

**BOARD MEETING
VILLAGE OF PORT BYRON
120 S. Main
Port Byron, IL 61275
FEBRUARY 9, 2009 - 6:00 P.M.**

The second February Board Meeting was called to order with the Pledge of Allegiance by Mayor, Donna McCormick, at 6:00 p.m. on Monday, February 9, 2009.

**Roll Call #1: Present: Trustees: Harold French, Pam Goodwin, Tom Calvert, Shawn
VanDriessche and Dennis Healy**

Absent: Bob Wells

Also present: Rick Kessler Public Works Superintendent; Sheriff's Department Representative, Deputy Mindy Meyers and Clayton Lee, Attorney. A quorum was declared.

GALLERY

1. Mr. Gary Hutchcraft, 809 N River Drive, presented a letter to the board bringing their attention to trees as well as garden and yard waste being placed on private property (railroad) for disposal and burning. He would like the board to take action against this practice by either enforcing a current ordinance or creating an ordinance that would prohibit dumping on railroad property. Mayor McCormick responded that the village has no jurisdiction on railroad property (private property) and that any dispute would probably have to be settled in a civil suit. The board did offer to contact Canadian National (railroad) for their input into the situation. Attorney Lee will investigate ordinances from other villages.
2. Sarah Ford from the "Green Committee" announced plans are under way for celebration of Earth Day in the village on Sunday, April 26 from 1:00 to 5:00 p.m. The committee will be working on further plans at their meeting on February 11 at 7:00 p.m. Sarah also asked if the board had any input on a civic project that could be completed in conjunction with Earth Day. Mayor McCormick asked Rick Kessler to assist in finding a project. Attorney Lee advised the village to check its liability insurance for any such project.

TIF – Minutes of the November 20, 2009 TIF Committee meeting had previously been distributed.

Motion by Trustee Goodwin, seconded by Trustee Wells to approve the TIF Consent Agenda.

ITEM	Action	Description
TIF-A	Receive	Minutes from 11/20/08 TIF Meeting

RC #2 - Ayes: Trustees: French, Healy, Calvert and Goodwin

Nays: None

Absent : Wells

Recuse from the vote: Trustee VanDriessche

Mayor McCormick declared motion carried.

*See discussion and proposed budget approval in these minutes under "Finance"

COMMITTEE INFORMATION

A. FINANCE –

1. Discussed sale of the north salt building and property so TIF funds may be used for a new salt building. TIF law requires that when constructing a new building, the old property must be put back on the tax roles. To sell the property, bid requests would be advertised three weeks prior to the sale. The board will determine the acceptable bid.

2. Proposed budget (general, MFT, water, sewer and garbage) for FY-2009/2010 was presented to the board and various line items discussed.

Motion by Trustee Healy, seconded by Trustee Calvert, to accept the proposed budget for posting and presentation to a public hearing.

RC #3 - Ayes: Trustees: French, Healy, Calvert, VanDriessche and Goodwin

Nays: None

Absent : Wells

Mayor McCormick declared motion carried.

3. The proposed budget for TIF was presented and discussed. **Motion by Trustee Healy, seconded by Trustee Goodwin to accept the proposed TIF budget for posting and presentation to a public hearing.**

RC #4 - Ayes: Trustees: French, Healy, Calvert and Goodwin

Nays: None

Absent : Wells

Recuse from the vote: Trustee VanDriessche

Mayor McCormick declared motion carried.

4. The treasurer's report for January was presented to the board. It will be on the Consent Agenda at the March 9, 2009 meeting

B. PUBLIC FINANCE COMMITTEE

Zoning – No new report

Planning (PC) – Minutes from the 1/21/09 Planning Commission were presented (C/A Item F)

Ordinance – None

Grants & Audits – A grant has been received for a 30% discount on playground equipment purchased from BCI Burke Company through Midwest Sales Company. The 2010 budget has set aside funds for riverfront development and that money could be used for playground equipment.

Personnel - A positive performance appraisal has been completed for Gale Smith. Effective March 1, 2009, her wages will increase \$.50 to \$10.00 per hour. She will also be sworn in as a deputy clerk and instructed to obtain a notary license. (C/A Item G)

C. PUBLIC SAFETY COMMITTEE

Sheriff's Department

1. The Sheriff's Department January report was presented for acceptance (C/A Item D)

2. A proposal for purchase of fire arms formerly belonging to the Port Byron Police Department was received through the Sheriff's Department from Shooting Sports Unlimited. The bid is for \$2,300, with \$400 from the Sheriff's Deputies (total of \$2,700).

