

**VILLAGE OF LOCH LLOYD, MISSOURI**  
**April 18, 2024 Board Minutes**

Board present – Trustee Little (absent)

Also joining were Village Attorneys, Jonathan Zerr and Mandy Marshall

Meeting called to order by Chairman Schultz at 9:03 a.m.

1. Pledge of Allegiance.
2. Certification of Election Results
  - a. Chairman Schultz introduced the issue and thanked all for their involvements including the voting public and each candidate that signed up.
  - b. There being no further discussion on the topic, Chairman Schultz recognized Trustee Douglas for a Motion to Approve Bill No. 2024-4-17-1 Declaring the Results of the April 2, 2024 Election.
  - c. Trustee Lafata seconded the Motion.
  - d. There being no further discussion on the Motion, Chairman Schultz called the question.
  - e. Motion was approved by unanimous vote of all Trustees present.
3. Thank you to Wayne Little
  - a. Chairman Schultz introduced the topic with multiple comments and historic references to the dedication, tireless work, and years of service provided by Trustee Little.
  - b. Chairman Schultz recognized Trustee Douglas for additional comments in support of Trustee Little's expertise and forethought.
  - c. Chairman Schultz recognized Trustee Lafata for additional comments in support of Trustee Little's many years of service to the Village.
  - d. No legislative action sought nor taken.
4. Oath of Office
  - a. Chairman Schultz introduced the topic and then asked Trustee-Elect Murphy and Trustee-Elect Lafata to stand to be sworn into office.
  - b. Trustee Murphy and Trustee Lafata sworn in.
  - c. Trustee Murphy and Trustee Lafata accepted their office, swore the oath, and executed their oath.
  - d. Materials retained by Clerk Lafata for the Village records.
5. Approval of Minutes from 3-20-24 Meeting.
  - a. Chairman Schultz introduced the topic and recognized Village Attorney Zerr for presentation of the Minutes.
  - b. Chairman Schultz recognized Trustee Murphy who motioned to approve and accept the Minutes of the 3-20-24 meeting as presented.
  - c. Trustee Lafata seconded the Motion.
  - d. With no further discussion on the Motion, Chairman Schultz called the question.
  - e. Motion was approved by unanimous vote of all Trustees present.

6. Selection of Board Chairperson
  - a. Chairman Schultz introduced the topic and provided input on the election of the Chair and Village Clerk positions.
  - b. Chairman Schultz then recognized Trustee Douglas who nominated Chairman Schultz to serve another term.
  - c. Trustee Murphy seconded the nomination.
  - d. Chairman Schultz accepted the nomination.
  - e. There being no further nominations, Chairman Schultz called the question.
  - f. Chairman Schultz was re-elected to serve another term as Chairman by unanimous vote of all Trustees.
  
7. Selection of Village Clerk
  - a. Chairman Schultz introduced the topic and provided input on the election of the Chair and Village Clerk positions.
  - b. Chairman Schultz then recognized Trustee Douglas who nominated Trustee Lafata to serve another term.
  - c. Trustee Murphy seconded the nomination.
  - d. Trustee Lafata accepted the nomination.
  - e. There being no further nominations, Chairman Schultz called the question.
  - f. Trustee Lafata was re-elected to serve another term as Village Clerk by unanimous vote of all Trustees.
  
8. Selection of Board Member on Planning and Zoning
  - a. Chairman Schultz introduced the topic and provided input on the appointment of a member of the Board of Trustees to serve on the Planning and Zoning Commission.
  - b. Chairman Schultz then recognized Trustee Murphy who nominated Trustee Lafata to serve.
  - c. Trustee Douglas seconded the nomination.
  - d. Trustee Lafata accepted the nomination.
  - e. There being no further nominations, Chairman Schultz called the question.
  - f. Trustee Lafata was appointed to serve as the representative of the Board of Trustees on the Planning and Zoning Commission by unanimous vote of all Trustees.
  
