

## REGULAR BOARD MEETING AGENDA - MARCH 15, 2010 - 7:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Minutes of Previous Meeting
  - 4 - 1. March 1, 2010 - Regular Board Meeting - **Exhibit A**
5. Finance
  - 5 - 1. Financial Report - None.
  - 5 - 2. Balance Sheet - None.
6. Treasurer's Report -
7. Attorney's Report - None.
8. ESDA Report -
9. Public Participation
10. Reports and Correspondence - None.
11. Recommendations of Boards and Commissions - None.
12. Contracts, Releases, Agreements and Annexations - None.
13. Bids - None.
14. Resolutions - None.
15. Ordinances -
  - 15 - 1. Ordinance #1348 - An Ordinance Setting Forth Provisions for Compliance with FOIA - **Exhibit B**
16. Old Business
17. New Business
18. Appointments - None.
19. Committee Meeting Minutes
  - 19 - 1. Legal/Ordinance Committee Meeting - Wednesday, March 3, 2010 - 4:30 p.m. - **Exhibit C**
  - 19 - 2. Electric Committee Meeting - Wednesday, March 10, 2010 - 5:30 p.m. - **Exhibit D**
  - 19 - 6. Personnel/Police Committee Meeting - Wednesday, March 10, 2010 - 6:30 p.m. - **Exhibit E**
20. Upcoming Meetings
  - 20 - 1. Water/Sewer Committee Meeting - Wednesday, March 17, 2010 - 5:30 p.m.
  - 20 - 2. Streets Committee Meeting - Wednesday, March 17, 2010 - 6:30 p.m.
  - 20 - 3. Finance Committee Meeting - Wednesday, March 31, 2010 - 5:30 p.m.
  - 20 - 4. Economic Development Committee Meeting - Wednesday, March 31, 2010 - 6:30 p.m.
  - 20 - 5. CLOSED IN OBSERVANCE OF GOOD FRIDAY - Friday, April 2, 2010
  - 20 - 6. Board Meeting - Monday, April 5, 2010 - 7:30 p.m.
21. Village President's and Trustees' Comments
22. Staff Comments
23. Adjournment

At said Board Meeting, the Village Board of Trustees may vote on whether or not to hold an Executive Session to discuss the selection of a person to fill a public office [5 ILCS, 120/2 - (c)(3)]; personnel [5 ILCS, 120/2 - (c)(1)a.]; litigation [5 ILCS, 120/2 - (c)(11)]; real estate transactions [5 ILCS, 120/2 - (c)(5)].

VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Corby Valentine  
Steve Smith  
Tony Miller  
Rita Baker  
Seth Speiser  
Charlie Mattern

# VILLAGE OF FREEBURG

FREEBURG MUNICIPAL CENTER  
14 SOUTHGATE CENTER, FREEBURG, IL 62243  
PHONE: (618) 539-5545 • FAX: (618) 539-5590  
Web Site: www.freeburg.com  
**FREEBURG REGULAR BOARD MEETING**  
**Monday, March 1, 2010 at 7:30 P.M.**  
**Board Minutes**

VILLAGE ADMINISTRATOR  
Dennis Herzing

VILLAGE TREASURER  
Bryan A. Vogel

PUBLIC WORKS DIRECTOR  
Ronald Dintelmann

POLICE CHIEF  
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY  
Stephen R. Wigginton

**CALL TO ORDER:** Acting Mayor Rita Baker called the Regular Board Meeting to order at 7:30 p.m., on Monday, March 1, 2010, in the Freeburg Municipal Board Room.

**PLEDGE OF ALLEGIANCE:** Those present and Board Members recited the Pledge of Allegiance.

**ROLL CALL:** Trustee Charlie Mattern – here; Trustee Steve Smith – here; Trustee Rita Baker – here; Trustee Corby Valentine – here; Trustee Tony Miller – here; Trustee Seth Speiser – here and Mayor Raymond Danford – absent; (6 present, 1 absent). Acting Mayor Rita Baker announced there is a quorum.

**MINUTES OF PREVIOUS MEETING:** Trustee Tony Miller motioned to approve the minutes of Tuesday, March 1, 2010 and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.

**FINANCE:** Trustee Steve Smith motioned to approve the Warrant List in the amount of \$58,409.05 and Trustee Corby Valentine seconded the motion. **ROLL CALL:** Trustee Steve Smith - aye; Trustee Corby Valentine - aye; Trustee Seth Speiser - aye; Trustee Tony Miller - aye; Trustee Rita Baker - aye; Trustee Charlie Mattern - aye; (6 ayes, 0 nays, 0 absent). All voting aye, the motion carried.

