

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

**Held at the Village Hall
August 1, 2011**

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:

Trachtenberg, Morr, Reed, Hubbard, Rasho.

Absent: Johnson.

Also Physically Present

Kris Quandt, Charlyn Brautigam, Greg Crowe, Jean Campbell, Chuck Hunsinger, Heather Kimmons, Charles Frey, Rhonda Stewart, Linn Summers, Deputy Rodgers, Brian Minott, Chris Lusvardi, Larry Coloni, Darrell Woolums, Kathy Mizer.

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 July 18, 2011.
2. Approval of Bills presented for payment, August 1, 2011. ***Invoices were always available for review upon request.*

Mayor Gilbert mentioned that he noticed one slight error in the minutes presented. The "Roll Call", showed that Trustee Morr was present, and he was not. Mayor Gilbert asked that this correction be made to the final copy.

Trustee Rasho stated that he would like to make some comments about the July 18, 2011 meeting notes before any action is taken to approve them. He explained that there was one important item omitted from the notes, which from his perspective should be included. Trustee Rasho commented that he has prepared a written statement that he would like to read publicly and become part of the public record. He asked for the Board's indulgence as he reads it.

Mayor Gilbert asked Trustee Rasho if his statement was new information, or was it just a clarification of what was written in the minutes from the last meeting. Trustee Rasho replied that his statement was prepared in an effort to clarify an item that was omitted from the meeting notes. The Mayor asked Trustee Rasho to proceed.

Trustee Rasho read his prepared written statement which was signed, and then gave it to the Clerk to file. *See Exhibit A attached.*

Mayor Gilbert asked the Village Attorney if it was proper to add this statement to the meeting notes since it referred to discussion that took place at the last meeting. Attorney Darrell Woolums replied that he was not sure, but would look into this question and report back to the Board at the August 15, 2011 meeting.

Trustee Rasho pointed out that his statement is now an official document and suggested that Darrell's findings or opinion be included in tonight's meeting notes. He explained that the reason he did not ask for this item to be placed on tonight's agenda was because in his opinion, it would not serve any purpose to talk about the issue any more. Trustee Rasho stated that he wants to put this matter behind him, but does want to put everyone on notice that this was intolerable behavior.

Mayor Gilbert pointed out that he did not rap the gavel just because of one person's comments. There were statements made by more than one person and things were starting to get a little out of line. Mayor Gilbert asked that Trustee Rasho's written statement be included in tonight's meeting minutes and become part of the public record.

Trustee Reed asked that he be allowed to respond to the comments made by Trustee Rasho. He mentioned that in his opinion, he is a pretty calm person most of the time as Trustee Rasho pointed out. Trustee Reed also mentioned that he doesn't get upset very often, but noted that there are times when certain Board members appear to be controlling the meeting and seem to want to take charge of everything. He pointed out that when something controversial is going on which doesn't seem quite right, he does get upset. However, there are always two sides of any given situation. Trustee Reed stated that if you want to fire him, do so.

Mayor Gilbert asked everyone to put this matter to rest and move on. He asked if anyone wanted to make a motion to approve the Consent Agenda.

Trustee Hubbard moved, and Trustee Trachtenberg seconded, to approve the Consent Agenda, as presented. Upon a call of the roll, the vote was:

Yeas: 5—Trachtenberg, Morr, Reed, Hubbard, Rasho.

Nays: 0—None.

Absent: 1—Johnson.

Motion declared carried by omnibus vote.

Public Comment

Brian Minott, Assistant Principal for Decatur Christian School, was in attendance to introduce himself to the Board and tell Trustees a little bit about the school which is now located on Grant Street and in the former Maroa/Forsyth Grade School. He stated that the school is committed to being a real part of the community, not just an entity that is taking up space. Brian mentioned that the school is not a large facility, but he believes it is an effective school.

Brian mentioned that last week, he had the privilege of meeting with Village Administrator Heather Kimmons to discuss some of the ideas school officials have regarding their high schools educational programs. He explained that each student from 9th through 12th grade is required to complete 15 hours of community service outside of their normal duties at home. Ideas he and Heather talked about include outreach to senior citizens within the Village, or possibly helping in some way with the Family Fest or Chili cookoff. Brian reiterated that the school wants to be seen as a real integral part of the community. They want the school to grow and be a positive reflection on the Village of Forsyth. Brian asked Trustees to think about other ideas on how student can get more involved in the Village. He provided contact information to Trustees and invited them to contact him directly with any questions or ideas they may have.

