

LEAWOOD VILLAGE BOARD OF TRUSTEES MEETING

May 18, 2010 – MINUTES

Trustees Present:

Denny Desmond, Chairman
David Smith, Vice-Chairman
Caleb Head, Treasurer
Dale Owen, Clerk
Fran Owen, Secretary

Visitor Present:

Nick Myers, CPA
Debra Lioubinski, 4623 Indiana Ave, Joplin
Ron Thomas, 511 Grandview Drive, Joplin

Denny Desmond, Chairman, called the meeting to order at 6:30 P.M. at the Redings Mill Fire Department located at 5202 S. Rangeline Road.

Minutes from the March 16, 2010 Board of Trustees meeting and the April 26, 2010 Special Board of Trustees meeting were presented. Motion made by Dave Smith and second by Caleb Head to forgo the reading of the March 16, 2010 minutes as everyone had received copies and accept the minutes as presented. In favor 5 Opposed 0. Motion passed. Motion made by Caleb Head and second by Dale Owen to forgo the reading of the April 26, 2010 minutes as everyone had received copies and accept the minutes as presented. In favor 5 Opposed 0. Motion passed. (Note: minutes from the meetings will not be posted on the web site until they have been approved by the board).

Denny Desmond asked Dave Smith to go to the bank the next day and sign signature cards for the checking account. Caleb can't sign checks until the bank has all the necessary information and signatures. Also discussed at the April 26, 2010 meeting was a request to remove the barriers between Wildwood and Southern Hills. Denny advised he had not received any further correspondence concerning the request to remove the barriers so as of this time it is a closed issue.

Original financial bank statements and bank reconciliation statements for March and April 2010 were presented by Caleb Head. Statements were reviewed by each trustee, signed and dated. Ending balance for March 2010 was \$92,213.90. The April ending balance was \$94,259.01. Motion made by Dale Owen and second by Dave Smith to approve the bank and reconciliation statements as presented. In favor 5, Opposed 0. Motion passed.

Pending liabilities totaling \$7,828.66 and estimated automatic deductions for Empire District Electric of \$580.00 were presented by Caleb Head. Motion made by Dale Owen and second by Dave Smith to approve paying pending liabilities as presented. In favor 5 Opposed 0. Motion passed. (Note: original invoice for Kwick Kopy was in the mail. Standard procedure for this customer is to call the business and obtain the amount due in order to pay this bill in a timely manner). Original copy of pending liabilities was signed and dated by all trustees. Suggestion made to follow up with the Newton County Clerk in reference to publishing election notices in *The Joplin Globe* due to the high cost.

The Chairman's Financial Information Report for April 30, 2010 was presented and reviewed. The report contained the Summary of Revenues and Expenses and Fund Balances as well as the Financial Statement as of April 30, 2010, Year to Date Actual vs. Budget as of April 30, 2010 and a recap of the Leawood Bank Statements. Motion made by Caleb Head and second by Dale Owen to accept all the financial reports as presented. In favor 5 Opposed 0. Motion passed. All trustees present initialed all reports.

Old Business:

1. **Delinquent Real Estate Taxes** – \$1,817.85 still remains uncollected from pre 2009. One last attempt will be made to collect past due taxes for years 2006, 2007 and/or 2008 plus late fee and a \$10.00 handling charge in order to mail them certified. Caleb Head will send one final letter requesting payment. All unpaid taxes will be written off after that.
2. **Village Real Estate Tax Collection:**
 - a. Unable to find the copy of the original tax collection ordinance (10-001). Denny to e-mail John Mitchell to see if he has it. Dale Owen and Caleb Head will look through their records and see if they might have the original copy.
 - b. Received check from county collector for \$171.09 plus \$13.12 in interest for a total of \$211.00. Approximately \$529.00 was still to be collected by the Newton County Collector for the tax year 2009.
3. **Storm Debris Removal Reimbursement** – Check still not received as of this meeting. Denny Desmond will continue to work on getting the check. Denny advised that Patrick Duncan was to get back with him on Wednesday concerning this issue.
4. **Paul Boyd Investigation:**
 - a. Criminal Case – Sentencing hearing to be held June 4th at 9:00 A.M. Residents will be permitted to provide comments. Ron Thomas (village resident) attended tonight's meeting to find out the

status of the case. He advised that he would attend the hearing and would be providing his comments.

