

Village of Franklin
Board of Trustees
Regular Meeting Minutes
September 18, 2023
7:00 pm

Mayor Paul Turpin called the regular monthly meeting of the Village of Franklin Board of Trustees to order at 7:00 pm on Monday, September 18, 2023 in the town hall. Trustees present in Village Hall were Abby Flynn, Wyatt Smith, Lauren Whalen, Sarah Carter, and Vickie Adkins. Trustee Amanda Ahlers was absent.

Benton & Associates was present to give an update on the Route 104 water project. Jim Morris and David Albers said they hope to report the project is fully completed by the October meeting. The ground is currently being seeded. Benton & Associates gave Andy a new flush out plan for the water system. The project is approximately under budget by \$60,000.00. Jim said Benton & Associates also has some GIS equipment. They are trying to see if it is compatible with the Villages new system and if so, they would be willing to sell it at low cost. It is cm grade accuracy and cost \$2,000.00 brand new. Sarah Carter made a motion to accept the 30-day extension in change order #2. Vickie Adkins seconded the motion. The voting was as follows: Lauren Whalen-yes, Sarah Carter-yes, Vickie Adkins-yes, Abby Flynn-yes, and Wyatt Smith-yes. The motion was carried. Lauren Whalen made a motion to accept the certificate of substantial completion for the Route 104 Water Project. Wyatt Smith seconded the motion. The voting was as follows: Sarah Carter-yes, Vickie Adkins-yes, Abby Flynn-yes, Wyatt Smith-yes, and Lauren Whalen-yes. The motion was carried. Lauren Whalen made a motion to pay Benton & Associates \$2,625.93, invoice number 21895. Sarah Carter seconded the motion. The voting was as follows: Wyatt Smith-yes, Lauren Whalen-yes, Sarah Carter-yes, Vickie Adkins-yes, and Abby Flynn-yes. The motion was carried. Jim also presented a bill from Benton & Associates for MFT. Wyatt Smith made a motion to pay Benton & Associates for MFT in the amount of \$2,700.00, invoice 21919. Abby Flynn seconded the motion. The voting was as follows: Abby Flynn-yes, Wyatt Smith-yes, Lauren Whalen-yes, Sarah Carter-yes, and Vickie Adkins-yes.

Darryl Smith from the Lions Club was present to discuss the Farmer's Market with the Board of Trustees. He wanted to clarify the rules and regulations according to the Illinois Department of Public Health. Darryl said the Mayor of Bluffs seems to have a successful market. The Illinois Farmers Bureau has a food safety guide online, and you can also find the Cottage License guidelines and Farmer's Market guidelines online. Darryl understands that insurance is a big concern of the Village boards. Mayor Turpin spoke out stating that people were selling eggs and other things that are not permitted without the proper licensing or qualifications. No one was verifying if vendors had Cottage Licenses either. Darryl said it is his understanding that no one really checks those things at any farmer's market, but that they are supposed to have one. Darryl shared a personal experience from years ago at a farmer's market where his scales were checked and found to be the incorrect ones. Once he followed the USDA's guidelines and purchased the scales, no one ever came to check them and certify them. Still today, many years later, no one has checked them. Darryl is a vendor at the Jacksonville farmers market each year. While Mayor Turpin does not disagree, he said they are supposed to display their licenses while selling goods and he believes someone should be checking vendors in order to keep everyone safe and healthy.