1. CD's: Trustee Smith said we talked the CD's which are renewing soon. The current interest rate is 3.5%.
2. 3 to 5 Year Plan: Trustee Smith said Dennis and Ron are re-prioritizing the items. Steve will get it updated and copies to everyone.
3. Penalty Police for Utility Bills: Trustee Smith said we talked about the penalty policy for utility bills and we are going to check with other communities to see how they charge for late bills. It will also be taken to the Water/Sewer and Electric committees for discussion. Trustee Smith said that Trustee Valentine brought up exploring the option of giving the residents the opportunity to add \$1.00 to their bill to help residents that need financial assistance in paying their utility bill. We are going to check with Locis to see if that program is capable of doing that.
4. Compensation of Officials: Trustee Smith said we talked about compensation for board members and Mayor. Currently, we get paid \$50.00 a meeting whether or not the board members and Mayor attend. Trustee Smith said the committee wanted the full board to discuss this. The board briefly discussed this topic and Acting Mayor Rita Baker asked the trustees to discuss this in the upcoming committee meetings and bring it back to the next board meeting.
5. Warrant List: Trustee Smith said we are going to look into whether or not the warrant list is needed.

**TREASURER'S REPORT:** None.

Village of Freeburg Board Meeting Minutes  
Monday, March 1, 2010  
Page 1 of 3

**ATTORNEY'S REPORT:** Acting Mayor Baker said our current code states the Village Attorney receives an annual retainer and asked Dennis if we still give our attorney one. Village Administrator Herzing said no and Trustee Smith asked if this should be revised. Dennis advised it should because the attorney gets paid on an hourly basis. Trustee Valentine said without a retainer, we don't have a bidding contract with the attorney. Dennis advised the village attorney is an appointed position. Trustee Mattern said we could always choose to hire someone else for a special situation and Trustee Miller said he thinks not having a retainer would give us more flexibility.

**ESDA REPORT:** ESDA Coordinator Gene Kramer was absent, but Acting Mayor Baker read from Gene's flyer the monthly tornado test has been rescheduled to March 23rd at 10:00 a.m. Freeburg ESDA will be holding an "Open House/Membership Drive" at Village Hall on March 13th from 1:00 p.m. - 3:00 p.m.

**PUBLIC PARTICIPATION:** None.

**REPORTS AND CORRESPONDENCE:** Acting Mayor Baker read the Relay for Life Proclamation.

**RECOMMENDATIONS OF BOARDS AND COMMISSIONS:** None.

**CONTRACTS, RELEASES, AGREEMENTS AND ANNEXATIONS:** None.

**BIDS:** None.

**RESOLUTIONS:** Acting Mayor Baker said Resolution #10-02 is the Resolution for Maintenance of Streets and Highways.

*Trustee Tony Miller motioned to adopt Resolution #10-02 by title only in the amount of \$140,000.00 and Trustee Steve Smith seconded the motion. ROLL CALL:* Trustee Tony Miller - aye; Trustee Steve Smith - aye; Trustee Corby Valentine - aye; Trustee Rita Baker - aye; Trustee Seth Speiser - aye; Trustee Charlie Mattern - absent; (6 ayes, 0 nays, 0 absent). All voting aye, the motion carried.

**ORDINANCES:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**APPOINTMENTS:** None.

**COMMITTEE MEETINGS MINUTES:**

**Public Works Committee Meeting:** Trustee Charlie Mattern called the Public Works Committee Meeting to order on Wednesday, February 17, 2010 at 5:30 p.m.

1. SAVE Site Water Situation: Trustee Mattern said we are continuing to move forward on this.
2. Recycling: Trustee Mattern said the recycling is going like gangbusters. Trustee Mattern said we appreciate the people that are following the rules for using the recycling bins.
3. Grade School Bill: Trustee Smith said there will be no utilities turned on at that location. Trustee Miller said we can deal with this subject at the next electrical meeting.

**Public Property Committee Meeting:** Trustee Tony Miller called the Public Property Committee Meeting to order on Wednesday, February 17, 2010 at 6:30 p.m.

1. Safe Routes to School: Trustee Miller said we talked about this and we have sent the Request for Qualification letters out to the engineering firms regarding the work that needs to be done.

Trustee Miller said we already took care of the MFT resolution tonight.

2. Limb Pickup Program: Trustee Miller said we are discussing the limb pickup program.

**Economic Development Committee Meeting:** Trustee Smith called the Economic Development Committee Meeting to order on Tuesday, February 23, 2010 at 6:30 p.m.

1. Growth Strategies and Recommendations to retain and attract businesses: Trustee Smith said we talked about trying to attract some businesses that will complement the Industrial Park. He said we are going to make some improvements to the website and add a section that highlights a "Business of the Month."

2. Christmas Lighting Event: Trustee Smith said we talked about adding a Santa's Cottage to the Village park this year and also adding a nativity scene.

3. Summer Event: Trustee Smith said we are going to hold two "Movies in the Park" this summer and Corby Valentine has volunteered his time to provide the equipment for the events which will be held at the Village Park on July 17th and July 31st.

**UPCOMING MEETINGS:**

Legal/Ordinance Committee Meeting - Wednesday, March 3, 2010 - 4:30 p.m.

