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Homer board reverses vote on water, sewer services for coal mine

Mon, 03/11/2013 - 9:33pm | [Tracy Moss](#) ^[1]

HOMER - Two weeks after denying the sale of treated water and sewer services to Sunrise Coal, the Homer village board passed the agreement by just one vote Monday night, to the dismay of some trustees and residents who spoke out against the process that brought the issue back to the board.

Trustee Roy Woodmansee, who has voted no in the past to selling Sunrise Coal's proposed Bulldog mine up to 20,000 gallons of treated water and sewer services, made two separate motions to table the request, and both failed 3-4.

The trustees then voted on the treated water request, which passed 4-3, with Mayor David Lucas breaking a 3-3 tie among the six trustees. The trustees who voted no were Woodmansee, Guy James and Kevin Knott, and those who voted yes were Lucas, Ray Cunningham, Larry Mingee and Mike Johnson -- the only trustee who changed his vote from two weeks ago when the request was defeated. ^[2]

It took the village board almost two hours to reach the vote on the Sunrise contract. For 45 minutes, more than a dozen people made public comments, some asking the trustees to approve the contract for the economic benefit of Homer, and others asking the trustees to deny it to protect the environment and the water resources.

And for more than an hour, the village trustees had their own discussion, determining whether the village really does have a deficit in the water budget as the mayor has claimed, and also addressing comments Lucas had posted earlier in the week on the village website and [Facebook](#) ^[3]. On those sites, Lucas had urged residents to contact the three trustees who voted no two weeks ago and ask them to bring the contract up for reconsideration, and he provided their names and contact information.

Two of those trustees, Knott and Woodmansee, told the mayor Monday night that they thought that his using the village's website to express his private opinion in support of the coal contract was wrong and unprofessional.

Johnson also addressed the audience Monday night before the vote. He said after some thought in the last two weeks, he had changed his mind. He told the audience that he doesn't want the coal mine in his back yard, but if it does come and Homer doesn't have a water and sewer contract, then "the village has nothing." He said not to blame the village trustees for the coal mine

coming. He said landowners are the ones who have leased their land.

"We have nothing to do with that. We simply are considering selling them water," he said.

Chad Beckett, the attorney representing some of the Homer area landowners against the water sale, formally questioned the legality of the village board re-considering the agreement with Sunrise in an e-mail to the village's attorney Paul Hendren. An attorney from that law firm also spoke at the meeting, questioning how many times a body can vote on something and arguing that a board could do this repeatedly on every issue defeated. He called it a horrible way to do business.

But just prior to the vote, village attorney Hendren told the trustees that he forwarded Beckett's e-mail to the special attorney, James Rhodes in Chicago, and his advice was that the village could consider this contract again by an ordinance as a new action that did not have to be a technical reconsideration of the earlier vote if the coal company had renewed or continued its request for the contract. Determining that that is the case, Hendren said it wouldn't even require one of the three trustees who earlier voted no to formally ask for the issue to be re-considered.

#1 ^[4]

rsp ^[5] wrote on March 11, 2013 at 9:03 pm

It seems like part of this vote is based of the belief that there is a deficit in the water budget. Nobody thought to ask for an audit? Facts to look at instead of suspicion? Maybe they can vote again.

#2 ^[6]

unity ^[7] wrote on March 11, 2013 at 10:03 pm

When I was in kindergarten, I was taught one vote was it. So why did this village allow a second vote? Politics at its best even in a small town. The division in this town is quite apparent. The third and final vote should be done BY THE PEOPLE of the Homer township and surrounding townships who will be effected by this in the future. Positively or Negatively. Only then will this be a fair vote to all parties. Third times a charm.

#3 ^[8]

Benton ^[9] wrote on March 11, 2013 at 10:03 pm

Facts - courtesy of the audit reports of Homer.

Water Budget: - deficits were made up using Tax Increment Financing funds. That is why there is a perception of surplus. TIF funding runs out in seven years and could be put into other worthy projects. Our deficits without payments to the water tower fund are as follows (from the audit report).

2012 (\$37,277)

2011 (\$19,177)

2010 (\$68,957)

2009 (\$9,645)

Need I go on? If you are not at the meetings and not informed please refrain from comments.

#4 ^[10]

rsp ^[5] wrote on March 11, 2013 at 11:03 pm

The Homer Board spent an hour trying to figure out if they had a deficit, which was a factor in their vote. If *they* don't know what they are voting on, why are they voting? So if we don't know the answer to something we should just shut up and go away?

#5 ^[11]

unity ^[7] wrote on March 11, 2013 at 10:03 pm

Since Homer can have a second vote... does this logic also apply to having a revote on the Presidential election? :)

#6 ^[12]

Sid Saltfork ^[13] wrote on March 11, 2013 at 11:03 pm

They sold the village cow for three magic beans.

#7 ^[14]

Danvillain ^[15] wrote on March 11, 2013 at 11:03 pm

I second this motion for a new (worthwhile non-fingerpointing) prez!!

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[3] <http://www.facebook.com/pages/Village-of-Homer/327313620632471>

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[5] <http://www.news-gazette.com/users/rsp>

[6] <http://www.news-gazette.com/news/environment/2013-03-11/homer-board-reverses-vote-water-sewer-services-coal-mine.html#comment-505072>