



# Rural HIGHLIGHTS

Local News from Rural Electric Convenience Cooperative

## No Trespassing signs can help protect private property



Trespassing is generally defined as entering private property without consent. The penalties for this crime vary, but violators could receive fines and possibly jail time if any damage is done. A breach of privacy can be disruptive, especially for farmers trying to protect their livestock and farmland. Unauthorized hunting can also pose a hazard and create unique situations, such as disputed boundaries. In addition, many landowners have concerns about their liability if an accident occurs on their property.

If you do not want uninvited guests, post a sign! A written notice, that forbids entry, should be posted at the property's main entrance or forbidden area. The notification gives the landowner legal recourse and some protection from liability. All notifications must comply with Illinois statutes and clearly mark the owner's intentions. Periodically verify that signage remains visible and legible. The elements can be harsh and some signs will deteriorate over time. Paint fades, trees fall and vegetation can conceal property marked boundaries.

Vandals have also been known to damage or remove posted signs.

In Illinois, trespassing occurs when someone knowingly enters without consent or authorization. The owner or occupant must visibly post a written notice forbidding entry to the property. Other markings can include the use of "purple marks" on poles or trees to prevent trespassing. Statutes covering trespassing can be found in the Illinois Criminal Code. (720 ILCS 5/21-3) (from Ch. 38, par. 21-3)

## Purple paint was added to Illinois law in August 2011



The law was designed as an alternative for Illinois landowners to protect their property from trespassing. Exceptions state that no landowner or lessee is authorized to post purple marks if doing so would violate any applicable law, rule, ordinance, order, covenant, bylaw, declaration, regulation, restriction, contract or other instrument. Void if located in a municipality of more than 2 million inhabitants.

Purple paint marks used to designate no trespassing must be either:

1. A vertical line of at least 8 inches in length. The bottom of the mark shall be between 3 and 5 feet high. Each mark shall be no more than 100 feet from another such mark and be readily visible to any person approaching the property.
2. A post capped or otherwise marked on at least its top 2 inches. The bottom of the cap or mark shall be between 3 feet and 5 feet 6 inches high. Posts so marked shall be no more than 36 feet apart and be readily visible to any person approaching the property. If fence is shared, all parties must agree to the posting.

Visit <https://www.dnr.illinois.gov/hunting/Pages/PublicAct97-0477.aspx>

## Winter weather hits Illinois co-op

In January, RECC sent five linemen to assist in Corn Belt Energy's massive restoration efforts. Most of the damage was caused by ice accumulation, but heavy snowstorms soon followed, making restoration more difficult. Several Illinois cooperatives worked in the Bloomington area most of the week restoring power to hundreds of co-op members.



## Legitimate reasons for being on private property

Illinois statutes describe who may be exempt from trespassing on private property. These include members of law enforcement, government officials, emergency workers and others who may have the right to be on private land for a specific purpose. There are other exceptions too.

Trespassing does not occur when someone is authorized to be there. Having a Right-of-Way easement is an example of this authority. These are legal documents or agreements that utilities require before performing work on land they do not own. Easements allow utilities access to the property where their equipment or service is located.

RECC requires an easement, which grants the right to construct, operate and maintain its electrical system before any work is done on a member's property. The easement will include a description of equipment installed, the specific location with a parcel ID, and the landowner's signature. RECC easements are permanent, conveyed

with the land, and recorded with the county.

These easements allow the cooperative legal access for inspections, repairs, improvements, removals and additions of facilities. They can be used for new or reconstruction, performing maintenance or repairing all or a portion of the distribution system. Tree trimming and specific clearing distances are also included within the agreements.

These are just a few examples of what is typically included in RECC easements. Specific details will vary, depending on the date it was granted. An easement from 1937 may differ from those of today, but the concept remains the same. Landowners grant access to their land in exchange for a good or service to be delivered, resulting in a mutual benefit.

In addition to easements, RECC members agree to specific terms and conditions when applying for membership. Applicants acknowledge that utility poles, lines and other equipment installed on the premises are the

property of the cooperative, and as a condition of receiving service, must grant access to these facilities. The applicant also agrees that the cooperative may enter the property to operate, inspect, maintain, and repair lines and equipment. This includes reading, testing, and replacing meters.

While the cooperative has the authority to access its equipment on private property, every effort is made to respect landowner rights. When possible, individual members are contacted before large projects are scheduled on private land. Advanced notice is given when work is to be performed on the properties of multiple members, such as system-wide meter replacement, pole testing or tree trimming. Notifications may include the monthly newsletter, social media, billing statements, and call 24 phone messaging. If RECC is performing work on a member's premises, vehicles will be clearly marked. This includes subcontractors who will have magnetic decals.