No one is doing that and he does not want the Village sued because of it. Mayor Turpin stated that he spoke with the Village insurance agent recently, who stated whatever is reasonable would be covered. Mayor Turpin reached out to the Franklin Fourth of July Committee who said they do not have insurance, they do not have a 501C, and they are not a not-for-profit agency. A member of the Franklin Fourth of July Committee said the farmer's market was organized by members of the community who had an interest in bringing it to the Village. It was not run specifically by the Franklin Fourth of July Committee and no one person oversaw it. Mayor Turpin believes this to be a problem, as someone should be responsible if something happens so people know who to reach out to. After further investigation, Mayor Turpin found that the Franklin Fourth of July Committee is not covered by the Lions Club insurance during the July Fourth Celebration at the park. Therefore, all the vendors, activities, and such brought into the Village on behalf of the Franklin Fourth of July Committee is uninsured. Mayor Turpin understands they need to get their own insurance. The insurance agent for the Village and the Lions Club reached out to Kyle at Lions International who verified the information. Darryl Smith and Darin Seymour were unaware of the information and found it hard to believe. As club members, they have always understood it to be that the Franklin Fourth of July Committee was under their umbrella for the July Fourth Celebration. The insurance agent, Curt Rezinicek is a member of the Franklin Lions Club and has never mentioned anything different to the club members or to the Franklin Fourth of July Committee. Mayor Turpin explained further, stating that whoever the Lions Club invites in, they are covered by the insurance. However, most of the activities ran at the July Fourth Celebration have not been insured for years. Wyatt Smith asked who would be responsible if something happened during the event? Mayor Turpin said even the pageant and parade is not covered. The board must decide how to move forward. Around May, the Village will need the Lions Club to ask for approval to use the Village Park and its facilities for the July Fourth Celebration. They will also need to provide a plan to the Board of Trustees of what events and activities will be held, and vendors that will be present. The list can have cancellations, but it cannot be added to after approval. This would ensure the Village's insurance would cover the event, but the Lions Club would still be the primary insurance provider. A guest, Marc Pacatte, said the Waverly Women's Junior Club does not belong to the Lions Club, but they list them on their fliers and such as a sponsor for their events which then allows them to be covered under the Lions Club insurance. Mayor Turpin said it is his understanding that they would have to be completely blanketed as a committee under the Lions Club. In the future band contracts will also need to go through the Lions Club. Darryl said he is not sure that the Lions Club is interested in taking full responsibility of organizing and running the farmer's market. Mayor Turpin said the Village board would need to take responsibility then. Wyatt Smith said if someone gets sick, then that responsibility is on the vendor. It would be considered personal liability. Mayor Turpin is under the impression they would sue the Village. Wyatt Smith asked if the Village is lawfully responsible. Mayor Turpin said no. Lauren Whalen asked if the Village could write an ordinance or guidelines stating the Village of Franklin is not responsible. Mayor Turpin said yes. Lauren Whalen asked how Bluffs runs their market. Mayor Turpin explained that the mayor runs it and the trustee's help. Wyatt Smith said he does not understand why the Village Board needs to help with it at all. He believes it is the Morgan County Health Department's responsibility to ensure the food safety guidelines are being followed, not the Village boards. Mayor Turpin said he wanted Linda Day present to help explain, but she was unable to attend. Expanding, he said in Jacksonville they hand out a packet to everyone explaining the rules and regulations. In Bluffs, they do not because the Village is overseeing it.

Each vendor is responsible for turning in their licensure and information into the Village office where they keep it on file. Mayor Turpin said the job of the Village would be to oversee that they have the proper licensing, labeling is correct on the items, and everything is displayed or kept properly during the event. Darin Seymour asked if it is a requirement to have one specific person or club that takes responsibility and the duties of running it. Mayor Turpin said that is what he is getting as a response from the attorney, insurance agent, and everyone else. Darryl Smith said in Jacksonville they are only required to show their cottage license one time per year. It is never displayed. Mayor Turpin said the board would continue to discuss the matter later in the meeting. Darryl Smith and Darin Seymour thanked the Trustees for their time.

Treasurer Susan Smith presented the Treasurer's Report for August. The board discussed each businesses profits & losses, current balances, year-to-date balances, and check details. Abby Flynn made a motion to accept the Treasurer's Report for August. Lauren Whalen seconded the motion. The voting was as follows: Vickie Adkins-yes, Abby Flynn-yes, Wyatt Smith-yes, Lauren Whalen-yes, and Sarah Carter-yes. The motion was carried. Vickie Adkins made a motion to accept the Bills Paid and to be Paid for August. Sarah Carter seconded the motion. The voting was as follows: Abby Flynn-yes, Wyatt Smith-yes, Lauren Whalen-yes, Sarah Carter-yes, and Vickie Adkins-yes. The motion was carried.

Clerk Ashley Turpin presented the trustees with minutes from August. Sarah Carter made a motion to approve the minutes from August. Vickie Adkins seconded the motion. The voting was as follows: Wyatt Smith-yes, Lauren Whalen-yes, Sarah Carter-yes, Vickie Adkins-yes, and Abby Flynn-yes. The motion was carried.

