vote was:

Yeas: 4—Rasho, Allsup, Morr, Hubbard, Reed.  
Nays: 0—None.  
Absent: 1—Johnson.  
Motion declared carried.

## **Public Works Committee Recommendations**

*Weaver Road Bridge Repairs*

Trustee Rasho referred to the meeting notes from the September 13, 2010 Public Works Committee and noted that copies were included in meeting packets for this evening. The committee recommended delaying the bridge project until next spring. Members agreed to this recommendation and the motion carried. Trustee Rasho stated that he was prepared to present that recommendation to Trustees this evening, but feels after reading the Village Administrator's comments on this issue in her written report, it may be advisable to table any action on this matter until the next regular meeting. Trustee Rasho explained that the next Board meeting is scheduled for October 4, 2010, and the next Public Works Committee meeting is not scheduled until a week after that, so in his opinion, delaying any decision on this project should not be a problem. His rationale for delaying his recommendation is because the Village may still be able to do this project this construction season. By waiting until the next Board meeting, Staff will have a little more time to evaluate all the options regarding the construction project before the Board takes any action on it.

Trustee Rasho reported that the committee voted to recommend delaying the start of the work on this project until spring. However, if you read the Administrator's comments, she states that there still is a possibility that the work can be started and finished this year.

Two points were raised on the idea of postponing the project. First, the potential for increased costs for the project, and the second was the safety of the bridge. Trustees also discussed the impact the construction may have on summer activities in the park if the bridge work is delayed.

Village Administrator Heather Kimmons explained that she has been discussing both of these concerns with the Village Engineer and the contractor to try and collect as much information on the options, as possible. Heather mentioned that she is hopeful that she can make a recommendation to the Board at its October 4, 2010 meeting.

Following a lengthy discussion Trustees agreed to table any decision on this project until the next regular meeting.

#### *County Highway 20 Improvement Project*

Trustee Rasho reported that two alternatives were discussed at the last committee meeting. Copies of each options was included in meeting packets for tonight's meeting to update the Board on the status of this project and for the purpose of discussion. He mentioned that Staff was asked to provide a cost estimate for the road improvement project to present to committee members. Trustee Rasho reported that a cost estimate was provided, but noted that it did not include the project management costs or the land acquisition for construction of the detention basin. Trustee Rasho then referred to a memo from Engineer Chuck Hunsinger, dated September 16, 2010 that included both of these items.

Engineer Chuck Hunsinger reported that one alternative presented was to build only the storm sewer and detention basin from the outfall at Stevens Creek up to Phillip Circle for \$1.7M. The second alternative was to build the storm sewer up to Phillip Petroleum tank farm with the detention basin and a short section of Shafer Street from US Rt 51 to Phillip Circle for \$3.3M. Both of these estimates do not include land acquisition and construction engineering for the project.

Trustee Rasho reported that the committee recommends the Board proceed with option one as outlined in Chuck's memo. The project total for this alternative was \$2,210,000.00. Trustee Rasho explained that the county will pay for 100% of the road construction, and have tentatively agreed to share in the cost for the drainage or storm sewer portion of the project, but construction of the detention basin, will be funded entirely by the Village. This brings the total amount for the Village to \$1.4M.

Following a lengthy discussion, Trustee Morr moved, and Trustee Rasho seconded to authorize Staff to investigate funding options and provide a clearer timeline for the project. Upon a call of the roll, the vote was:

Yeas: 4—Rasho, Allsup, Morr, Hubbard, Reed.

Nays: 0—None.

Absent: 1—Johnson.

Motion declared carried.

### **Voting Question**

Attorney Darrell Woolums reported that he had found an answer to the question Trustees raised earlier regarding the number of votes needed for the approval of an ordinance. He stated that according to his findings if the Village is going to pass an ordinance for whatever purpose, or approve a resolution that creates a liability or the expenditures of money, a vote by the majority of all elected officials is required. This includes the Mayor and does not mean a majority of a quorum, this means four (4) votes no matter how many members are present. However, there are 46 exceptions to this rule.

### **Adjournment**

Trustee Allsup moved, and Trustee Rasho seconded, that the meeting be adjourned. The meeting was adjourned at 8:36 p.m. by voice vote.

By: \_\_\_\_\_  
Village Clerk