# Nominating Committee to meet March 11

The board of directors has selected nine co-op members to serve on the nominating committee, which will meet on Thursday, March 11 at 6:30 p.m. at the co-op's office in Auburn. The committee will select candidates for director elections in three districts to be held at the RECC Annual Meeting on June 10, 2020 in Chatham. Director positions up for election to three-year terms this year are District 7 (incumbent Andy Goleman of Divernon), District 8 (incumbent Lou Weitekamp of Raymond) and District 9 (incumbent Cassie Eigenmann of Modesto).

Members serving on the Nominating Committee are:		
<b>District 7</b>		
Wayne Rovey	200 Fox Creek Lane	Chatham, IL 62629
Denise Kink	11880 Goneaway Lane	Glenarm, IL 62536
Todd Becker	17827 Lovens Road	Divernon, IL 62530
<b>District 8</b>		
Dennis Rosenthal	3244 State Route 48	Raymond, IL 62560
Melvin Wempen	22198 East 5th Road	Raymond, IL 62560
Larry Ziegler	22153 East 5th Road	Raymond, IL 62560
<b>District 9</b>		
Denise Kerhlikar	32795 Otten Road	Modesto, IL 62667
Shawn Cox	11841 Hurricane Timber Lane	Modesto, IL 62667
Mike Higginson	16069 North Lake Drive	Girard, IL 62640

## What is expected of a co-op director?

Your board of directors is chosen through elections each year at the annual meeting. Each of the nine directors is elected by majority vote for a three-year term. Terms are staggered; three directors are elected one year, three directors the next year and three the third year.

Before each annual meeting of members, a nine-member nominating committee is appointed. The committee consists of three members from each district where a vacancy on the board of directors is to be filled. This committee meets and prepares a list of nominees before the annual meeting. Nominations for a district candidate may also be made by petition, signed by 15 or more members in that district. Petition forms are available from the co-op office and must be returned by May 11th; 30 days before the June 10th Annual Meeting.

### Following is a list of the minimum requirements:

- Directors must receive electric service from Rural Electric Convenience Cooperative at their primary residence. They pay the same rates for electric service and follow the same policies as all other members. They are not eligible to serve on the board if they have any conflicting business interest.
- Your board of directors meets regularly on the fourth Tuesday of each month at the headquarters in Auburn. Directors are expected to attend all regular monthly board meetings, usually beginning at 7 p.m. (or 6 p.m. during winter months).
- Directors attend all special board meetings, committee meetings and Rural Electric Convenience Cooperative's annual meeting. Directors should also attempt to attend one National Rural Electric Cooperative Association (NRECA) meeting or director's conference every year.
- Other meetings directors attend include one and two day educational seminars. Directors are encouraged to complete their NRECA Credentialed Cooperative Director's Certificate during their first term (3 years).
- Directors receive a \$150 per diem (\$250 if director has completed Credentialed Cooperative Director training, \$300 with Board Leadership Credential, or \$350 with Director Gold Certification). They receive the IRS mileage allowance for attendance of cooperative meetings and expenses when traveling on co-op business.
- Directors spend 23–35 days each year representing Rural Electric Convenience Cooperative.
- A director represents all members of Rural Electric Convenience Cooperative, not a geographic region.
- The board establishes the basic business policies, the same as the board of directors of any other corporation. The board employs a President/CEO, who is responsible for all the operational details.

**Rural Electric**  
Convenience Cooperative

**RECC's annual meeting will be held Thursday, June 10, 2021. Location to be announced.**

## Rural Electric Convenience Cooperative

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Find us on 

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See our web page for monthly  
Board meeting reports.

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## Geothermal tax credits extended

The federal tax credit for geothermal has been extended for two more years, keeping the tax credit at 26 percent in 2021 and 2022. The extension was part of the economic stimulus and COVID-19 relief package that President Trump signed into law in December 2020. The legislative package includes an extension for commercial and residential geothermal tax credits and extends the credits for installations through 2023. Residential credits are 26 percent through 2022, step down to 22 percent in 2023, and expire Jan. 1, 2024. Commercial credits remain at 10 percent through 2023.



## Christmas lighting contest



### WINNERS

1st Place: Alan Guile of Auburn, pictured  
2nd Place: Randy Dambacher of Divernon



**Our office  
will be closed  
Friday, April 2  
for Easter.**