

Village of Creston Minutes Tuesday, January 2, 2024

President Byro called the meeting to order at 7:00 pm. Trustees Elliot, Hibshman, Hopkins, Katzman, Kerns, and Ward were present. Attorney Crull was also present.

President Byro introduced the minutes and asked for additions or corrections. There were none. Trustee Hibshman made a motion to approve the minutes. Trustee Ward seconded the motion. Minutes were unanimously approved as presented.

Visitors & Communications – President Byro asked if there were any visitors or communications. President Byro referenced a letter the Village received from the County Board President about nuisance animals. He introduced Andrea Meyer from Newkirk and Associates to talk about the Annual Audit. Ms. Meyer discussed the contents of the audit. There were no disagreements with management or difficulties completing the audit. Page 4 lists audit adjustments. Page 7 discusses material weaknesses and significant deficiencies. This does not mean that they found a problem, but there is a weakness that exists where a problem could occur in the future. One of the material weaknesses listed was segregation of duties and that is a repeat comment. With a small Village it is very difficult to segregate duties. Ms. Meyer expressed to the Board the importance of their role in oversight. Their diligence in knowing what is going on will prevent problems from happening. Financial statements begin with the audit opinion, which was unmodified. An unmodified opinion is the best result you can get in an audit. As one moves through the audit, it becomes more detailed. One item she pointed out was the Enterprise Funds (water and sewer). The income statement showed a small loss, but the depreciation was about \$65,000, which is a non-cash item. She stressed that she would not worry about the small loss due to the non-cash depreciation item. Ms. Meyer went on to discuss subsequent events, which is anything that happens between the end of the fiscal year, April 30th, and the time they issue their report. It lets the users know of significant or material things that happened in that time frame. The ARPA funds and the funds received from the landfill were included. The Fund Statements contain information for each fund and the line items are much more detailed, and there is a budget comparison included. Ms. Meyer asked if there were questions, and no one had any. She let the board know that if any questions arose after they had time to thoroughly review the audit, they could contact Newkirk & Associates at a later date. Trustee Hopkins made a motion to accept the FY23 audit. Trustee Katzman seconded the motion. Roll call vote taken. Trustees Elliot, Hibshman, Hopkins, Katzman, Kerns and Ward all voted yes.

Attorney Crull stated that he had a few things going on, and the house demo issue would be discussed later. He said that if the board wanted to put together a nuisance animal ordinance, he has them in some of the other communities he works with.

Casper Manheim introduced his son Aaron, who works with him part-time and will start working with him full-time next year. Aaron has worked for Stillman Valley Streets Department for 16 years. He was on the Oregon Fire Department for 9 years and made it to Lieutenant. He is going to take over for Casper in a couple of years. The owners of the home that is being built on Prairie St had Casper come for a rough-in, which means they can start insulating and dry-walling. The other house in the subdivision is also coming along. Casper said that all his other communities are fine with Aaron taking over when Casper retires, and that the hours that Aaron will be working will not cost the Village any additional money as he is funding that. .

Kevin Bunge was not present .

Committee Reports

Finance - Trustee Hopkins had nothing.

Streets & Alleys – Trustee Ward stated he had nothing.

Water & Sewer – Trustee Kerns said he never heard anything from Kevin last month. President Byro said he had also been waiting to hear from him as well. Trustee Ward talked about replacing valves that don't work. It had been discussed previously and Trustee Ward said he would like to see some movement on that. President Byro said he would talk to Curtis Loyd and see what his opinion is on how to proceed.

Health & Safety - Trustee Hibshman stated he had nothing.

Zoning & Planning – Trustee Katzman said he had nothing. Trustee Elliot said that he would get the Planning Commission together later in the month to review the Comprehensive Plan. President Byro said that he heard that the library has re-bid for the project.

Trustee Katzman said plans came back to them and it went out for bids. President Byro stated that they had gotten something like 9 bids. Trustee Hopkins said that the project has been awarded. There were 2 bids that fell within their budget.

Subdivision - Trustee Elliot said that there is a new owner for the subdivision and President Byro stated that it would be discussed later in the meeting.

New Business – President Byro spoke about house demolitions. Atty Crull said that there are 2 properties left: 224 E Depot St, which has new owners. Atty Crull did a title search and found out who they are and where they live, so he will go through the process with them on that property. Regarding 123 W North St, ICCU has been in touch with him a lot. They own the property now and they are trying to sell it. They asked if we would be interested in entering into a development agreement with the potential buyer and Atty Crull said yes. He spoke with Casper and Casper said the outdoor safety improvements need to be made. Atty Crull gave the credit union our punch list of what we need and they said they would give to him an agreement that would be acceptable to the board. Atty Crull stated that he would go the route of selling the property as opposed to spending money to tear it down. Deadlines will be imposed, and the work would need to be done by the deadlines put forth. Atty Crull said he would go through the proposal with Casper when he gets it.

