

Minutes of
Board of Trustees
Village of Atkinson

October 5, 2026 @ 6 pm

The regular meeting of the Board of Trustees, Village of Atkinson, was called to order at 6:00 p.m. by Mayor Taber, who led the Pledge of Allegiance to the Flag.

Members Present

Kenneth Taber, Mayor
Ryan Rahn, Trustee
Richard DeSmith, Trustee,
Bobby Burton, Trustee
Jeana Jagers, Trustee
Bob Floming, Trustee

Others Present

Krystle Thomas, Taylor Mills
Scott Krug, Andy Carton, Chief Burroughs

Motioned: Jagers and DeSmith, seconded to approve the September 21st meeting minutes. Burton, Rahn, Jagers, DeSmith, Floming. Motion carried: 5 – AYES; 0 – NAYS.

CITIZENS'/GUEST OPPORTUNITY TO ADDRESS THE VILLAGE

- i. Steve Brown, administrator from Cambridge, here to talk about ALJ
 - Utilized a lawyer with the county attorney from Bloomington for ordinance violators
 - Started this process this year, up and running
 - Village of Cambridge, city of Galva, village of Orion, village of Woodhull
 - It's been a learning curve; 5 actual cases have gone by to the judge pretty effectively; goal was to have people comply
 - Cost \$125 a month to set up a courtroom and judge; no cases, no charge
 - If Atkinson came on board, November and December months cases fall on holidays; next meeting would be January
- Rahn, don't like to spend money; need the "teeth" behind ordinances; then they will comply
- Steve, it's a process; might cost a little more in the beginning
 - Keep in mind no way to collect; if don't pay, go through legal process then attorney go to circuit clerk then go from there
 - Process would be new ordinance for our book, resolution transfer for county to use the courthouse
- DeSmith, Cost?

- Steve, dividing monthly fee of \$500 by how many municipalities, \$100 a month per municipality
- DeSmith, no invoice is no case?
- Steve, correct, but if Cambridge has a case, all municipalities get divided up and charged
 - List to courthouse of people showing up
- Floming, pretty cut and dry
- Steve all lot of us have issues of people not complying
- Chief, how does it go to set a hearing for someone
- Steve, we have a ticket/citation you would give
- Mayor, when would you want to know for sure?
- Steve, it's big of a process; all ALJ have to ok, the courthouse would have to ok, hearing officer would have to ok
- Jagers, I'm good with it
- Floming, I'm for it
- Mayor, have it on the next agenda to have a formal vote

OLD BUSINESS

- i. Concrete Quotes
 - Scott, Matt never got back to me with any
- ii. Action: Concrete Quotes

COMMITTEE CHAIRMEN REPORTS

FINANCE/PROPERTIES

- i. Revolving Loan Application
 - Jagers, Colton has a business account; LLC, EIN has been applied for
 - Rahn, \$35,000 discussed at meeting to approve this application
 - Then have contract with all information as terms, interest rate
 - Mayor, approve this application with a bank letter approval
 - Jagers, the building has to be at least 65% to use the building as collateral
 - Rahn, a commitment letter
 - Mayor, a letter from the village on what we have approved from TIF and revolving loan
 - Floming, a letter from us will help
 - Rahn, have to do this right the first time, not go backward
 - Mayor, approve application, then approve contract, then release funds
 - Rahn, want something in writing so the next person who comes in wants the revolving loan with no backing
 - Mayor, payment due 6 months after opening day

- Rahn, thought it was at 6 months
 - Thomas, if you read how it was motioned and passed in the previous meeting minutes you just approved. In final action states: Motioned: Rahn and Burton seconded a Revolving loan for \$35,000, deferred until the opening of business; once the business is open, 4% interest rate; first payment due in 6 months for 10 years. Burton, Rahn, DeSmith, Floming, Jagers-ABSTAIN Motion carried: 4 – AYES; NAYS; ABSTAIN-1
- ii. Action: Revolving loan application

Motioned: Rahn and Burton seconded to accept the revolving loan application from Jagers BBQ-Colton Jagers. Burton, Rahn, DeSmith, Floming, Jagers-ABSTAIN. Motion carried: 4 – AYES; NAYS/ABSTAIN- 1

iii. ROW Amendment

- Rahn, have an amendment for downtown
 - Thomas, if we are going to take out the two properties listed, then it needs to be voted on and has to be turned into DOT by October 23rd.
 - Rahn, looks like taking out 507 N State Street and 509 N State Street
- iv. Action: ROW Amendment

Motioned: Rahn and Floming seconded to accept the amendment for the ROW from Shive Hattery. Burton, Rahn, DeSmith, Floming, Jagers. Motion carried: 5 – AYES; NAYS

PUBLIC WORKS

i. Trailer Quotes

- DeSmith, need a new trailer since Bob Floming wants his back
- Floming Public Works can haul other stuff; 20 ft haul both mowers out east
- Mayor, how often do you go to the lagoon?
- Scott, signs every week, lagoon every other
- Floming driving mower out east, not safe
- DeSmith, do you have somewhere to put it inside
- Scott, yes

ii. Action: Trailer

Motioned: Burton and Rahn seconded to approve 83 x14 single axle trailer for \$3,300. Burton, Rahn, DeSmith, Floming, Jagers. Motion carried: 5 – AYES; NAYS

iii. Part-time help

- Floming, I think we need someone part-time; advertise locally, Facebook
- Mayor, need someone for snow