- b. Notice of Hearing – Caleb suggested sending out a notice to residents however, it would cost approximately \$150.00 to send another issue of the *Leawood Ledger*. Denny to talk to Mike Talley, village attorney, concerning a notice in *The Joplin Globe* and/or the *Leawood Ledger*.
 - c. Civil Law Suit – The civil suit has been filed and it will determine Paul's financial situation. Denny advised that he is anticipating a bill for \$5,000 to \$10,000 more for legal fees, not budgeted, in reference to the civil law suit.
 - d. Caleb reported that someone had been "t-ping" Paul's residence a number of times over the past several months. Caleb requested that something be put in the *Leawood Ledger* advising that this type of behavior needs to be discouraged that it is considered vandalism and should anyone know anything about it to advise a Leawood board member.
- 5. Empire District Electric:**
- a. List of street Lights – Issue closed.
- 6. WCA Trash Hauling:**
- a. Dale Owen advised he had tried to find out the rate Silver Creek is paying for trash service, but the telephone number in the phone book keeps going to a fax machine.
 - b. Dale Owen to send out bid requests to three (3) trash hauling services (including WCA and Allied) for approximately 235 homes. The bid will be for a five (5) year contract.
 - c. Denny Desmond to contact Danny Salsbury with WCA Waste for a listing of current residents.
- 7. Road Repairs:**
- a. David Smith reported that this is a difficult situation as there would be performance bonds, prevailing wage rates involved and we would have to go out for bids.
 - b. Dave will make calls and see who he can find that would do small repairs such as filling pot holes. He will document their responses.
 - c. Dave to write a road policy to include repairs, maintenance and/or construction.
- 8. Purchasing Policy:**
- a. Trustees reviewed the ordinance.
 - b. Dave Smith suggested that a change be made to the emergency amount as he felt \$2,500 was too small and it should be changed to not exceed \$10,000.
 - c. First reading tabled until later meeting. Denny advised that he felt the policy was way too long and said he would work on it some more. He also disagrees with publishing bid requests in the newspaper.
- 9. Internet Web Site:**
- a. Denny advised that he thought Chris Chappell had done a good job.
 - b. Trustees will keep a watch on how much the village is being charged by Chris to update the web site.
 - c. Dave would like the web site address placed in the heading of the *Leawood Ledger*.
 - d. Caleb suggested a map of the village boundaries be added (Dale to check the maps he has to see if there is one that might be usable),
 - e. Another suggestion was a link to the Redings Mill Fire Department web site.
 - f. Future: recap of job responsibilities and small bio on each trustee; picture.
- 10. Public Works Director –** nothing new to report.
- 11. Missouri Annual Financial Report:**
- a. Forms have not been received. Issue closed.
- 12. Missouri State Auditor's Report:**
- a. Main issues remain open
 1. Bond issue still open
 2. Develop policy for transfer of records
 3. Develop public access policy according to state law
- 13. Leawood Village Meeting Location –** Denny working on writing the ordinance
- 14. Village Ordinances –** Will continue to work on getting the list current.
- 15. Village Annual Audit**
- a. Nick Myers presented an "Independent Accountant's Report On Applying Agreed-Upon Procedures".
 - b. He verified financial statements, bank statements, and documents and reported one exception concerning a check written to Kwick Kopy. Note is made that the amount of the overpayment was credited to the village on the next invoice and was not reimbursed in cash as the report indicated. He also prepared a bank reconciliation and found no outstanding checks.
 - c. Denny Desmond signed a representation letter saying to the best of his knowledge all information was made available to Mr. Myers as requested.
 - d. Mr. Myers report is attached.

- e. He will send Denny a PDF file of his report and bank reconciliation.
- f. Board of Trustees will do a year end review and see if another audit will need to be done. May change the scope of the audit.

16. Issues and/or Complaints

- a. Beverly Kiehl & John Pendergrass 2027 E. 47th Street – Issue closed (no action taken)
- b. 137 Valleyview:
 - 1. Complaint about junk in drive way
 - 2. Caleb will look at the property and report at next meeting
- c. 48th Street – Rebecca Loden requested something be done to the condition of the road extending West of Casey's General Store to Loden Lane. Dave Smith will follow-up with Mrs. Loden.

17. Mike Talley Contract:

- a. Change made in legal services to reflect that any rate increase must be submitted 90 days prior to renewal of contract.
- b. Motion made by Dave Smith and second by Caleb Head to approve the contract for legal services for Mike Talley. In favor 5 Opposed 0. Motion passed.

18. Maintaining Records – Denny to write a resolution.

19. South Middle School – Dale Moore, Newton County Central Dispatch needed verification of the address for the school. (Issue closed)

20. Speed Limits:

- (a) Debra Lioubinski expressed her objection to increasing the speed limit on Indiana Street to 35 mph in Leawood Village. Her reasons were:
 - (i) The street is hilly, there are no shoulders, there are a number of small children in the neighborhood, and people walk along this street. Water runs over then road in three places when it rains and puddles remain for several days thereafter.
 - (ii) She has talked with three neighbors and they are opposed to the increase in speed.
 - (iii) Surrounding streets have speed limits of 35 mph and cars currently travel faster than 25 mph in this area now.
 - (iv) Issue to be tabled until next meeting to give residents time to prepare a petition to present to the board concerning their objection to the proposed increased speed limit.
- (b) Before the meeting ended Denny Desmond advised the board members that the speed limit on Indiana Street would remain at 25 mph and that the board would not pursue the issue any further. Denny to contact Debra Lioubinski and let her know this issue is closed.
- (c) No action taken at this time to have Mike Talley prepare a speed limit ordinance making the maximum speed limit in the Village of Leawood 25 mph except where posted.

21. Operating Procedures:

- (a) Will review the Policy & Procedures presented by Ray Cavanaugh and possibly incorporate them into our operating procedures policy.
- (b) Caleb will write up a procedures policy and Denny Desmond will prepare procedures for financial reporting.

New Business:

22. Building Permits: None issued

23. Issues and/or Complaints:

- (a) .1924 East 44th – grass needs mowing
 - (a) Denny Desmond advised that this property had a reverse mortgage on it when the home owner passed away. He contacted Financial Freedom, the mortgage company, and was told the property manager would call him back. Denny is waiting on that call.
- (b) 4425 Connecticut: Bill Courtney filled a complaint concerning the vacant lot located on the east side of Connecticut between 45th and 46th Street. The grass is overgrown and needs mowing. Denny to follow-up.
- (c) 50th and Connecticut – complaint received from Richard Grody concerning a swimming pool without a fence around it. The village does not have an ordinance concerning swimming pools and fences.

Motion made by Fran Owen and second by Dave Smith to adjourn the meeting. In favor 5 opposed 0. Motion passed. Meeting adjourned at 9:07 P.M. Next meeting will be July 20, 2010.

Minutes prepared by:

Minutes approved by:

Fran Owen, Secretary Date

Denny Desmond, Chairman