Electric Committee Meeting - Wednesday, March 10, 2010 - 5:30 p.m.

Personnel/Police Committee Meeting - Wednesday, March 10, 2010 - 6:30 p.m.

ESDA Membership Drive & Open House - Saturday, March 13, 2010 - 1:00-3:00 p.m.

Board Meeting - Monday, March 15, 2010 - 7:30 p.m.

**VILLAGE PRESIDENTS AND TRUSTEES' COMMENTS**

**Trustee Charlie Mattern:** Nothing.

**Trustee Steve Smith:** Nothing.

**Trustee Rita Baker:** Nothing.

**Village Clerk Jerry Menard:** Nothing.

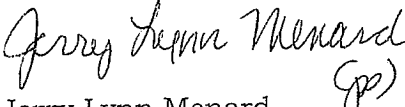
**Trustee Corby Valentine:** Nothing.

**Trustee Tony Miller:** Nothing.

**Trustee Seth Speiser:** Nothing.

**STAFF:** None.

**ADJOURN:** Trustee Tony Miller motioned to adjourn at 7:53 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

  
Jerry Lynn Menard,  
Village Clerk

**ORDINANCE NO. 1348**

**AN ORDINANCE OF THE VILLAGE OF FREEBURG  
SETTING FORTH PROVISIONS FOR COMPLIANCE WITH THE  
ILLINOIS FREEDOM OF INFORMATION ACT**

WHEREAS, the Freedom of Information Act took effect on July 1, 1984 (5 ILCS 140/1 *et seq.*) and was substantially amended by PA 96-0542 effective January 1, 2010; and

WHEREAS, such Act is intended to provide the public with greater access to the records of public bodies; and

WHEREAS, it is necessary for the Village of Freeburg to establish practices and procedures ensuring its full compliance with said Act, so that the public policy stated therein can be carried out effectively and efficiently with respect to the records of the Village.

BE IT ORDAINED by the President and the Board of Trustees of the Village of Freeburg, St. Clair County, Illinois as follows:

SECTION 1: The Village Clerk is hereby designated as the FOIA Officer to whom all initial requests for access to the records of the Village are to be referred. Such requests are to be made at the offices of the Village Clerk at 14 Southgate Center, Freeburg, Illinois, between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday. In the event that the Village Clerk is not available during the times described above, the Office Manager is designated as the Deputy FOIA Officer to whom such initial requests are to be made. Except in instances when records are furnished immediately, the FOIA Officer, or his/her designees, shall receive requests submitted to the Village under the Freedom of Information Act, ensure that the Village responds to requests in a timely fashion, and issue responses under the Act. The FOIA Officer shall develop a list of documents or categories of records that the Village shall immediately disclose upon request.

SECTION 2: Upon receiving a request for a public record, the FOIA Officer shall:

- (1) note the date the Village receives the written request;
- (2) compute the day on which the period for response will expire and make a notation of that date on the written request;
- (3) maintain an electronic or paper copy of a written request, including all documents submitted with the request until the request has been complied with or denied; and
- (4) create a file for the retention of the original request, a copy of the response, a record of written communications with the requester, and a copy of other communications.

SECTION 3: The FOIA Officer and Deputy FOIA Officer shall, within six (6) months after January 1, 2010, successfully complete an electronic training curriculum to be developed by the Public Access Counselor of the State of Illinois and thereafter successfully complete an annual training program. Whenever a new Freedom of Information Officer is designated by the Village, that person shall successfully complete the electronic training curriculum within 30 days after assuming the position.

SECTION 4: Any records which are the subject of a request under the Freedom of Information Act shall be retrieved from such place as they are stored, by the FOIA Officer, or by an employee of the Village acting under the direction of the FOIA Officer. In no event shall records be retrieved by the party requesting them or by any person who is not employed by the Village.

SECTION 5: If copies of records are requested, the fees for such copies, whether certified or not, shall be as determined from time to time by the FOIA Officer pursuant to Section 6(b) of the Freedom of Information Act. The Village Clerk shall maintain a written schedule of current fees in the Clerk's office. The fees so charged shall reflect the actual cost of copying the records, and the cost of certifying copies, if certification is requested.

SECTION 6: In the event that a request to inspect Village Records is denied by the FOIA Officer, the denial may be appealed to the Public Access Counselor of the State of Illinois.

SECTION 7: The Village Clerk shall prepare: (a) a Village Information Directory; (b) a block diagram of the functional Subdivisions of the Village; (c) a Village Records Directory; and (d) a Records Catalogue, all of which shall be substantially in the same form as the documents attached hereto and made a part hereof as Exhibits "A", "B", "C", and "D". This information shall also be posted on the Village's website.

SECTION 8: THIS ORDINANCE shall be in full force and effect immediately upon its passage and approval as required by law.

