

REGULAR MEETING OF THE BOARD OF TRUSTEES
VILLAGE OF PHILO, ILLINOIS
September 8, 2010

The meeting was called to order by President Craig Eckert at 7:08 p.m. at the R.E. Franks Meeting Center in the Thelma Melohn Gymnasium.

ROLL CALL: Present-Trustees Franks, Tarter, Sappenfield, Pioletti and Tarter. Absent-Trustee Mumma.

GUESTS: Herschel Hammerschmidt, Dave Laker, Dave Traxler, Paul Brady, Bob Rice, Christine Walsh, R.J. Daly, Chad Daly, Mary Fyffe, Leo Clennon, Robin Autebury, Dinesh Chula, Jeff Blackford, Paul Hendren and Dave Phillippe.

MINUTES: With one minor correction on page 4, Trustee Tarter made a motion, seconded by Trustee Franks, to approve the meeting minutes of August 11, 2010. Voice vote; all “ayes,” motion carried unanimously.

ACCOUNTS PAYABLE WARRANT: Trustee Franks made a motion, seconded by Trustee Steve Sappenfield, to pay the bills as presented. Roll call vote; “ayes” Trustees Franks, Sappenfield, Pioletti and Tarter. Motion carried unanimously.

DINESH CHAWLA: Mr. Chawla explained he is in the process of purchasing the Philo Country Store and car wash. He has operated a gas station in Mansfield for 5 years and one in Paxton for 3 years. Dinesh said he has been in the country for twenty years. He hopes to open November 1st and plans to make several improvements, such as new pumps and wants to make it a friendly, community store. The store will offer Marathon gas even though his other stores currently offer BP. President Eckert noted that liquor license information was provided to Mr. Chawla by Mr. Hendren. Paul explained the Village is not clear of the lease situation with Mr. Syed or Sara International, Inc. Robin Autebury has been in contact with Mr. Syed and knows he would return the license. Robin said he would also appreciate the Board’s consideration of a possible refund of the liquor license fee. Mr. Hendren stated the liquor commission could revoke (the license) if the plan doesn’t work.

JEFF BLACKFORD: Mr. Blackford of the Champaign County Public Health Department started his presentation by discussing the different types of systems. There are aeration units, conventional units, and some illegal discharge units called cisterns. Mr. Blackford wanted everyone to know that Illinois is not compliant, adding it is the only state that is not compliant according to NPDES, the National Pollutant Discharge Elimination Systems. We are governed by IDPH (local), IEPA (state) and NPDES (national).

Bob Daly stated his frustration in trying to get a system approved by Mr. Blackford. He went on to say that he hired Dale Shipley to be his contractor and that four different plans were proposed and all were turned down. He pleaded with Mr. Blackford asking “What do I need to do?” Mr. Blackford talked about the various plans and the reason they wouldn’t work.

Mr. Daly would need 140' of field on back side of alley, curtain drain to storm sewer, tank or nippier; if the property were bought, that plan could likely be approved. Trustee Tarter asked about the other businesses. Their requirements could vary by the size of the office and number of employees. Alta also recalled that the Village wanted to install the same sort of system as a business in Sidney, when the ball diamond bathrooms were being built, that allowed for pumping out the system. This seemed like a good plan since the bathrooms are only used seasonally, approximately three months of the year. Jeff Blackford stated he did not permit it (Sidney). He said Sidney business is working (inquiring about) something different. If Sidney doesn't meet code, why can't Mr. Daly do the same thing?

The option of purchasing land from the railroad was then discussed. Attorney Hendren stated an inquiry was made to the railroad to see if Norfolk-Southern would sell property to the Village. They were very responsive with the help of Ms. Christy Blair and, at President Eckert's request, an inquiry was also made by Mr. Hendren as to whether the railroad would sell to *private owner*, if the Village did not purchase the land. Ordinarily the railroad would not do this, but would consider doing so in this situation. Mr. Phillippe then informed the Board and those present about the type of project that could be done and the expense involved for the land, the lines and monthly operating fees. Trustee Franks indicated he is not in favor of the Village buying the property; it's a lot more to deal with. Other businesses won't go for it because they don't have a problem. A regular line could cost 10, 18 to 20 thousand dollars for the pipe, plus monthly fees. If we do it for the downtown area, what happens when five homes or residents have problem? President Eckert said he felt sorry for Bob and thought it (purchase of land) would benefit other businesses. Trustee Franks feels the individuals should buy the property. Trustee Pioletti suggested separating the issues and follow the agenda. President Eckert then asked if there were any other questions for Mr. Blackford. Bob Daly stated this is not going to be resolved overnight and would like to ask the department for a 2, 3 or 6 month approval to use existing system and pump it out. Jeff Blackford said he cannot make that decision, but said Bob should contact Jim Roberts. Mr. Daly also indicated he would like to buy the railroad property if the Village decides not make the purchase.

Trustee Pioletti asked if an aeration and surface drain are one and the same. Jeff explained the field behind them with effluents must go to tile or rock. Pat also asked about the permitting process. Mr. Blackford said there are differences between a bar and a business. Residential is mostly biological waste and soap, which dilutes BODs, most going sub-surface. Leach fields, rock or chamber as effluent goes out, bio mass could fail or back-up, so lines are put somewhere else or possibly place line between.