Trustee Trachtenberg commented that she thinks the community service program for the students is a good idea. Mayor Gilbert thanked Brian for coming tonight and telling the Board a little about the Decatur Christian School.

Trustee Morr asked Brian when the school was going to change its name. Brian replied that although this matter has been discussed, he does not have a definitive answer to give. There are a lot of financial and legal issues that have to be resolved first.

ADMINISTRATION REPORT

LAW ENFORCEMENT—

- Deputy Rodgers was present to talk about recent activity that Village officers have responded to and answer any questions Trustees may have. He mentioned that there have been no significant issues to report. Officers remain busy, but the Village has been pretty quiet over the past two weeks.

- Deputy Rodgers mentioned that officers did respond to several accidents that occurred at the intersection of US Rt 51 and Barnett Avenue during past week. Each incident could be attributed to drivers who were not paying attention.

ADMINISTRATIVE REPORTS —

Village Administrator Heather Kimmons mentioned that in addition to her report, Trustees have been provided with written reports or narratives to review from the Attorney, Engineer, Librarian, Public Works Director, and Treasurer. Mayor Gilbert asked if there were any questions concerning any of these reports. There were none.

OLD BUSINESS:

Great Forsyth Regional Chili and Salsa Competition

Mayor Gilbert commented that after listening to the discussion from the last meeting, reading memos from Staff about the work they do each year with the chili cookoff, and talking with the Administrator and Clerk, he got to thinking about different ideas or ways to make the event a success while minimizing Staff involvement. He mentioned that he has not yet had an opportunity to speak with the Treasurer on this to ask for her input. From the feedback he has received, Mayor Gilbert proposed the following idea.

Mayor Gilbert suggested that the Village form a Chili Cookoff volunteer ad hoc committee this year, with the intent to try and transition everything that can be, from Staff to volunteer committee members. This idea would result in minimal involvement from Staff for the upcoming cookoff, and allow time for the transfer of all of the responsibilities to new people for the following year's event. However Mayor Gilbert pointed out that he feels it is important to get the committee established this year in order to begin the transition process. He mentioned that as he stated at the last meeting, he would be very happy to have any of the Trustees who want to help, be part of the committee. There is a lot to do, and it would be great to have everyone be part of the event.

Trustee Hubbard commented that he thinks the plan the Mayor has suggested is a good plan, and a good compromise. He added that he is hopeful that everyone can get behind it and support the event.

Trustee Rasho also expressed his support for the Mayor's suggestion. He asked for clarification on specifically what the Mayor was asking that the Board do tonight. Is the Mayor asking for approval to officially form an ad hoc committee?

Mayor Gilbert replied that he would like approval to form an ad hoc committee just like what was done for the Futures and Farm Progress Show events. He mentioned that an ad hoc committee was also formed for this year's family festival. Mayor Gilbert commented that he is hopeful that this will be the last time an ad hoc committee may be needed for the chili cookoff as he is trying to find another group or organization to take it over next year.

Trustee Rasho stated that he recalls that when the Board made the motion to dissolve all of the regular committees and the ad hoc committees were formed for the Futures and Farm Progress Show, it was agreed that the Mayor should utilize the existing Economic Development Committee members or other volunteers to serve on these ad hoc committees. Trustee Rasho asked if there were any official meetings held for these committees, and was there any documentation of what transpired at them. If there was not, Trustee Rasho suggested the chili ad hoc committee be handled in the same manner.

Trustee Hubbard commented that in his opinion, there still needs to be a transition time. He added that a motion should be made and voted on to authorize forming a committee for this year's event.

Mayor Gilbert replied that for the Futures and Farm Progress Show, most of the work was done over the telephone or on an individual basis. However, for the chili ad hoc committee, meetings will be needed to get everything done. He reiterated that there is a lot to do and anyone interested is welcome to help.

Trustee Hubbard moved, and Trustee Morr seconded to authorize the Mayor to put together an ad hoc committee for the 2012 Great Forsyth Regional Chili and Salsa Competition. Upon a call of the roll, the vote was:

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

NEW BUSINESS

Audit Presentation

Mayor Gilbert recognized the Village's auditors from Sikich, LLP out of Springfield, Illinois who were in attendance to provide Trustees with an overview of the Management Letter and the Financial Statements for the Village. He asked that the auditors present their findings to the Board.

Auditors Chad Lucas and Korey Davis were both present at tonight's meeting to comment on this year's annual audit. Chad commented that once again they appreciated the opportunity to work with the Village through the audit process and acknowledged help received from Staff which made the process go smooth. Chad mentioned that tonight, he would like to just provide a brief overview of the audit and then answer any questions Trustees might have.