PASSED this 15th day of March, 2010, by the Corporate Authorities of the Village of Freeburg, County of St. Clair, Illinois, by a roll call vote as follows:

AYES \_\_\_\_\_

NAYS \_\_\_\_\_

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ABSENT \_\_\_\_\_

ABSTAIN \_\_\_\_\_

\_\_\_\_\_

Jerry Menard, Village Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009

\_\_\_\_\_  
Raymond S. Danford, Village President

ATTEST:

\_\_\_\_\_  
Jerry Menard, Village Clerk

Approval as to Legal Form:

\_\_\_\_\_  
Stephen R. Wigginton, Village Attorney

**ATTACHED EXHIBITS**

**EXHIBIT A. - MUNICIPAL INFORMATION DIRECTORY**

**EXHIBIT B. - BLOCK DIAGRAM OF FUNCTIONAL SUBDIVISIONS**

**EXHIBIT C. - MUNICIPAL RECORDS DIRECTORY**

**EXHIBIT D. - CATALOGUE OF PUBLIC RECORDS**



## EXHIBIT A.

### MUNICIPAL INFORMATION DIRECTORY

Village of Freeburg - a non-home rule municipality

The Village of Freeburg is a municipality incorporated and organized under the laws of the State of Illinois for the purpose of providing its residents with the following services:

- A. Police protection.
- B. Sewer and water service.
- C. Electric service.

The Village of Freeburg has certain functional subdivisions which are shown on Table 1 attached hereto. The approximate amount of the operating budget of the Village of Freeburg is \$7,400,000 . The Village's sole office is located at 14 Southgate Center in Freeburg . The Village currently employs approximately 30 full and part-time employees. The members of the boards, commissions and committees of the Village are as follows:

Mayor: Raymond Danford  
Board: Rita Baker, Corby Valentine, Charlie Mattern, Steve Smith, Tony Miller and Seth Speiser.  
Clerk: Jerry Menard  
Treasurer: Bryan Vogel

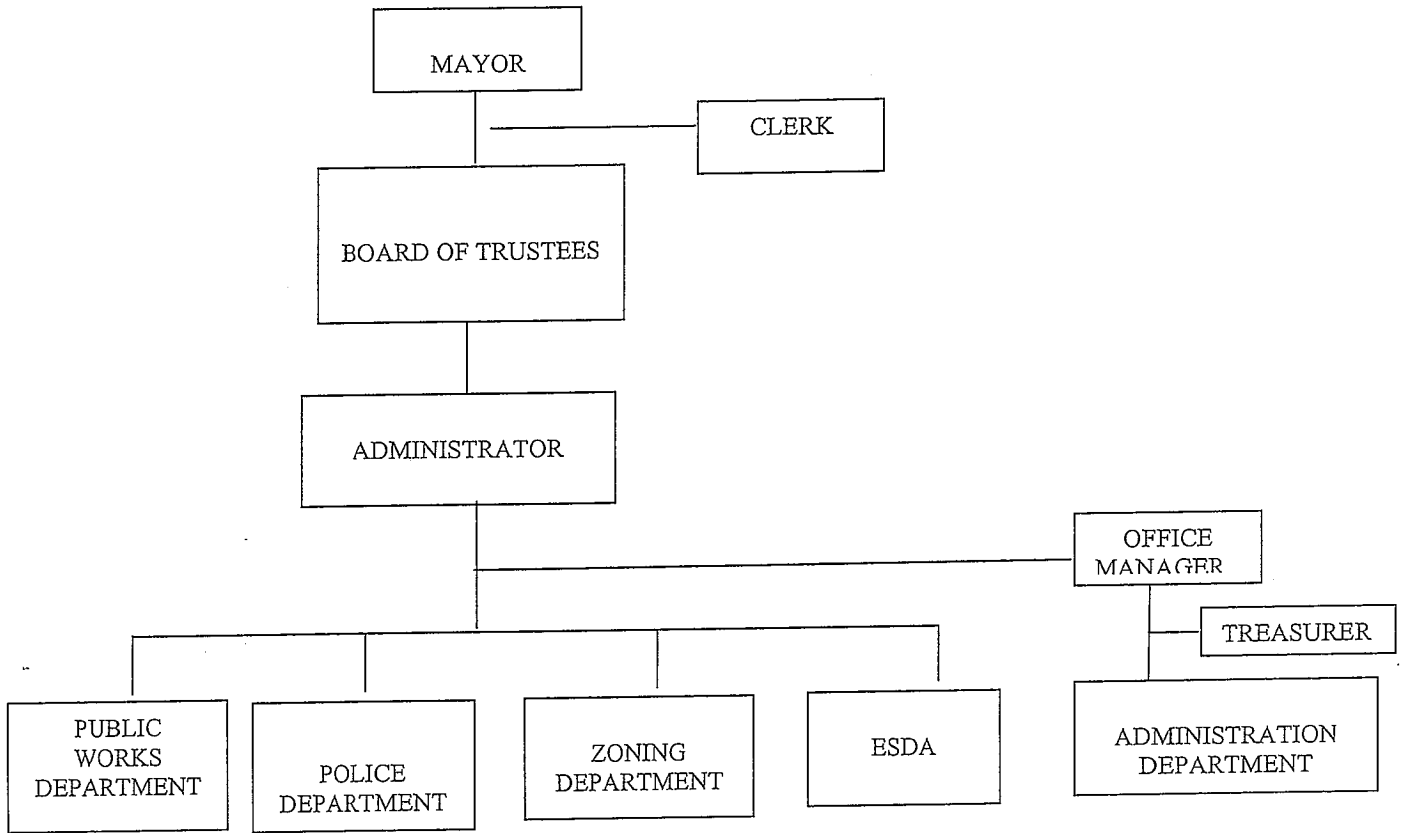
Plan Commission: Steve Woodward, Ray Walta, Dale Klohr, Mary Krieg, Sam Nold, Bill Schwartz and Bryan Vogel.