Committee Reports:

Andy Fairless presented the Utility Supervisor Report. In June, the board approved to have maintenance done on the regulator stations. They will be done the second week of October. Today, Andy received the declaration of emergency from the storm in June. All that is left is for Andy to write a narrative. As soon as the narrative is completed, Andy and Nick will return to working on the lead service lines. There are approximately 40 that need done. Waverly said they can borrow equipment to do the lines. A bid for the office repairs came in at \$4,940.00. Andy and Nick will do all of the demolition. It will include repairs to the back office, bathrooms, Andy's office, and the breakroom. Wyatt Smith made a motion to accept the office repair bid in the amount of \$4,940.00. Abby Flynn seconded the motion. The voting was as follows: Lauren Whalen-yes, Sarah Carter-yes, Vickie Adkins-yes, Abby Flynn-yes, and Wyatt Smith-yes. The motion was carried. The lift stations were cleaned out. Andy pulled rocks and large chunks of plastic out of a couple. The alleyway near Morris is mowed. Mayor Turpin reminded Andy to mark the trees and get ahold of T&K Tree Removal. He said they just dug up a ditch on Walnut for drainage. The bid for the fence near the water tower came in at \$2,090.00. The Village could get reimbursed from FEMA for it. Sarah Carter made a motion to accept the fence repair bid for \$2,090.00. Lauren Whalen seconded the motion. The voting was as follows: Sarah Carter-yes, Vickie Adkins-yes, Abby Flynn-yes, Wyatt Smith-yes, and Lauren Whalen-yes. The motion was carried. Last Saturday someone was putting in a new service line and hit the water lines causing a big leak. The total cost was \$789.99. The cost covers the meter pit, backhoe, and Nick's overtime pay. Jess Electric provided a bid for the generator for the Village Hall. It would be a 20 amp for \$2,450.00, with the possibility of an additional \$1,200.00 for a meter base. They also provided a bid of \$2,100.00 for a generator at the Village shop. The total for both is estimated between \$4,550.00 up to \$4,750.00. Abby Flynn made

a motion to accept the bid from Jess Electric for \$2,100.00 at the Village shop building, and \$2,450.00 for the Village Hall, with the possibility of \$1,200.00 for the meter base at the hall. Sarah Carter seconded the motion. The voting was as follows: Vickie Adkins-yes, Abby Flynn-yes, Wyatt Smith-yes, Lauren Whalen-yes, and Sarah Carter-yes. The motion was carried. Andy provided a report on the water loss for the year. Currently we are at a negative 4.98%. With that number slowly rising, Andy would like to have someone come check the system. There is a guy in Ashland that can check the system for leaks. Trustee Vickie Adkins asked Andy where Dahman Road was at on his list of projects. Andy said it is on the top of his list as soon as he is done with FEMA and the audit preparation. The alleyway behind the church is finished.

Buildings, Roads, and Drainage – The church alleyway was rocked and tared. The alleyway near Morris Street was discussed in Andy’s supervisor report. David from Benton & Associates said unfortunately we are unable to get park grants, as the qualifications are for new projects and not existing ones that need repairs.

Finance/Payroll – There is nothing new to report from this committee.

Insurance – Trustee Sarah Carter filled out the Medicare secondary file that is completed annually.

Personnel – Mayor Turpin said for a short time, Andy will be paid out of the Municipal account until the water account gets settled from the Highway 104 water project and acquires a larger amount again.

Utility Reconnect – There is nothing new to report from this committee.

Utilities – There is nothing new to report from this committee.

Old Business:

Mayor Turpin said the Village utility employees mowed the burned trailer property. In the next couple of weeks, it should be going through the court process according to our attorney.

We now have added information to an ordinance designating no parking areas around the Village. Section 111 of 1976 states there is no parking from Prairie Street between Main Street and Maple Street. In 1977, they designated no parking on Harts Street between Main Street and Reinbach. Only parallel parking is allowed around the park and only parallel parking is permitted on Wyatt Street between Main Street and Maple Street. The new ones include the following: During designated times stated by the Village of Franklin Board of Trustees, there will be no parking on West Steet, on both sides, between East Street and North Railroad Street. There will be no parking permitted from the Post Office to Maple Street and the Franklin-Alexander Blacktop. The board asked that the attorney add if someone parks in a no parking zone, the vehicle will be towed at the owner’s expense. In addition, Mayor Turpin read through the water ordinance. Section 9B was deleted for the in-act payment of bills allowing a 10% added to all bills that acquire a late fee. Mayor Turpin continued reading the new resolution with the bounced check fee information. Sarah Carter made a motion to accept the Resolution 2023-03 Non-Sufficient Funds Check Policy. Vickie Adkins seconded the motion. The voting was as follows: Vickie Adkins-yes, Abby Flynn-yes, Wyatt Smith-yes, Lauren Whalen-yes, and Sarah Carter-yes. The motion was carried.