President Byro said that they received 2 bids for the house demolition. One bid was \$27,850 and the other was \$26,400. President Byro said he felt it was way too much. Atty Crull asked if that was in addition to the asbestos removal the Village has already paid for, and he said yes. Trustee Ward asked who the bidders were. President Byro stated one was Martin out of Oregon and the other one was Benish. President Byro reiterated that he felt it was way too much to pay. Trustee Ward asked if it was put out for sealed bids and President Byro said he just put it out for bids. Casper is going to talk to the bidders and see what the deal is. President Byro said he thought it best to wait until Spring and try again. Trustee Ward suggested talking to some local people to do the work and President Byro said that prevailing wage must be paid. Trustee Elliot said that part of the issue is the punch list of stuff that needs to be done. None of that was done on the lot on the corner of South and Main and President Byro said that they didn't have to pay prevailing wage. Trustee Elliot stated that it isn't just the wage, it's the other stuff as well. Trustee Kerns said that a lot of work needs to be done before a house can be demolished. President Byro read off the different items that were contained in the bid. The removal of the building was \$14,500 on one bid and \$15,000 on the other bid. President Byro reiterated that he thinks that the Village needs to wait. Trustee Elliot stated that if the Village was going to wait, then the property needs to be boarded up to prevent potential problems. President Byro asked the Board what they thought. Trustee Hibshman asked what the bids would be without the tree removal and the grass seed. Atty Crull said that the board could hammer down on the other property, and it might be cheaper to do 2 at once, but the structure removal is the biggest portion of the cost. President Byro proposed that the Village take some of the trees out before Spring. Trustee Ward asked what the Village's tree removal service would charge to take out the trees. President Byro said he didn't think they would charge \$4400 and Curtis Loyd agreed. Mr. Loyd suggested contacting Chuck Martinson. He said Mr. Martinson had approached him several times about that lot. Mr. Martinson said the lot is not big enough for a house, but it is the right size for a garage. Mr. Loyd suggested he may be interested. Trustee Kerns said that we could give it to him with the condition that he takes the house down and save the Village \$27,000. Casper said that a garage cannot be built on the property without a principal structure on it. No accessory structures can be on an empty lot unless there is a principal structure. Trustee Hopkins agreed that the Village should wait, especially if there is the possibility that another structure would need to be demolished. He said he hoped that the 123 W North St property will be sold, and the Village won't have to demolish it. Atty Crull stated that there is still the structure at 224 E Depot St as well. He asked if anyone had seen the new owners. Trustee Ward stated that some brush had been trimmed. President Byro said he had asked Tom Hart for a demolition bid and after he looked at the 40 page proposal that he would need to go through, he said he didn't want to mess with it. President Byro proposed that the Board accept neither bid and wait until Spring. Trustee Ward said he did agree that the house needs to be boarded up to limit the Village's liability. President Byro said he would have Mr. Loyd look at it and see what needs to be done. Trustee Ward suggested posting No Trespassing signs as well.

President Byro called on Trustee Elliot to talk about the Enterprise Zone. Trustee Elliot stated that based on companies wanting to buy properties that are near the Village for development, he felt the Village should get into the Enterprise Zone to make those properties more viable for investment. He mentioned the different tax issues that would be associated with that along with the other benefits that come with the Enterprise Zone. The other government bodies in and around the Village have signed off on the Enterprise Zone. The Village is the only entity that is not already in the Enterprise Zone. Signing on at this point is just a formality. Trustee Ward stated that it must be voted on by the communities throughout the Zone as well. The Fire Department Training Center used to be in the Enterprise Zone but it is classified as governmental now so it was removed. Some other property in Dixon or somewhere around that area was added, and all communities involved had to vote on any changes made to the Enterprise Zone. He did say that there is still plenty of acreage available. Trustee Ward said that specific properties must be named. The Village cannot say they want the entire Village to be part of the Enterprise Zone.

President Byro discussed the Subdivision. It has been sold and there is a new owner as of Friday December 29, 2023. The new owner wants to get the water tested. He wants to fill the lines back up and find out where any leaks are. President Byro will talk to Mr. Loyd about it, and Trustee Ward said to make sure our water operator is involved. He stated that someone will begin to mow in a couple of weeks, weather permitting. The Village does not have an agreement with him. There are things that need to be discussed, but the new owner will have to come to the board to get those things accomplished. President Byro said it has been quite a struggle dealing with the subdivision, but he thinks it is moving in a positive direction. Both sides have ideas, and they need to come together and talk. President Byro stated that a reply letter was sent to the new owner the previous Thursday and the Village had not heard back from him yet. Trustee Elliot stated that the good thing about it is that the old owner is no longer involved, and the new owner wants to get things done, so the sale of the subdivision is a good thing. President Byro stated that the Board needed to go into Executive Session. Trustee Elliot made a motion for the Board to enter Executive Session for further discussion on the Subdivision pending litigation. The Board left the main conference room and moved into President Byro's office for Executive Session.

Trustee Ward made a motion to re-enter Regular Session. Trustee Hopkins seconded the motion. Regular session resumed.

Treasurer's Report – President Byro brought the Board's attention to a bill for Mr. Lockard. It is for 2 years' worth of mowing. Treasurer Payton said she had asked him repeatedly for bills and she never got them. One bill is for \$3800 and the other is for \$3500. Trustee Ward stated that he does a good job and he doesn't think that we can find anyone to do a better job for that price. Trustee Kerns made a motion to pay the bills. Trustee Hopkins seconded the motion. Roll Call Vote taken. Trustees Elliot, Hibshman, Hopkins, Katzman, Kerns and Ward all voted yes. President Byro also said that the bill for the asbestos removal has been paid, which was the \$8000 paid to Ironwood. Trustee Ward asked if Mr. Loyd had any luck finding anyone to help with plowing. Mr. Loyd said no, other than his wife. Trustee Katzman said he had asked a couple of people and President Byro said he hadn't found anyone, either. Mr. Loyd said it's hard to find anyone that is going to be available and dependable that is willing to get out of a warm bed and go out and plow.

President Byro said he had nothing else. Trustee Ward made a motion to adjourn. Trustee Hopkins seconded the motion. The meeting adjourned at 7:51:34 pm