Board of Appeals: Kenneth Bald, Richard Gordon, John Dittman, Bob Koerber, Diana Kasper, Dolly Revelle and Tom Kreher.

<u>Committees</u>	<u>Member</u>	<u>Title</u>
Electric:	Corby Valentine	Chairman
	Tony Miller	Trustee
	Steve Smith	Trustee
Finance	Steve Smith	Chairman
	Corby Valentine	Trustee
	Seth Speiser	Trustee
Legal/Ordinance	Seth Speiser	Chairman
	Rita Baker	Trustee
	Charlie Mattern	Trustee
Personnel/Police	Rita Baker	Chairperson
	Charlie Mattern	Trustee
	Steve Smith	Trustee
Public Property	Tony Miller	Chairman
	Rita Baker	Trustee
	Corby Valentine	Trustee
Public Works	Charlie Mattern	Chairman
	Tony Miller	Trustee
	Seth Speiser	Trustee

EXHIBIT B.

BLOCK DIAGRAM OF FUNCTIONAL SUBDIVISIONS



The Freedom of Information Officers for the Village are:

Name:

Contact Location:

Jerry Lynn Menard  
Village Clerk

14 Southgate Center  
Freeburg, IL 62243

Julie Polson  
Office Manager

14 Southgate Center  
Freeburg, IL 62243

## EXHIBIT C.

### MUNICIPAL RECORDS DIRECTORY

#### Village of Freeburg

Any person requesting records of the Village of Freeburg may make such a request either in person, orally or in writing at the Village Clerk's office located at 14 Southgate Center, Freeburg, Illinois. Such request should be made to Jerry Menard, FOIA Officer at such address and if she is not present in person, you should see Julie Polson, Deputy FOIA Officer. Another method would be by mailing, faxing or emailing a written request to either Jerry Menard or Julie Polson specifying in particular the records requested to be disclosed and copied. All written requests should be addressed to the FOIA Officer at the address of the Clerk's office. If you desire that any records be certified, you must indicate that in your request and specify which records must be certified.

The fees for any such records, if the person requesting the records wishes them to be copied, are as follows:

First 50 pages, black and white, letter or legal size copies, no cost.

Additional pages, black and white, letter or legal, actual cost to \$0.15.

Electronic records will be formatted subject to reimbursement for costs of recording medium. Color copies or copies in a size other than letter or legal shall be reimbursed to actual costs.

Costs of certifying a record will be \$1.00.

Records may be furnished without charge or at a reduced charge, as determined by the Village, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest. Waiver or reduction of the fee is in the public interest if the principal purpose of the request is to access and disseminate information regarding the health, safety and welfare or the legal rights of the general public and is not for the principal purpose of personal or commercial benefit.

## EXHIBIT D.

### CATALOGUE OF PUBLIC RECORDS

This catalogue of Village records is listed by department and is divided into various types of records and various categories of records within each type. The "type" of records is meant to be a broad general category and the category is a sub-part of the type.

#### Administration Department Records

##### Financial Records

- Budget
- Appropriation Ordinance
- Annual Audits
- Purchase Orders
- License fees

##### Utility Records

- Utility bills and receipts
- Liens

##### Village Board Records

- Board Meeting Minutes
- Committee meeting minutes
- Ordinances
- Resolutions

##### Personnel Records

- Salary Schedules
- Personnel Policies
- Employee Handbook
- Training Records
- Pension Fund Records
- Worker's Compensation Records

#### Public Works Department Records

##### Utility Records

- Water system records
- Wastewater system records
- Electric System records
- Utility Permits

#### Zoning Department Records

##### Building Permit Records

- Building Permit Applications
- Building Permits
- Occupancy Permits

##### Zoning Records

- Amendments
- Variances & Special Use Permits
- Village Maps
- Comprehensive Plan