Chad explained that the audit report presented represents an independent review and written opinion for fiscal year ending April 30, 2011. He commented that the audit was conducted in accordance with generally accepted auditing standards and noted that he believes the document presented provides a reasonable basis for that opinion. Chad mentioned that the audit reflects a very healthy statement of accounts for the Village. He asked Trustees if there were any questions. There were none.

Chad then referred to the Management Letter and reported that the auditors found no significant issues, no material deficiencies, or problems with internal control cited this year. However, Chad mentioned that there were three recommendations presented. He pointed out that two of the three were mentioned in

prior years. They include updating the employee handbook, development of a disaster recovery plan to add to the information technology system for the Village, and development of a Fund Balance and Reserve Policy. The letter also includes some future accounting pronouncements that the Board should be aware of.

After a brief discussion Trustee Hubbard moved and Trustee Morr seconded, to adopt the 2010-2011 Audit and Audit Management Letter, as presented. Upon a call of the roll, the vote was:

Yeas: 5—Trachtenberg, Morr, Reed, Hubbard, Rasho.

Nays: 0—None.

Absent: 1—Johnson.

Motion declared carried.

Authorize New General Fund Account for Diversification of Funds

Village Administrator Heather Kimmons referred to a memo from the Treasurer to explain information included in meeting packets concerning this request. She asked Rhonda to elaborate on this item.

Treasurer Rhonda Stewart replied that if anyone has questions concerning the memos she has written, she would be happy to answer them. In her memo dated July 27, 2011, Rhonda explained that the majority of the Village's general fund reserves are currently invested with Illinois Funds. Although, there has never been any issues with this financial institution, there is concern from the Illinois State Treasurer whether the funds will be safe with the effects on Illinois government moneys should the federal debt ceiling debate fail to produce a positive result. Rhonda suggested the Board authorize her to open a new account with Hickory Point Bank and then move half of the Village's reserves into this new account.

Trustee Hubbard commented that although he understands the idea of diversifying Village funds, he does not want to get in the habit of choosing one bank over another. He pointed out that Rhonda is talking about moving quite a bit of money around. Trustee Hubbard commented that even after reading the memos provided, he is still not sure on what should be done.

Trustee Rasho stated that he wanted to compliment the Staff for staying on top of issues like this. He mentioned that there was an article in the newspaper over the weekend about the same thing. Trustee Rasho commented that he believes diversifying the reserves is a good idea and would defer to the Staff's judgment on which bank should be selected.

Heather asked Rhonda if she recommended moving the funds to Hickory Point Bank was because of her comfort level with the bank, or was this suggestion based on something else. Rhonda replied that she does have a good rapport with Hickory Point Bank and noted that she doesn't have authority to open accounts at some of the other local banks. Heather asked that if Trustees would like Staff to research other banking options, they could certainly do so.

Trustee Rasho moved, and Trustee Trachtenberg seconded, to authorize the Treasurer to open a new general fund account with Hickory Point Bank for the purpose of dividing reserves into two different banking facilities.

Trustees talked about this issue at length before agreeing to table this request pending further evaluation of different options for diversifying the general fund reserves.

The motion was withdrawn.

**Ordinance No. 828, Amending Ordinance No. 741,
Amending Building Code of the Village of Forsyth**

Village Administrator Heather Kimmons referred to information provided in meeting packets concerning a proposed amendment to Ordinance No. 741, which incorporates the 2008 National Electrical Code (NEC) into the Village's Building Codes. She explained that the Village's electrical inspector, Mr. Jim Brummitt, has suggested that the Village add, as the City of Decatur has done, a provision in our code that states "*For new buildings of all types, where emergency lighting is required, that an adequate number of battery backup type fixtures be used to provide lighting for exiting the building. This shall be required in all installations including buildings supplied with an alternate power supply such as generators or separate services.*" Heather mentioned that she feels this provision would simply provide an added layer of protection in the event a generator would fail. She recognized the Village's Building Inspector Linn Summers who was present to answer any more questions Trustees might have regarding this proposal.

Linn mentioned that the NEC requires generators to be inspected annually, but noted that it is up to the business to ensure these inspections are done. However, the Fire Department does perform semi-annual inspections on all exit lighting. Linn mentioned that in his opinion, since the cost for the battery backups is minimal, he would recommend the ordinance be approved.

Heather referred to the draft ordinance presented, which reflects the additional language discussed. She recommended it be approved.