- DeSmith, Rahn, can you talk to Brody?
- Rahn, yes
- Chief, I have a 20-year-old son moving back, going to work at Farm and Fleet, going to the military February 1st; he is forklift certified, don't know if he will want to, but just an idea
- Floming: let's advertise it; see if we get any bites
- Mayor, when does Josh start?
- Scott, October 19th
- Mayor, Scott, how's the dirt?
- Floming, what are we doing with the ditch?
- Jagers, have JB come look and get ideas
- Mayor, get specs, then out for bids

PARKS & RECREATION

- i. Halloween Contest/Trick or Treat Hours
 - Jagers, Saturday, October 31, 2026, 5-7 pm
 - Thomas, what were the prize amounts last year?
 - Thomas, Halloween & Christmas 1st place was \$100, 2nd place was \$75, 3rd place was \$50 all village gift certificates
 - Jagers, for the park donations, I thought we'd get one large case for plaques to be engraved and put in as we go
 - Starting baseball field fence tomorrow
 - Floming told Scott before Halloween to drain and winterize fountains
 - Jagers, do it last week of October
 - Scott, I did last year with Bob

PUBLIC HEALTH & SAFETY

- Chief, I have nothing; everything is good
 - Everyone has a flyer; a teacher at Excel talked with Scott, Krystle, and myself
 - It's the space in between school and public works, sitting area, filing for grants, no cost to the village
- Floming, I think it's cool
- Jagers, I approve it
- DeSmith, will be hot in summertime
- Mayor, very nice, glad they can use it
- Thomas, do want to let the board know that our bus monitor couldn't do her duty one day due to an injury, and Scott jumped right in that morning and did it and let me know afterward; then I asked Liz if she could do it that afternoon and the next day am and pm, and she jumped right in to help. I feel it was great teamwork, and it needed recognition, and a thank you goes a long way

- Chief, after hearing Steve Brown's presentation, we already do some of that; I think it's a good idea and useful

TIF

- Ord. No. 845 Jagers BBQ
- Action: Ord. No. 845 Jagers BBQ

Motioned: Floming and Rahn seconded to approve Ordinance No. 845 Jagers BBQ- Colton Jagers. Burton, Rahn, DeSmith, Floming. Motion carried: 4 – AYES; NAY;

iii. Building update

- Rahn looked at the Colton building; possible structural issue. Had about 3-4 questions; could be a cheap fix, back addition, some cracks, slopes
 - My goal is to keep the building in need of fixes for the next generation
 - Kurt looked at it, he said he hates to have a restaurant get going and then come in to fix, has to dig down to make sure the footings are ok
- Floming, let's get it fixed
- Burton, do we need a structural engineer?
- Rahn, no, Kurt can do it
- Floming, nothing current going on in there; do it now, get it done
- Burton, Agree
- Rahn, agree

iv. Action: Building update

Motioned: Rahn and Floming seconded to move forward; tell Colton to get prices, check footings, and get an estimated cost. Burton, Rahn, DeSmith, Floming. Motion carried: 4 – AYES; NAY;

FARM REFUSE & RECYCLING

i. Sealed Bids

- Mayor, we received 11 sealed bids; I will open and read each one off
 - Brandon Weber 3-year lease at \$383 per acre
 - Riley Dewyer 3-year lease at \$372 per acre
 - Grayson Berk 3-year lease at \$410 per acre
 - Chad Vroman 3-year lease at \$385.82 per acre
 - Mike Dewyer 3-year lease at \$350 per acre
 - Taylor Mills 5- year lease at \$425 per acre we do 3 years at a time
 - Adam Dines, 3- year lease at \$390 per acre
 - Rob Defauw 3-year lease at \$340 per acre
 - Don Verbeck 3-year lease at \$365 per acre (also includes a full-page letter)
 - Sarah & Riley Dines 3-year lease at \$407 per acre

- Troy Dericks 3-year lease at \$375 per acre
- Mayor, Taylor Mills was the highest bid at \$425 per acre, but don't have to take the highest bid either
- Rahn, would like to keep Don has been an excellent tenant

ii. Action: Farm Bids

Motioned: Floming and Rahn seconded to accept Taylor Mills' bid for a 3-year lease at \$425.00 per acre. Burton, Rahn, DeSmith, Floming, Jagers. Motion carried: 5 – AYES; NAYS'

- Mayor Taylor possibly not able to get in till March
- Taylor, willing to also give testing and yields
- Rahn, that would be great
- Mayor, on the 16th Ryan and I our lawyer Dennis Welsch, are going to have a Teams meeting in office, going to close the office and bring the information to the board on the 19th
 - On the 20th I will meet with Dennis, Katie, LRS lawyer; they want me to come up there, if someone else would like to go with me
- Rahn would rather have it here; have them drive down here
- Mayor, will ask on the 16th; get it all rolling. Both parties want to simplify the contract
- Floming could use the fire station for meeting place