#### Police Department Records

##### Police Personnel Records

- Union Contract
- Salary Schedules
- Police Policy Manual
- Training Records

##### Police Equipment Records

- Equipment Maintenance records
- Vehicle Maintenance logs

##### Police Activity Records

- Complaint Files
- Investigative files
- Mutual Aid Agreements
- Issued Traffic Citations
- Law Enforcement Agency Data System
- (LEADS) Records
- National Incident Management System
- (NIMS) Records
- Illinois Law Enforcement Alarm System (ILEAS) Records

#### ESDA Records

- Emergency Response Plan records

VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Corby Valentine  
Steve Smith  
Tony Miller  
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Seth Speiser  
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EXHIBIT C  
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Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY  
Stephen R. Wigginton

Legal and Ordinance Committee Meeting  
(Annexation; Building; Zoning; Subdivision)  
(Speiser/Baker/Mattern)  
Wednesday, March 3, 2010 at 4:30 p.m.

The meeting of the Legal and Ordinance Committee was called to order at 4:32 p.m. by Chairman Seth Speiser on Wednesday, March 3, 2010, in the Freeburg Municipal Center. Members attending were Chairman Seth Speiser, Trustee Rita Baker, Trustee Charlie Mattern, Village Administrator Dennis Herzing and Office Manager Julie Polson. Guest present: Janet Baechle.

## A. OLD BUSINESS:

1. Approval of February 3, 2010 Minutes: *Trustee Rita Baker motioned to approve the February 3, 2010 minutes and Trustee Seth Speiser seconded the motion. All voting aye, motion carried.*

2. Community Improvement Board/Material Requirements on Commercial Buildings/Nuisance Abatement Code: The committee asked that the draft ordinance for the material requirements on commercial buildings, the proposed nuisance abatement code and the resolution containing the guidelines on the commercial remodels be sent to the Economic Development Committee for their review and comments.

3. Status of Public Hazard Homes: Phil talked to Ray about Sheets' property on N. State Street and they agreed to have Phil keep monitoring it. Rita asked about the property on W. Phillips Street and Dennis said he knows Phil sent a letter to the owner but doesn't know anymore than that. Dennis commented Phil is trying to get as much done through the letters he sends out without getting the attorneys involved.

4. TIF litigation: Dennis said Koppes backed off the items we said no to in the last letter. Attorney Wigginton is finalizing the agreement and will get it to us for our approval.

5. Ordinance on reflective clothing while walking: Charlie felt residents should use common sense when walking in the dark and said we shouldn't have to enforce that. The committee agreed to take the item off the agenda.

6. FOIA Ordinance: Dennis revised the suggested ordinance and said it was provided by Attorney Wigginton. He said it could be very time intensive if someone wanted to request a lot of information.

Legal and Ordinance Committee Meeting  
Wednesday, March 3, 2010  
Page 1 of 2

Trustee Rita Baker motioned to recommend the Ordinance of the Village of Freeburg Setting Forth Provisions for Compliance with the Illinois Freedom of Information Act and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

7. New class of business license: The committee discussed Paul Anderson's concern about temporary businesses being able to come into the Village and compete with existing businesses. Rita asked if we could incorporate language into our code where we could make the temporary business pay sales tax to the Village. Dennis said we could raise the business license fee for a temporary/seasonal business license. This would help cover the revenue from the sales tax. After further discussion, the committee asked Dennis to check with Attorney Wigginton to see what his opinion of this is.

**B. NEW BUSINESS:** Dennis said Dave Self called him asking if a travel trailer could be parked on a lot to be used as a home. Dennis provided copies of the code which states that no travel trailer can be used as a dwelling or residence in any mobile home park.

Seth questioned the language under junkyards and asked about Bill Herr's situation and Dennis said his property is grandfathered in.

Rita brought up the compensation of officials topic discussed in the last board meeting. A copy of the current code was provided. Dennis said the Mayor told him he feels he shouldn't get paid if he doesn't show up for the meeting. Currently, our code does not specifically say the Mayor shouldn't get paid for a board meeting if he doesn't attend them. It only states he can't be paid for more than 6 committee meetings a month. Currently, the trustees are paid for board meetings whether they attend or not. They do not receive compensation if they miss a committee meeting. It also states if they miss more than 4 board meetings, they don't get paid for any meetings the rest of the year. The committee agreed to change the code to if the Mayor and trustees miss 4 board meetings, from that point on they will get paid only for the ones they attend. Dennis will check on what happens with an increase or decrease in the trustee's salary, will also take out the annual retainer language under Village Attorney and draft an ordinance incorporating these changes.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** None.

**E. ADJOURN:** Trustee Rita Baker motioned to adjourn the meeting at 5:36 p.m. and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.



