

VILLAGE OF UPLANDS PARK

6390 Natural Bridge Road
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Uplands Park, MO 63121
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January 19, 2010
5:30 p.m.
Special Board Meeting

CALL TO ORDER:

Chairwoman Martin called the meeting to order at 5:40 p.m.

ROLL CALL:

Trustees Gamble, Iwenofu. Also present is the Village Clerk Charlotte Graham. Attorney Rudman and Trustee Carter arrives at 5:50 p.m. Trustee McClendon absent.

MOPERM:

Chairwoman Martin said she has asked for an extension to pay MoPerm January 25th. The cost is \$12, 000.00 this year, which is a whole lot better than last year \$16,000.00. Trustee Gamble asked if MoPerm would take less. The chairwoman said it has to be paid in full. Trustee Iwenofu asked is there money in the bank. Chairwoman Martin said there is no cash flow, the tax money has not come in, and she would like to go the way the board went last year.

Trustee Iwenofu said we need to make a payment to Capitol Improvement. The chairwoman said the use tax is included with Capitol Improvement. Trustee Gamble asked how. Chairwoman Martin said the state say's the funds go into Capitol Improvement. Trustee Iwenofu said we have a law, and we need to make a payment until we change the rule. Trustee Iwenofu asked how we could get the information from the State. The chairwoman said she was told by Trustee McClendon. The funds for usury taxes are put in Capitol Improvement. Trustee Iwenofu said Trustee McClendon needs to explain it to the board.

The chairwoman said the payment needs to be in by Monday. Trustee Iwenofu said we need a new ordinance, and have the attorney draw another ordinance up. The chairwoman said the funds will build back up. Trustee Gamble asked how much is in Capitol Improvement? Chairwoman Martin said \$15-\$16,000.00. Trustee Gamble said we keep getting ourselves in debt. Trustee Iwenofu stated Trustee McClendon needs to tell us. Trustee Gamble said the guidelines are there. Trustee Iwenofu inform the attorney about borrowing money from Capitol Improvement, and some of the funds are usage taxes. The chairwoman explained to the attorney, and told him the cell phone tax will be put in Capitol Improvement. Attorney Rudman said the funds are not Capitol Improvement and can't be put in dedicated funds such as sewer lateral or Capitol Improvement. Trustee Iwenofu said the issue is we have to make a payment by the 25th and we haven't made a payment. The chairwoman expressed again the tax money has not come in yet, and she

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asked for it to be extended to the 25th of this month. Attorney Rudman asked why not pay in portion. The chairwoman said she called and was told it has to be paid in full. Trustee Carter said the clarity were money come in (cell phone tax) is dedicated to Capitol Improvement. The chairwoman said the sale tax for December was spent. The funds for the end of the year have not come in yet, and she doesn't know the amount. Trustee Iwenofu said we don't know how much is owed to Capitol Improvement, and Trustee McClendon said we don't owe anything to Capitol Improvement. She needs to prove it. The chairwoman said we need to pay MoPerm even if we don't have a police department. The payment needed to be paid by December 31st. Trustee Iwenofu asked if it was possible to send half, and deposit \$6,000.00 now. The chairwoman said again it has to be paid in full.

Trustee Gamble said whether it's right or wrong; pay it out of Capitol Improvement. We don't have a choice. Do what we have to do and make an ordinance up to borrow the funds and pay it back. Attorney Rudman said he doesn't have an ordinance prepared. Give an emergency motion, and pay the funds back. Also this is the third time, and you owe yourselves. You can't continue to operate like this. There will be no more funds to approach or the next question what will you do. You are pretty much at the end. Discussion was entertained.

Attorney Rudman wrote up an ordinance borrowing the funds from Capitol Improvement. Trustee Carter introduced a motion to crate ordinance to pay MoPerm. Seconded by Trustee Gamble. Attorney Rudman read bill number 397. Trustee Carter introduced a motion for bill number 397 to pay MoPerm. Seconded by Trustee Iwenofu. Attorney Rudman read bill number 397 entirely. Chairwoman Martin asked if there were any discussion. Trustee Carter asked when the payments will start. Attorney Rudman said after 30 days after. Trustee Carter motioned for bill number 397 be approved. Seconded by Trustee Gamble. Roll Call; Trustees Gamble-yes, Carter-yes, Iwenofu-yes, and Chairwoman-yes. Motion Carried.

COPIER:

Trustee Iwenofu told the board Trustee McClendon signs a contract, and now we have a copier we are not using. She signed a lease agreement with Delardge Laden on April 7, 2007. He has contacted the company, and he doesn't remember the contract. He said he tried to contact Trustee McClendon. We had a meeting on April 9, 2007, look at the minutes. She signs the contract and mentions it to the board after she signed the contract. He told the board to look at the minutes. She signed the contract on Saturday and two days later brought it to the board. Trustee Carter asked is this the first time he knew about this. Trustee Iwenofu said he had the clerk to pull the minutes. Before she committed us the board has to vote. There's a balance of \$1,400.00 left. Trustee Gamble said the board constitutional rights were violated. We are caught between the rock and hard play. The company wants their money. Trustee Iwenofu said we can issue a complaint. She has committed us on things we don't need. Make her pay the \$1,400.00. After reading the minutes Trustee Carter said we have committed ourselves. Trustee Gamble said she sign the contract, we are making payments. What is the judicial language on how we can bring up charges? Let's not start a fight. The chairwoman said continues making payments. Trustee Iwenofu said the contract is for five years, and we missed \$1,400.00 in payment. Trustee Carter asked if the copier is under contract. After Trustee Gamble read the

minutes he state it wasn't Trustee McClendon, but the Village of Uplands Park. He motioned to approve the contract. Attorney Rudman asked him if he was 100% positive. Attorney Rudman read the minutes, and told the board the minutes state a lease was entered. Trustee Carter asked basically how much is owed. Trustee Iwenofu said the contract was sign before the meeting. Attorney Rudman said the trustees are responsible. The chairwoman said the copier was cut off, and when we send a payment the copier will be turn on. Trustee Carter asked if the village is not liable. Trustee Iwenofu asked can they take the contract. Attorney Rudman said it can be discuss in close session. Discussion was entertained. Trustee Iwenofu said we are broke, because we have things we don't need. He making sure people does the right thing.

MOTION FOR ADJOURNMENT:

Trustee Gamble motioned for the special board meeting to be adjourned. Seconded by Trustee Carter. Roll Call; Trustees Gamble-yes, Carter-yes, and Iwenofu-yes. Motion Carried. The meeting is adjourned at 6:30 p.m.

ATTEST:

VILLAGE CLERK

BY:

Shirley Martin

CHAIRWOMAN

Good Neighbors Build Good Neighborhoods