



REND LAKE CONSERVANCY DISTRICT

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MINUTES OF THE REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE REND LAKE CONSERVANCY DISTRICT HELD July 23, 2012

A Regular Meeting of the Board of Trustees of the Rend Lake Conservancy District was held on Monday, July 23, 2012, at the Rend Lake Conservancy District Administration Office, 11231 Marcum Branch Road, Benton Illinois. The meeting was called to order at 8:30 a.m. by President Keith Ward with the following in physical attendance:

Board of Trustees: Don Lucas, James Rippy, Jere Shaw, David Stewart, Todd Thomas, Robert Walton and Keith Ward

Staff: Keith Thomason, General Manager; Larry Sanders, Legal Counsel/Treasurer; Leonard Killman, Water Plant Superintendent; and Robert Clodi, Executive Assistant.

Visitors: Reanne Palmer, Morning Sentinel; Mona Sandefur, Benton Evening News; Tammy Hackmann, Heyl, Royster, Voelker & Allen; and Donald Ferrell, Jelliffe, Ferrell, Doerge and Phelps

Minutes

Upon motion by James Rippy and second by Robert Walton to approve the minutes of the Board Meeting of June 25, 2012, the following vote was had:

Ayes: Lucas, Rippy, Shaw, Stewart, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

Acceptance of Check Register

Upon motion by Don Lucas and second by David Stewart to accept the Check Register as presented, the following vote was had:

Ayes: Lucas, Rippy, Shaw, Stewart, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

General Manager's Report: Keith Thomason discussed the June General Manager's Report and provided an Engineering update.

Mt. Vernon Pump

Upon motion by James Rippy and second by Robert Walton to purchase components to repair a Mt. Vernon pump, the following vote was had:

Ayes: Lucas, Rippy, Shaw, Stewart, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

James Rippy – Requested that management staff conduct a feasibility study of hiring temporary truckers to haul sludge.

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Restaurant Storage Shed

Upon motion by Jere Shaw and second by Todd Thomas to approve the purchase of a portable shed for \$2,810, the following vote was had:

Ayes: Lucas, Rippy, Shaw, Stewart, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

Bid

Rend Lake Bypass: Bids to construct the Rend Lake Bypass were due June 26, 2012 with 6 bids received: Low bid was received from J. M. Jones Inc. for \$1,212,701.

Upon motion by Don Lucas and second by Todd Thomas to award the bid for the construction of the Rend Lake Bypass to J. M. Jones Inc. conditional on obtaining the FEMA grant , the following vote was had:

Ayes: Lucas, Shaw, Stewart, Thomas, Walton, Ward

Nays: None

Abstain: Rippy

The President declared the motion carried.

Ordinance 265 Tax Levy

Upon motion by David Stewart and second by James Rippy to reduce the tax levy by twenty percent every year for five years, the fifth year being zero percent, the following vote was had:

Ayes: Rippy, Shaw, Stewart

Nays: Lucas, Thomas, Walton, Ward

The President declared the motion defeated.

The District has reduced the tax levy six of the last seven years, and the Board expressed interest in continuing to reduce taxes. It was management's recommendation to reduce taxes approximately one percent for a total reduction of \$5,000 for 2012 (payable in 2013). Discussion followed.

Upon motion by Don Lucas and second by Robert Walton to reduce taxes by \$5,000, the following vote was had:

Ayes: Lucas, Shaw, Thomas, Walton, Ward

Nays: Rippy, Stewart

The President declared the motion carried.

Seismic Study

FEMA requested that RLCD consult with a seismic specialist in regards to the Rend Lake Bypass Hazard Mitigation Grant Program application to document the eminent seismic risk to the water main located under Rend Lake. FEMA approved the Tetra Tech as the consult firm to complete the study.

Upon motion by Don Lucas and second by Robert Walton to contract with Tetra Tech to conduct a seismic study for the Rend Lake Bypass grant application, the following vote was had:

Ayes: Lucas, Rippy, Shaw, Stewart, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

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Closed Session

Upon motion by Don Lucas and second by David Stewart to go into Closed Session at 9:47 a.m. to consider: (1) Personnel (For the Discussion of the Appointment, Employment, Compensation, Discipline, Performance, or Dismissal); (2) Collective Negotiations (For the Discussion of Collective Negotiating Matters); (6) Sale, Purchase or Lease (For the Setting of a Price for Sale, Purchase or Lease of Property); (11) Litigation (For the Discussion of Pending, Probable or Imminent); and (21) Closed Session Minutes (For the Discussion of Closed Session Minutes), the following vote was had:

Ayes: Lucas, Rippy, Shaw, Stewart, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

Upon motion by James Rippy and second by Robert Walton to come out of Closed Session at 10:34 a.m. the following vote was had:

Ayes: Lucas, Rippy, Shaw, Stewart, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

Closed Session Minutes

Upon motion by James Rippy and second by Robert Walton to approve the Closed Session Minutes of April 21, 2012, as presented, the following vote was had:

Ayes: Lucas, Rippy, Shaw, Stewart, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

Lawsuits:

Upon motion by Don Lucas and second by Jere Shaw to hire Jelliffe, Ferrell, Doerge & Philps to represent RLCD in the Sesser lawsuit, the following vote was had:

Ayes: Lucas, Rippy, Shaw, Stewart, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

Upon motion by Don Lucas and second by Todd Thomas to direct management to file an appellate brief in the Waltonville lawsuit, the following vote was had:

Ayes: Lucas, Rippy, Thomas, Walton, Ward

Nays: Shaw, Stewart

The President declared the motion carried

James Rippy left the meeting at 10:49.

Adjournment


Upon motion by David Stewart and second by Robert Walton to adjourn the meeting at 10:50 a.m., the following vote was had:

Ayes: Lucas, Shaw, Stewart, Thomas, Ward

Nays: None

Absent: Rippy

The President declared the motion carried


Keith Ward, President


Todd Thomas, Secretary