Motion by Trustee Calvert, seconded by Trustee Healy to accept the total of \$2,700 for sale of fire arms. The Sheriff's Department will complete the sale to be sure all permits and requirements are met.

RC #5 - Ayes: Trustees: French, Healy, Calvert, VanDriessche and Goodwin

Nays: None

Absent : Wells

Mayor McCormick declared motion carried.

Fire - A report for January 2009 was received from the RCFPD.

Public Health – No new report

D. PUBLIC WORKS COMMITTEE

Public Works –

1. December 2008 Water report was presented for approval from Doug Farran (C/A Item B)
2. Minutes from the Water/Sewer/Streets Meeting of 1/28/09 were presented (C/A Item C)
3. January 2009 Monthly Operations Report from Rick Kessler was presented (C/A Item E)

Water – Automated Systems will be in Thursday to complete work at Well #5. The first water tests on Well #5 were sent in today. Rick will be checking on a “grounding” issue for the electrical service.

Sewer -

1. Discussed easement for new sewer plant and letter received from Frank Edwards, Ms. Gantt's attorney. He is “willing to cap my fees at \$800 and I think Marlene would be willing to discount Mr. Baecke's appraisal by \$1,000 in order to settle the whole matter.” The offer was not accepted by the board since the property being required is now about 50% less than originally expected. The options considered were using eminent domain, obtaining another appraisal or offering a set amount to Ms Gantt for the easement. Trustee Healy stated that for the proposed easement, the road will be not be moved closer, no poles will be placed around Ms Gantt's driveway and the flat area will remain untouched. The village already has an ingress/egress easement and requires a “utility” easement in the area.

Motion by Trustee Healy, seconded by Trustee VanDriessche, to have Attorney Lee present a proposal in writing to Ms. Gantt for \$7,606 on the easement, \$800 for her attorney fees, any appraisal fees and any costs incurred to obtain the easement.

RC #6 Ayes: Trustees: French, Healy, Calvert, VanDriessche and Goodwin

Nays: None

Absent : Wells

Mayor McCormick declared motion carried.

2. Roger Hetz is asking the village to purchase two to three acres from him at the far end of the lagoons. The board discussed the purchase and felt the land was not required, nor did the village want to spend another \$11,000 for the property. No motion was received, but the board was in agreement that this is not in the best interests of the village.

Buildings & Grounds – No new report

Streets & Street Lights – No new report

Cemetery – No new report

Garbage – No new report

Administration - Minutes from the 02/02/09 Board Meeting were reviewed (C/A Item A)

CONSENT AGENDA

Motion by Trustee Healy, Seconded by Trustee Goodwin to approve the Consent Agenda.

**RC #7: - Ayes: Trustees: French, Goodwin, Calvert, VanDriessche
 and Healy**

Nays: None

Absent: Wells

Mayor McCormick declared motion carried.

ITEM	Action	Description
A	Approve	Minutes from 02/20/09 Board Meeting
B	Receive	Report from Doug Farran - Water Report for December 2008
C	Receive	Minutes from 1/28/09 Water/Sewer/Streets Committee Meeting
D	Receive	January 2009 County Sheriff's Department
E	Receive	January 2009 Monthly Operations Report from Rick Kessler
F	Receive	Minutes from 1/21/09 Planning Commission Meeting
G	Approve	Effective March 1, 2009, Increase of \$.50 per hour for Gale Smith, Clerk (6 mo. Review)

CORRESPONDENCE – None

OLD BUSINESS –

1. The LaKota Group's proposal for riverfront development will be reviewed by the Planning Committee and they will bring recommendations to the board.
2. Reminder that the March 2 meeting will be moved to March 16 at 6:00 p.m.

NEW BUSINESS – None

GALLERY - No additional comments

There being no further business, at 7:09 p.m. Trustee Healy moved, seconded by Trustee Goodwin, to adjourn the meeting.

Ayes: All Ayes

Nays: None

Absent: None

Mayor McCormick declared motion carried.

 Approved (Date)

 Mayor Donna McCormick

 Village Clerk – Janet Fletcher