Julie Polson  
Office Manager

VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Corby Valentine  
Steve Smith  
Tony Miller  
Rita Baker  
Seth Speiser  
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## EXHIBIT D

VILLAGE ADMINISTRATOR  
Dennis Herzing

VILLAGE TREASURER  
Bryan A. Vogel

PUBLIC WORKS DIRECTOR  
Ronald Dintelmann

POLICE CHIEF  
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY  
Stephen R. Wigginton

### ELECTRIC COMMITTEE MEETING Wednesday, March 10, 2010 at 5:30 p.m.

The meeting of the Electric Committee was called to order at 5:33 p.m. on Wednesday, March 10, 2010 by Chairman Corby Valentine. Committee members present were Chairman Corby Valentine, Trustee Steve Smith, Trustee Tony Miller, Trustee Charlie Mattern, Village Administrator Dennis Herzing, Public Works Director Ron Dintelmann, Assistant Public Works Director John Tolan and Office Manager Julie Polson. Guests present: Mike Blaies, Mark Janssen, Tomi Diefenbach and Janet Baechle.

*Trustee Tony Miller motioned to amend the agenda so guests Mark Janssen and Tomi Diefenbach could be heard and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.*

Mark Janssen and Tomi Diefenbach were present to discuss the outstanding utility bill for the property located at 3 Lincoln Court that was recently purchased by District #70. The current amount due for that location is \$492.65. Dennis had Jane compute the utilities at cost and that totaled \$308.98. Dennis explained we did not file a lien on the property because we were informed by the school that they would take care of the outstanding utility bill at the closing. He went on to say that we have title companies contact us a lot of times to see if there are any outstanding bills on a property. We assumed the school district was taking care of that since they told us the bill would be taken care of. Mark said he didn't think it was the school's responsibility to notify the title company. Corby explained that we don't turn utilities on for a property until any outstanding bill is paid. He further said we want to work this out and settle the matter and that is why we are offering to reduce the bill to \$308.98. Ms. Diefenbach said she will go back to the school board and present this. The school board's next meeting is March 22nd at 7:30 p.m. Corby advised once the school board has made a decision, it will have to be taken to our board for a decision.

Mark then questioned the change in the 3-phase electric service and asked how the information in the original ordinance was provided to the customers. No-one on the Electric Committee was on the board at that time and couldn't answer that question. Corby explained that the committee felt it was the right thing to do by making the change automatic for the affected customers. Mark asked if a retroactive credit would be issued and the committee said no, the ordinance was not retroactive.

#### A. OLD BUSINESS:

1. Approval of February 10, 2010 minutes: *Trustee Steve Smith motioned to approve the minutes of February 10, 2010 and Trustee Tony Miller seconded the motion. All voting aye, the motion carried.*

2. Switchover of Ameren to Freeburg power: Dennis said he and Ron met with Jason Kline of Ameren and went to all the areas that didn't match the list. Ameren is in the process of correcting their list. Dennis will call Todd Masten to see when that will be done. Dennis further said we have are about \$480,000 under budget in the electric department so we won't have to cash in any cd's when paying for this project.
3. Village Utility Needs Analysis: Dennis said Ameren has called about this.
4. Replacement of old power plant doors: Nothing new.
5. Franchise Fee (Ameren): Waiting on this until negotiations with Ameren regarding the switchover of customers is done.
6. Christmas decorations: Julie and Ron are still working on this.
7. Highway lighting: With the weather clearing up, Ron will start on this project short and get started with lighting the intersections.
8. Poles in Smithton Park: The committee discussed this and had liability concerns with our guys doing work in another town. They felt there were three options: 1) do nothing; 2) do it for a small fee; or 3) do it at no cost.

**B. NEW BUSINESS:**

1. Penalty on utility bills: Not discussed.
2. Budget: Dennis advised the electric department came in under budget. Dennis has been working on the budget for FY2011 and should have it done by the end of the week.

Ron advised the HAPS (Hazardous Air Pollution Standards) Rule for engines is out. This means catalytic converters would be required for engines 6, 8 and 9 at the new power plant at a cost of \$50,000 each for a total of \$150,000. Ron said if we don't do this, we would lose our generation credit from IMEA which totals approximately \$328,000. Ron said he does not know if the converter will work on units 1, 2, 3, 4 and 7 at the old power plant. He said units 1 - 4 are basically done and doesn't think it is practical to put converters on these units since we would only gain about 1 megawatt. He thinks we should probably put a converter on the #7 unit. If we add converters to 6, 7, 8 and 9, that should put us at approximately 13 megawatts. Ron also said a new Catepillar would cost about \$900,000. He said this is being driven by the EPA and that we need to make a decision very soon. A construction permit would be required and everything needs to be put on the same permit. Ron would like BHM&G to do the engineering study on this and we will also need an opinion letter from LaDonna Driver.

Ron received a request from Jerry Menard to do some repair work to the lights at the ball diamonds. Ron said the work requested would take 1 - 2 days for the public works department to complete. The committee wants the request to come from the Park District.

**C. GENERAL CONCERNS:** None.



**D. PUBLIC PARTICIPATION:** Janet gave Dennis some information about battery recycling. Dennis advised St. Pauls will be taking over the aluminum can recycling.