Trustee Lauren Whalen asked for an update on the foreclosure property in Toler Bend. Mayor Turpin said the bank is still under the impression that someone is occupying the house. He has informed them that no one is living there. Someone is maintaining the lawn.

New Business:

Mayor Turpin asked the Board of Trustees if they, as a board, would be interested in overseeing the farmer's market. Lauren Whalen said it would depend on what the requirements of running the market would consist of for the board. She said if it was to check licensure, labels, proper signage, etc. then she would be fine with helping. Sarah Carter said she was not interested in running it. Wyatt stated the Village residents seem to really enjoy the farmer's market and would like to see it continue to happen, in the easiest way possible. Mayor Turpin said the board would have to decide how often the market would occur and how long it would run. Wyatt stated that it would take correspondence between the vendors and the one organizing to see when the crops are ready. Mayor Turpin said Wednesdays really seemed to work and helped The Green Wall and the Lion's Queen of Hearts drawing. Mayor Turpin said he's willing to speak with the Mayor of Bluffs more to get details on their market. In Bluffs, they had Home Depot donate kits for birdhouses for the kids to make. They had someone come in to do tie-dye with the kids, and other fun activities for the kids to enjoy. Mayor Turpin suggested occasionally burgers and hot dogs could be served. Wyatt Smith asked who would be the one to organize it. He doesn't know who on the board would want to do all of the planning. He said overseeing it is one thing, but organizing it is more work. Sarah Carter and Lauren Whalen suggested another committee could possibly be the one responsible for organizing it. Abby Flynn asked if possibly the other committee member could be added to the Village payroll so that they are covered under the Villages insurance and such while hosting the event. Mayor Turpin asked the trustees again if they were interested. He stated the town really seems to want to continue it. Lauren Whalen said if he would find out if the Village could get assistance from another committee to organize it or even be added to the payroll then they could discuss it further. She is happy to reach out to the other committee and include an incentive of fundraising if it is possible.

The Lion's Club forgot to present on the library in the park. We'll revisit it next month.

There is a tree in the alleyway near Highway 104 and West Street. It is Village property and needs removed. There is another tree in another alleyway nearby that also needs removed. They are both dead and very close to houses and powerlines.

The fence repair bid was accepted earlier in the meeting.

Mayor Turpin read the Appropriations Bill. He made a couple of changes and it is now \$1.4 million for the appropriations. Wyatt Smith made a motion to accept the annual appropriation bill for \$1,414,300.00. Sarah Carter seconded the motion. The voting was as follows: Abby Flynn-yes, Wyatt Smith-yes, Lauren Whalen-yes, Sarah Carter-yes, and Vickie Adkins-yes. The motion was carried.

Lauren Whalen made a motion to accept the trick-or-treat days for Monday, October 30th and Tuesday, October 31st, 2023, from 6 pm to 8 pm. Sarah Carter seconded the motion. The voting was as follows: Wyatt Smith-yes, Lauren Whalen-yes, Sarah Carter-yes, Vickie Adkins-no, Abby Flynn-yes. The motion was carried.

Sarah Carter asked if there is an ordinance for livestock in the Village. Mayor Turpin said if there is an issue, call Animal Control. It's easiest to email them.

Mayor Turpin received a letter from IMGGA today. They are applying new regulations to furnaces. If a furnace is 80% or less efficient, they will have to replace it with a 92% or higher efficiency furnace if theirs breaks.

Lastly, Lauren Whalen received a complaint from a resident on Reinbach that there is an excessive amount of burning at a nearby residence. She provided pictures of vehicles covered in ashes. Mayor Turpin said he received the same complaint and investigated it. It seems as it was just tree branches that they were burning. He did not see any evidence of anything illegal being burned. Lauren said the neighbors noticed a lot of traffic behind the house, dropping items off to be burned.

Wyatt Smith made a motion to adjourn. Abby Flynn seconded the motion. The voting was as follows: Lauren Whalen-yes, Sarah Carter-yes, Vickie Adkins-yes, Abby Flynn-yes and Wyatt Smith-yes. The meeting adjourned at 8:48 pm.