BILLS

Motioned: Floming and Jagers seconded that all bills be paid as presented, \$42,436.43 Burton- ABSTAIN, Rahn, DeSmith, Floming, Jagers. Motion carried: 4 – AYES; NAYS; ABSTAIN- 1

OTHER ITEMS

i. Shredding

- Mayor, I will let Thomas explain this to you
- Thomas, as I have been going through files and bills. We have a 3rd-party shredding company, but I cannot find the contract. We are currently paying \$163 a month, and they pick up every 8 weeks. When I started, we were only paying \$130 a month.
 - I called and spoke to someone the first day, requesting the contract and stipulations on canceling the service. Never received anything. I called back the next day, spoke with someone about the contract, and requested a copy and to cancel the services. He told me that we would have to pay for half of the services for the next 5 years since our contract just automatically renewed in July because it was signed in 2021. I asked who signed the contract; of course, the previous clerk's name was on it.
 - Illinois municipalities do not have to hire an external company to shred documents; in-house shredding is fully permitted as long as the physical destruction method completely prevents reconstruction.

- When he emailed me: I have attached the service agreement we have on file here. You will see the agreement had renewal terms and would have renewed in July of this year for 60 months. As I mentioned, we have customers that have been with us for 30-plus years. This is the reason for renewal terms, to avoid service disruptions. You can imagine how many management changes or contact changes can be made in that time. By signing the agreement, Shrhonda confirmed she was the authorized signer. We have provided services for over 5 years. Services have been rendered and paid for. We would take this as acknowledgment of the contract being valid. I understand she may have not been authorized, however by signing she confirmed she was authorized. I am happy to review account and or pricing or address any concerns you may have. Please reach out when you have come to a decision and we can proceed from there. Thank you.
- I did my homework, and I went through every agenda and every meeting minutes, and nothing was on the agenda, discussed, or voted on for this company. I also did my research on the Illinois Municipal Code and emailed him back: Andrew,
- Thank you for the contract. I understand your company's position and the wording in your contract. Unfortunately, under the Illinois Municipal Code, this is not the case. •Lack of Independent Authority: Under the Illinois Municipal Code, a village clerk is a ministerial officer responsible for keeping records and attesting signatures. The clerk has no independent executive authority to financially or legally bind the municipality.
- •The "Void" Rule: When a municipal employee or official executes a contract without receiving prior explicit approval or authorization via a formal vote, resolution, or ordinance from the corporate authorities (the Village Board), the contract is considered void ab initio (void from the beginning)
- I did not receive a response and discussed it with the Mayor, who said to go ahead and cancel it; I typed up a letter and mailed it certified to the company.
- In the long run, we will be saving money by being able to do it in-office
- I have provided two shredders that are government-approved; one is for \$3,749.00 plus \$543.99 shipping plus \$63.00 for lift gate; warranty is 2 years, 1 year on cutting cylinder. 2nd one: \$3,099.00, free shipping, plus \$63 for lift gate. Warranty 3 years on parts and labor 5 years on cutting cylinder

ii. Action: Shredder

Motioned: Floming and Jagers seconded the shredder for the office at \$3,099 plus \$63 for lift gate. Burton, Rahn, DeSmith, Floming, Jagers. Motion carried: 5 – AYES; NAYS;

- Mayor, I did have to tell Dollar General to mow their lawn
- Thomas, I do want to bring to the board's attention the DG driveway. Two different people have now come to the office with damage to their cars due to the gap.
 - I did receive an email from DOT to George about how the grates in Atkinson and Orion weren't done correctly.
 - When this email came through, the Mayor did call George and tell him that this needs to be fixed

- The first time it happened, it bent the rim and popped the tire of a gentleman's car. I gave him George name and number I haven't heard anything since
- Now, last Friday a lady came in, and her hubcap was broken and there were marks on her bumper and marks on her fender; again, I gave her George name and number and also took pictures for Chief, and he took over to file a report
- How do we get this fixed? How do we enforce this?
- Scott, they also need to fix Washington Street

Motioned: Jagers and Rahn seconded to go to Executive Session at 7:40 p.m. Burton, Rahn, DeSmith, Floming, Jagers. Motion carried: 5 – AYES; NAYS;

EXECUTIVE SESSION

- i. Review Executive first 6 months of 2026 Sessions

Motioned: Rahn and Burton seconded to go to Open Session at 7:43 p.m. Burton, Rahn, DeSmith, Floming, Jagers. Motion carried: 5 – AYES; NAYS;

FINAL ACTION

- i. Final Action: Review Executive first 6 months of 2026 Sessions

Motioned: Rahn and Jagers seconded a motion to open 2/2/26, 2/16/26, 3/2/26, 5/5/26 executive sessions and the rest closed. Burton, Rahn, DeSmith, Jagers. Motion carried: 4 – AYES; NAYS'

Motion made by Rahn, seconded by Burton, to adjourn the meeting at 7:44 p.m. Motion carried 5-AYES, 0-NAY

Respectfully submitted, Krystle Thomas, Village Clerk