**E. ADJOURN:** *Trustee Tony Miller motioned to adjourn at 7:17 p.m. and Trustee Steve Smith seconded the motion. All voting aye, the motion carried.*



Julie Polson  
Office Manager

VILLAGE PRESIDENT  
Ray Danford

VILLAGE CLERK  
Jerry Menard

VILLAGE TRUSTEES  
Corby Valentine  
Steve Smith  
Tony Miller  
Rita Baker  
Seth Speiser  
Charlie Mattern

# VILLAGE OF FREEBURG

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EXHIBIT E  
VILLAGE ADMINISTRATOR  
Dennis Herzing

VILLAGE TREASURER  
Bryan A. Vogel  
PUBLIC WORKS DIRECTOR  
Ronald Dintelmann

POLICE CHIEF  
Melvin E. Woodruff, Jr.

VILLAGE ATTORNEY  
Stephen R. Wigginton

## PERSONNEL AND PUBLIC SAFETY COMMITTEE MEETING Wednesday, March 10, 2010 at 6:30 p.m.

Chairperson Rita Baker called the meeting of the Personnel and Public Safety Committee to order on Wednesday, March 10, 2010 at 7:20 p.m. Those present were Chairperson Rita Baker, Trustee Steve Smith, Trustee Charlie Mattern, Police Chief Mel Woodruff, Village Clerk Jerry Menard, Village Administrator Dennis Herzing, Assistant Public Works Director John Tolan and Office Manager Julie Polson. Employees present: Greg Eckels, Gregg Blomenkamp, Clark Lucash, Bob Elden, Tim Kunkelmann and Shane Krauss. Guests present: Mike Blaies and Janet Baechle.

### **POLICE:**

#### **A. OLD BUSINESS:**

1. Police Contract: Dennis was contacted by the union's attorney and he gave him Attorney Wigginton's contact information.

#### **B. NEW BUSINESS:**

1. Officer Marquardt request for vacation pay: Officer Marquardt was unable to use his vacation and has requested payment of twenty hours.

*Trustee Steve Smith motioned to recommend to the full Board Officer Marquardt be paid for twenty (20) hours of unused vacation time and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.*

### **PERSONNEL: A. OLD BUSINESS:**

1. Approval of February 10, 2010 minutes: Trustee Steve Smith motioned to approve the February 10, 2010 minutes and Trustee Charlie Mattern seconded the motion. All voting aye, the motion carried.

2. Employee handbook: Trustee Baker asked if anyone had any comments regarding the handbook. She told the committee Julie had made the changes suggested in last month's meeting. Copies of the handbook were provided to the trustees. There were no comments.

a. Employee Requests: The list of requests from the public works employees was again discussed, a copy of which is attached to the minutes. Raises: Shane said they wanted to discuss the raise request and further said he does not think the trustees are willing to listen to them. Dennis explained that the general fund is in bad shape. We spent \$80,000 less than budgeted this year but still ended up about \$60,000 over budget in the general fund. We are not receiving about \$140,000 from the state income tax and said the economy is in bad shape right now and doesn't look any better for the budget due 4/1/10. Dennis explained the general fund is made up of the Streets, Police,

Administration and Pool departments or anything other than the utility departments. The budget will be done by then end of the week and said once it is agreed upon, it will be passed retroactive to April 1, 2010. He also said we are trying to build up the reserves in our utility accounts. This money is used to replace equipment and make infrastructure improvements. Trustee Baker said we can't give an answer on the raises until the budget is done. Vacation: The public works employees requested to receive 3 weeks after the 7th year instead of the 9th; and receive 4 weeks after the 15th year instead of the 18th and no cap on days earned after 18 years. Clark said he didn't understand why the vacation would have to be capped. John told the committee in the public works department, we don't have someone cover while another employee goes on vacation. Dennis said he didn't think it would affect the budget too much because we don't have that many employees it would affect. Trustee Baker said she didn't have any problem with the suggested change and Trustee Smith said he did not agree with it. Health Insurance after retirement: Already have. Holiday Pay: Dennis told the committee that it doesn't happen often enough to have an impact on the budget. Birthday Holiday: Fine as long as approved by supervisor. Utilities at cost: Not discussed.

Steve said with respect to the employees' requests, he is coming from the perspective that he doesn't want to have to let any employees go and wants to review the budget before any decision on raises is made.

- b. Public Works On Call Status: Not discussed.
- 3. Job Descriptions: Not discussed.
- 4. Employee clothing reimbursements: Not discussed.

**B. NEW BUSINESS:**

- 1. Compensation of officials: Not discussed.
- 2. Executive Session: Not done.

**C. GENERAL CONCERNS:** None.

**D. PUBLIC PARTICIPATION:** None.

**ADJOURN:** Trustee Charlie Mattern motioned to adjourn at 8:03 p.m. and Trustee Steve Smith seconded the motion. All voting aye, motion carried.



Julie Polson  
Office Manager