9. Process for Replacement of Planning and Zoning Vacant Seat
  - a. Chairman Schultz introduced the agenda item and provided an introduction of the duties and obligations of the Planning and Zoning Commission.
  - b. Chairman Schultz recognized Clerk Lafata for identification of the current Planning and Zoning Commission members.
  - c. Chairman Schultz announced the current vacancy on the Planning and Zoning Commission and provided an analysis for the proposed process to fill the vacancy including submission of applications.
  - d. Chairman Schultz announced the deadline for submissions – 7 days from today. (next Thursday)

- e. No legislative action sought nor taken.

10. MODot Update

- a. Chairman Schultz introduced the agenda topic and recognized Clerk Lafata for additional report.
- b. Clerk Lafata provided a detailed background and update on all actions taken, meetings had, and information gathered in the past four weeks.
  - i. Confirmation that the application was submitted to MODoT Committee for the cost-share agreement and project.
  - ii. The Concept Plan has been completed and submitted with the assistance of the Village's retained engineer.
  - iii. \$457,000 light cost for the Concept Plan.
  - iv. Timeframe for potential approval by MODoT of the cost-share agreement is June 13, 2024.
  - v. If approved, the traffic light project will be completed by approximately April of 2025.
- c. Chairman Schultz recognized Bridget Martin who inquired as to how the traffic light will be controlled.
- d. Response to inquiry provided by Chairman Schultz, including the necessity for programming of the light based upon traffic patterns and study results.
- e. Chairman Schultz recognized Jack Hamer who inquired on information to coordinate the traffic light with the gate functioning and recommended evaluation of the same by the Security Committee.
- f. Chairman Schultz and Clerk Lafata provided the response confirming that the Security Committee would be consulted as the project proceeds.
- g. Chairman Schultz recognized Trustee Withey who inquired as to the information that will be provided for gate access and traffic.
- h. Chairman Schultz and Clerk Lafata provided additional affirmation that the Security Committee would be provided information throughout the course of the project.
- i. Chairman Schultz recognized Mike Comer who inquired as to the anticipated costs and additional aspects of the project as well as speed reductions on the road.
- j. Clerk Lafata confirmed that no additional signaling would be required other than the light. Clerk Lafata also affirmed that any reduction in speed limits would be based upon MODoT study and evaluation but remained unknown at this time.
- k. No legislative action sought nor taken.

11. Tax Update

- a. Chairman Schultz opened the agenda topic for discussion and recognized Clerk Lafata for staff report and update.
- b. Clerk Lafata confirmed passage of the sales tax and use tax.
- c. Clerk Lafata provided confirmation that the materials have been delivered to the Missouri Department of Revenue along with the certification of election results.
- d. The Missouri Department of Revenue will begin collecting the taxes in October with funds from the sales tax to be received by the Village as early as November/December of this year.

- e. The distribution of funds from the use tax will be sooner.
  - f. Clerk Lafata reported the revenues from the sales tax will be relatively nominal but it's anticipated that the use tax will generate more substantial revenues.
  - g. Chairman Schultz recognized a resident for inquiry confirming that the tax will be paid principally by non-residents.
  - h. Response confirming the same was provided by Trustee Douglas and Clerk Lafata.
  - i. Chairman Schultz recognized Trustee Withey for inquiry on the disposition of the revenues to be received.
  - j. Clerk Lafata noted that the utilization of funds will be based upon budget allocations and will depend entirely on the budgeting process for next year. Actual amounts to be received and budgeted are unknown at this time. All calculations based upon approximations from the Missouri Department of Revenue.
  - k. Clerk Lafata and Chairman Schultz further confirmed that funds received will be invested in a market rate of return and laddered with CDs.
  - l. No legislative action sought nor taken.
12. Hazardous Waste
- a. Chairman Schultz introduced the agenda item and recognized Clerk Lafata for an update and staff report.
  - b. Clerk Lafata provided details on the location for hazardous waste collection and referenced the location of pamphlets available with additional details.
  - c. No legislative action sought nor taken.
13. \*Building Inspector Ordinance (2024-4-17-2)
- a. Chairman Schultz introduced the agenda item for discussion and legislative action.
  - b. Chairman Schultz recognized Clerk Lafata for details and background information on the contract for inspection services and issues identified by representatives of the developer as well as property owners within the past few months.
  - c. Clerk Lafata confirmed the previously expressed instructions from the Board to identify an engineering firm as opposed to a single inspector.
  - d. Clerk Lafata also addressed the list of services to be provided under the adopted codes for the building inspector.
  - e. Chairman Schultz recognized former Chairman Bernie Abrams regarding the new procedure and personnel that will be used. Further inquired as to the payment of services for the same.
  - f. Clerk Lafata provided the response including the historical analysis that 55% of the inspection fees are paid to inspector with the remainder going to the Village.
  - g. Under the new contract 60% of the fee will be paid to the inspector.
  - h. Under the new contract the engineer will limit the remaining "outstanding" inspections to the current amounts paid.
  - i. Payment will no longer be submitted in advance.
  - j. Chairman Schultz recognized a resident for inquiry on reserves and how the prior inspector will be held to pay the new inspectors for upcoming work.

