

# VILLAGE OF UPLANDS PARK

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November 15, 2010  
6:00 p.m.  
Regular Board Meeting

## **CALL TO ORDER:**

Chairman Williams called the regular board meeting to order at 6:05 p.m.

## **ROLL CALL:**

Trustees Martin, McClendon-Roberts, and Iwenofu. Also present is the Village Attorney Doug Rudman, Village Clerk Charlotte Graham, Village Accountant Charles Ellis, and Chief Harlan Smith.

## **ACKNOWLEDGE OF VISITORS/REPRESENTATIVES:**

Ms. Johnson-resident	Mr. Martin-resident	Ms. Dyson-resident
Ms. Goodwin-resident	Mr. Lee-resident	Ms. Croft-resident

## **PRAYER:**

Chairman Williams said a prayer before the meeting start. The chairman stated a few board members have to leave early.

## **APPROVAL OF MINUTES:**

1. Chairman Williams entertained a motion to accept the minutes for the regular board meeting held on October 11, 2010. Trustee Iwenofu motioned to accept the minutes with the necessary corrections. Seconded by Trustee Martin. Roll Call; Trustees Martin-yes, McClendon-Roberts-yes, and Iwenofu-yes. Motion Carried.,
2. Chairman Williams entertained a motion to accept the minutes for the closed personnel meeting held on October 11, 2010. Trustee Iwenofu motioned to accept the minutes with the necessary corrections. Seconded by Trustee Martin. Roll Call: Trustees Iwenofu-yes, McClendon-Roberts-no, and Martin-yes, and chairman-yes. Motion Carried.

## **TREASURER'S REPORT:**

Trustee Martin said Mr. Ellis will give the financial report. She stated the village is in great distress. The money is not coming in. the business is not getting done. The money is not here to support the village. She said she don't know what is going to happen. She's working paying the bills and payroll. This is becoming a hassle. We need to do something.

people live here, and he will get the information. Trustee Martin said whatever is decided tonight needs to be work on it right away.

3. Attorney Rudman said bills have to be paid, and he will read the ordinance in new business.

### **POLICE REPORT:**

Chief Smith read the report for the month of October 2010.

### **OLD BUSINESS:**

Trustee Iwenofu set another motion not to have Trustee McClendon-Roberts on the bank accounts. The motion dies for a lack of a second.

### **NEW BUISINESS:**

a. Trustee Iwenofu nominated Claudia White to replace Trustee Gamble. Trustee Martin nominated Tracy Croft. Who would like to be on the board? Attorney Rudman said the nominees will have to be 21 years of age, a resident of the village, and U.S. citizen. The board members can choose. Chairman Williams said he would like to have it govern to the election for April. Trustee Iwenofu said there are nominations on the floor. Attorney Rudman said we can move into a vote, or deter the votes to another meeting. Trustee Iwenofu said get someone in here. He's thinking about resigning. Chairman Williams said there is one nomination for Ms. Croft, and one for Ms. White. Attorney Rudman said there has to be a majority of the board. A quorum will be three people. There are three present, which is enough to instruct business. Attorney Rudman read ordinance 110.040 the Robert Rules of Law. Discussion was entertained. Trustee Iwenofu said Trustee McClendon-Robert nominated him with only three board members. Chairman Williams said to proceed with the vote.

Attorney Rudman said the clerk will call the nominations. Trustee Iwenofu said three board members makes a quorum, but it's not written in stone. Attorney Rudman said the power of the chairman is to run the meeting. The clerk calls for the nomination.

1. The clerk asked for the vote for Claudia White. Trustees Iwenofu-yes, Martin-no, and Chairman Williams-yes.

2. The Clerk asked for the vote for Tracy Croft; Trustees Martin-yes, Iwenofu-no, and Chairman Williams- no.

Claudia White will be the new trustee who will fill Trustee Gamble's seat.

b. Chairman Williams said there needs to be a vote for the building code ordinance from St. Louis County. Trustee Iwenofu motioned bill number 403 be read. Seconded by Trustee Martin. Attorney Rudman read bill number 403. Chairman Williams entertained a motion for the second reading by title only. Trustee Iwenofu motioned for the second reading. Seconded by Trustee Martin. Attorney Rudman read the bill by title only. Chairman Williams entertained a motion to accept the building code. Trustee Iwenofu motioned to accept bill number 403 and become ordinance 403. Seconded by Trustee Martin. Roll Call; Trustees Iwenofu-yes, Martin-yes, and Chairman Williams-yes. Motion Carried.