Following a brief discussion, Trustee Morr moved, and Trustee Rasho seconded, to approve Ordinance No. 828, an ordinance amending Ordinance no. 741, and further amending and updating Section 150.020 of the Building Code of the Village of Forsyth. Upon a call of the roll, the vote was:

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

**Request to Authorize Expenditures of budgeted Funds
for Concession Stand and Pavilion Roofs - Line Item 01-52-822**

Village Administrator Heather Kimmons asked Public Works Director Larry Coloni to comment on this item. Larry referred to three quotes he received for replacement of the roofs on the concession stand and the large pavilion. Different types of roofing materials were looked at and also different color options. Larry mentioned that he would suggest the dark green or "*Forsyth*" green be used. After reviewing each of the quotes received, Larry mentioned that Wilson – Schleder Construction, Inc. out of Clinton also provided cost estimates for re-roofing the bathrooms and small pavilion with their proposal. Larry mentioned that since \$50,000 was budgeted for replacement of the two roofs, he would like to suggest the Board go ahead and release funds to re-roof all four of the buildings in the main park. This includes both of the pavilions, the small bathroom, and the concession stand at an estimated cost of \$32,000. Larry commented that he was excited with the pricing presented and mentioned that in his opinion, the new roofs will spark up the park, look a lot cleaner and be nicer if all four are replaced at the same time.

Trustee Hubbard moved, and Trustee Rasho seconded, to authorize contracting with Wilson – Schleder Construction, Inc. from Clinton, to replace the roofs on the two pavilions, concession stand, and the bathrooms in the main park, at an estimated cost of \$32,000. Upon a call of the roll, the vote was:

Yeas: 5—Trachtenberg, Morr, Reed, Hubbard, Rasho.
Nays: 0—None.

Absent: 1—Johnson.
Motion declared carried.

Request to Authorize Disposal of Leaf Vacuum System

Public Works Director Larry Coloni asked Trustees for approval to dispose of a 2000 ODB leaf vacuum systems that is no longer needed. He mentioned that there has been some interest expressed from neighboring communities, so believes it would be a good time to sell it. Larry explained that normally, vehicles and equipment are placed in the Village Hall parking lot, advertised for sale in Wheels & Deals, and then sold by sealed bid.

Trustee Hubbard moved, and Trustee Reed seconded to authorize the disposal of one of the Village's leaf vacuum systems by sealed bid. Upon a call of the roll, the vote was:

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

Adjournment

Trustee Hubbard moved, and Trustee Trachtenberg seconded, that the meeting be adjourned. The meeting was adjourned at 7:51 p.m. on voice vote.

By: *Kathy S. Mizer*
Village Clerk

August 1, 2011

Mr. Mayor and Fellow Trustees:

During the past four years that I have served as a Trustee I do not recall the Mayor ever using his gavel to bring the meeting back to order due to lack of civility by a Trustee. The Mayor has allowed the passionate free-flow of ideas and discussions among Trustees. However, at the end of the July 18th meeting when Trustee Reed embarked on uncontrolled verbal tirade, the Mayor was forced to bring order by gavel and stopped further discussion.

After reflecting on the events of July 18th meeting, I feel compelled to express my dismay at the conduct of Trustee Reed since this was the third time he has had an outburst directed at me. Trustee Reed is serving his third term and he also holds the position of Mayor Pro-tem. I am sure all of you would agree that Trustee Reed can be described as soft spoken and low-keyed. He seldom comments or shows emotion during the discussion of issues by Board members. Therefore, his uncontrolled outbursts are uncharacteristic and we have never experienced such behavior by one Trustee to another.

After his first outburst at a Board Meeting I gave him the benefit of the doubt and ignored it. The second incident occurred at a Finance Committee meeting and I brushed it off in deference to not making a scene in front of the Committee's volunteer members. The third outburst is recorded on tape but is not reflected in the meeting minutes and I believe it should not be casually dismissed.

All elected officials want and aspire to do what is best for the community they serve. There has never been, nor should there be, a disagreement among us Trustees on this point. However, it is not unusual that independent thinkers disagree on the path to reach the goals and objectives. Civility, transparency and open mindedness are expected while conducting business.

I summarize by thanking you Mr. Mayor for using your gavel to control the last meeting. I request that you do everything in your power to put an end to such outbursts and personal attacks by any Trustee to another. As to Trustee Reed, I expect him to do the right thing and refrain from such rude outbursts in the future. Should I ever be subjected to another tirade by Trustee Reed with malicious tone that can be only interpreted as intimidation and an attempt to deter me from carrying out my duties as an elected official, I reserve the right to take whatever steps necessary, legal or otherwise, to correct the situation.



Bob Rasha, Trustee