DAVE PHILLIPPE: Nothing else on the agenda.

ROBERT RICE: Bob presented his normal monthly treasurer's report.

DAVE TRAXLER: Dave reported there were 5 loads of brush hauled off. Four loads of mulch were delivered and spread at the Caleb O'Neill Park playground in Willowrun.

Dave T. explained the problem at the REFMC. Fiberglass insulation broke loose in one of the air conditioning units above a classroom. It then sent particles through the vent ducts. The top unit was fixed by Dave T. and Allan Miller. The ducts were replaced in the classrooms, requiring Hugs & Bugs to use the gym and boardroom for its classes. It was believed the units have been in place for about 10 years. President Eckert indicated he had to address the problem immediately and after talking to the Village Attorney, felt the best thing to do was to authorize the work to correct the problem. Dave T. stated the problem was not due to the original contractor, but the unit itself. They began work Tuesday morning and one room is complete. President Eckert will send A & R a thank-you.

Trustee Pioletti asked if new duct was installed and Dave T. replied, "Yes." Trustee Sappenfield suggested the other unit be inspected as well. Trustee Tarter asked if insurance would cover the expense which was estimated at \$7,700.00. Mr. Hendren suggest IRML be contacted regarding a possible claim and also that Dave Phillippe contact Brent Stillwell in regard to a contractors warranty.

Trustee Franks said a street light is out on the north side of Jackson Street (fire hydrant at alley, back by basin).

HUGS & BUGS LEASE: Trustee Pioletti made a motion, seconded by Trustee Larry Franks, to approve the continuance of the existing lease with Hugs & Bugs with a \$25.00 per month increase in the rent. Voice vote, all "aye's," motion carried unanimously.

RESOLUTION 2010-2: Trustee Steve Sappenfield made a motion, seconded by Trustee Franks, to pass Resolution 2010-2, RESOLUTION AUTHORIZING THE VILLAGE OF PHILO, ILLINONIS, TO SOLICIT BIDS FOR THE SALE OF SURPLUS REAL ESTATE. Roll call vote; "aye's" Trustees Franks, Sappenfield, Pioletti and Tarter. Motion passes unanimously. Trustee Larry Franks made a motion, seconded by Trustee Pat Pioletti, to approve the "Notice of Sale" by Paul Hendren. Voice vote, all "aye's" motion carried unanimously.

Clerk Kirby will provide Rod Schweighart with the documents related to the sale of the property. Paul Hendren then went over the information and resolution in regard to vacating the alley.

RESOLUTION 2010-3: Trustee Franks made a motion, seconded by Trustee Tarter, to pass Resolution 2010-3 RESOLUTION REGARDING PROPOSED ALLEY VACATION. Roll call vote; "aye's" Trustees Franks, Sappenfield, Pioletti and Tarter. Motion passes unanimously. Trustee Alta Tarter made a motion, seconded by Trustee Steve Sappenfield to approve the "Alley Vacation Notice" by Paul Hendren. Voice vote; "aye's" Trustees Franks, Sappenfield, Pioletti and Tarter. Motion passes unanimously.

RAILROAD PROPERTY: Paul indicated this could be discussed in closed session if the Board chose to do so. President Eckert thought Bob Daly should talk to Mr. Roberts. Since there was no motion to purchase the railroad property, he assumed the Board does not want to proceed.

Craig or Paul will notify Christy Blair. Paul will draw up letter and review with President Eckert before mailing.

OLD BUSINESS:

Animal Control: Topic tabled

Door Chimes: No estimate yet

Letters were sent to three homeowners on Van Buren and some are working on cleaning them up. Rod Schweighart has volunteered to help.

Fuzzy Bikes Lease: President Eckert is not in favor of increasing rent, but agreeable to renew lease.

Special Liquor License: Philo Tavern will be providing the license and Craig signed the request. Philo Fall Festival Update: Paul Brady indicated they are only \$500 short of being self supporting. They have several runners signed up and have the t-shirts. The beer tent is on its way. Gates and bleachers will be set up Friday. There will be a kiddie tractor pull and tractor parade.

MISCELLANEOUS DISCUSSION:

Trustee Tarter: Nothing

Trustee Pioletti: Received two bags of key chains from the Illinois State Police to distribute at the Fall Festival.

Clerk Kirby: Requested the Board approve her having online access to bank accounts. Trustee Franks made a motion, seconded by Trustee Pat Pioletti, to approve the Clerk's ability to have online access for Village bank accounts. Voice vote, all "aye's, motion carried unanimously.

Trustee Sappenfield: Nothing

Trustee Franks: Nothing

President Eckert: Reported that the Tolono Board is interested to partner with us in a sanitary sewer system at no cost to them. The flow and discharge amounts will be sent to Ken Plackett. Larry Johnson with Foth and Dave Phillippe with HDC are the engineers. We should go slow and watch costs on this issue.

MOTION TO ADJOURN: Trustee Franks made a motion, seconded by Trustee Sappenfield to adjourn the meeting.

VILLAGE CLERK

VILLAGE PRESIDENT