### **AS COURTESY TO THE CITIZEN'S COMMENTS/SUGGESTIONS FOR THE BETTERMENT OF THE VILLAGE (OPEN TO THE FLOOR):**



Trustee Iwenofu said he has received some tax information that back from 18 yrs ago. Trustee McClendon-Roberts said the state found \$30,000.00 or more. Mr. Ellis took the floor. Trustee McClendon-Roberts said money was transfer to capitol improvement in 1996. The local option use tax went to the capitol improvement fund \$360,000.00. Me. Ellis said up till about 2008 or 09 the funds were transfer to capitol improvement to general funds for local use tax. The current amount is \$36,767.89 in capitol improvement. A transfer was done in October in the amount of \$4,000.00. What is left is what is collected, is the difference amount of \$1,000.00. The village is collecting only \$200.00 to \$300.00 per month. What's in the account is strictly capitol improvement. Trustee McClendon-Roberts said the funds were owed to general fund; an ordinance was passed to get the funds. Trustee Iwenofu asked where the money has been. We need to change the ordinance, and why the information is is out now. Trustee McClendon-Roberts said the capitol improvement account was set up and passed. As well as the use sales tax. Borrowing the money was not necessary. We did not need funds for the general fund. The board insisted on borrowing money. The funds were due to the general fund account. She called Jefferson City for the records. Trustee Martin has it in her possession. Trustee Iwenofu said he will call Jefferson City himself. In 2007 the documentation was not shown to the board. The former accountant testified the funds did not assist. It is recorded in the minutes. No one show us where the funds were. Trustee McClendon-Roberts said she made herself available. The money was transfer to the account. Trustee Iwenofu said he would contact Jefferson City and he will have clarification. He asked the village attorney for the record.

Attorney Rudman said he is confused, and he is trying to follow two things.

1. Reality. The board passed two separate ordinance borrowing money form the capitol improvement to be paid back.
2. Revelation. The money in capitol improvement was not all capitol improvements funds.

Doing an audit discovers sufficient amount to be transferred to the general funds. The funds were not a loan from capitol improvement. How much money was borrowed from capitol improvement? It has been reconcile no money was borrowed, but transferred over. The good news could be correct or incorrect. The verification is from Jefferson City. The reality is what it is. The accountant does the research and reports to the board. There are two other ordinances needs to be addressed.

Trustee Iwenofu said the question for the record. He asked the attorney it was done twice borrowing money from the capitol improvement. He kept pushing to make sure we found the money. If she had the information, we would not have borrowed the money. Trustee Martin said each time Trustee McClendon-Roberts was on the board; she always stated we did not have to borrow the money. She was asked to show us in writing. She found the papers and called Jefferson City. Trustee Martin said she has given each board member a copy. Chairman Williams said that's a point of verification. He asked Mr. Ellis to finish his report.

Mr. Ellis said the general fund was a slight movement of \$28,000.00 spent, and \$29,000.00 brought in. The sewer lateral one additional deposit \$17,115.68. The remaining two other accounts; the bond account \$6,023.60, and traffic \$307.11 with a transaction of \$14,000.00. Trustee McClendon-Roberts asked if the money from

MSD transfer. Was it done? Trustee Martin said no. Trustee McClendon-Roberts said it was voted on last month to transfer the funds. Chairman Williams said he left it up to the treasurer, and the accountant. Trustee McClendon-Roberts said the fund needs to be put in the general fund account. Chairman Williams said the board did vote, and it was left up to the treasurer's discretion. He told Trustee Martin to move the funds. Trustee McClendon-Roberts asked if the resolution was completed. She left the meeting at 6:30 p.m.

Attorney Rudman asked are there any reason the funds are not being deposited in general funds. Only to be taken out general purpose. Things are moving forward, and are being place in the appropriate account. It was unclear to the board to look at this before. The previous accountant did not know. Mr. Ellis said this was discussed last month. The paper work was prepared. Get local use tax transfer to the general fund. Trustee Iwenofu said the problem we have is that one person have the knowledge, and nobody else knew the information. We have a resolution to put her on the accounts. He stated he does not trust her. Trustee Martin said even though she is treasurer, she has been working as treasurer for three years. When she came on there was no money, and now it's less money. We are robbing Peter to pay Paul. It's a very tiring job. She needs someone to work with her. The clerk has been working with her. It takes the whole day to figure the money out. Trustee Iwenofu said a lot of time has been wasted. That waste of miss handling funds is the reason. A total of \$20,000.00 has been spent on working on the cars three years ago. Chairman Williams said the village is in a pickle right now, and need to make hard decisions. The board has not come together. We need to go into a short close meeting. Decisions have to be made, and the funds are not there. Mr. Ellis said he has done what he had to do. Chairman Williams said a resolution has been voted on for Trustee McClendon-Roberts to be on the accounts. Trustee Iwenofu motioned not to put Trustee McClendon-Roberts signature on the accounts. Trustee Martin asked if we take her name off. Who will sign the checks? She volunteered to sign checks. Trustee Iwenofu said we need a complete audit. One minute we say we don't have money, and then we find money. The motion dies for a lack of a second.

**CITIZEN'S COMPLAINT/PETITION:**

NONE

**CHAIRMAN'S REPORT:**

1. Chairman Williams said St. Louis County has made changes on their building code. An ordinance will be done in New Business. Trustee Iwenofu had a few questions on the ordinance. Attorney Rudman gave the reason for the ordinance

**VILLAGE OFFICIAL'S REPORT:**

1. Trustee Martin: NO REPORT
2. Trustee Iwenofu suggested doing our own village stickers in house. Chairman Williams asked him to do the research. The clerk wears a couple of hats already. It sounds good, but let's gets a clear study. Trustee Iwenofu said a lot of municipalities are doing in house. Trustee Iwenofu said we have less than 300