- k. Clerk Lafata indicated that there will be arrangements made between the new inspectors, the old inspector, and the Village to make sure that obligations are kept and the Village is not damaged by having to pay duplicative amounts.
  - l. Chairman Schultz provided instructions for negotiation and assignment of contract and recognized Village Attorney Zerr.
  - m. Village Attorney Zerr noted that the Village will be on the hook for payments to the new inspectors. However, there is a legal conduit to get the money from the former inspector.
  - n. There being no further discussion on the issue, Chairman Schultz recognized Trustee Douglas who made a Motion to Approve Bill 2024-4-17-2 retaining the services of George Butler Associates and designating the same as the new building inspector for the Village.
  - o. Trustee Murphy seconded the Motion.
  - p. There being no further discussion the Motion, Chairman Schultz called the question.
  - q. Motin was approved by unanimous vote of all Trustees.
14. Ethics / Code of Conduct / Social Media Preliminary Draft Policy
- a. Chairman Schultz introduced the agenda item for discussion and recognized Village Attorney Zerr who provided information on the Elected Officials Code of Conduct, Code of Ethics, and Social Media Policy. Village Attorney Zerr provided short background and details on the materials provided.
  - b. Chairman Schultz indicated that review and further discussion could occur at future Board meetings. For now, the materials were being provided for sample purposes only.
  - c. No legislative action sought nor taken.
15. Other
- a. Chairman Schultz recognized Clerk Lafata and Trustee Douglas who confirmed that Bill Murphy had resigned as emergency preparedness commander due to health issues. His vacant position would be replaced with Jed West.
  - d. Cass County Emergency Preparedness representative will be meeting with Mr. West for an educational meeting to discuss background and introduction.
  - c. Chairman Schultz recognized Trustee Withey who inquired on the maintenance of green spaces and potential review/amendment of the UDC ordinances on the same. Trustee Withey wants to make it a priority for the Board in the coming months. Trustee Withey confirmed that the South HOA has no control over it at this time and, at a minimum, mowing should be addressed.
  - d. No legislative action sought nor taken.
16. Executive Session
- a. There being no further business to come before the Board, Chairman Schultz recognized Trustee Lafata for a Motion to enter executive session for discussion of real estate matters pursuant to Section 610.021(2) RSMo.
  - c. Trustee Murphy seconded the Motion.

- d. There being no further discussion, Chairman Schultz called the question and requested Village Attorney Zerr to conduct a roll call vote.
- e. Motion was approved by unanimous roll call vote.

*\*\*Board exited the Boardroom for Executive Session discussion\*\**

17. \*Adjournment\*

- a. Following exit from Executive Session Motion, Chairman Schultz recognized Trustee Murphy for a Motion to Adjourn Regular Session.
- b. Trustee Withey seconded the Motion.
- c. There being no further discussion on the Motion, Chairman Schultz called the question.
- d. Motion was approved by unanimous vote of the Trustees.
- e. Regular session was adjourned at 11:12 a.m.

Respectfully submitted,

Jonathan S. Zerr  
Village Attorney