



# 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 December 21, 2015

The Board of Trustees of the Rend Lake Conservancy District held a regular meeting on Monday, December 21, 2015, at the Rend Lake Conservancy District Administration Office, 11231 Marcum Branch Road, Benton, Illinois. President Todd Thomas called the meeting to order at 8:30 a.m. The following attended:

**Board of Trustees:** In physical attendance: Ernest Collins, Kischa Jackson, Don Lucas, James Rippy, Todd Thomas, Robert Walton, and Keith Ward

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

**Visitors:** Robert White, Jefferson County Chairman

### Minutes

Mr. Clodi reported that the motion to enter into closed session was missing the items to be addressed in the October 26, 2015 Minutes and recommended to amend the minutes to list those items.

Upon motion by Keith Ward and second by Robert Walton approving the minutes of the meeting of October 26, 2015 as amended, the Board voted as follows:

Ayes: Collins, Jackson, Thomas, Rippy, Walton, Ward

Nays: None

Abstain: Lucas

The President declared the motion carried.

Mr. Clodi reported the November 23, 2015 Minutes sent in the board packet for review were missing the items to be addressed listed under the motion to enter into closed session and recommended to amend the minutes.

Upon motion by Keith Ward and second by Don Lucas approving the minutes of the meeting of November 23, 2015 as amended, the Board voted as follows:

Ayes: Collins, Lucas, Thomas, Rippy, Walton, Ward

Nays: None

Abstain: Jackson

The President declared the motion carried.

### Acceptance of Check Register

Mr. Rippy stated he noticed several payroll deductions and suggested that the District may want to consider offering financial counseling for those in need.

Mrs. Jackson requested to see an itemized list of petty cash expenses. Mr. Johnston provided Mrs. Jackson with itemized petty cash expense reports. She also asked who had authority to make decisions on purchases made with petty cash. Mr. Thomason explained that managers with petty cash are responsible for the authorized purchases.

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## **December 21, 2015 (continued)**

Upon motion by James Rippy and second by Todd Thomas to accept the Check Register as presented, the Board voted as follows:

Ayes: Collins, Jackson, Lucas, Thomas, Rippy, Walton, Ward

Nays: None

The President declared the motion carried.

**General Manager's Report:** Mr. Thomason presented the General Manager's report covering the following items:

- Robert's Rulers of Order – Mr. Thomason suggested the Board more closely adhere to Robert's Rules of Order to move the meeting forward in a timely manner.
  - Mr. Ward requested to have more detailed information in the board packets so board members can be prepared to vote on issues.
- Easement Clearing
- Safety
- Road Infrastructure at Gun Creek Area
- Sludge Recycling
- Oil Well near Shooting Complex
- Water Plant Average Daily Flow and Peak Flow
- Valve Insertion
- Leak Detection
- Exposed Water Main Repairs
- Smoke Testing
- Ina Electrical Upgrade

### **Financial Report**

Mr. Johnston presented the financial report for the month of November.

### **Department Managers' Updates**

Mr. Thomason explained that he has asked the department managers not to attend the board meeting after hearing their concerns and comments. He shared a few of their comments, which described their negative experience at the board meetings. He asked if the Board would like to continue to have the department managers attend the meetings. Mr. Thomas expressed his concern for the negative impact the board is having on the department managers and suggested not to have them attend on a regular basis.

### **General Manager's Report**

Mr. Thomason reported that the Big Muddy Prison's sewer continues to have maintenance issues due to the lack of the prison's maintenance and operation of their sewer screen. Mr. Killman reported that the District has been cleaning out solids from prison's sewer twice a week to prevent clogs and major backups. Mr. Thomason stated that since the prison is not screening the sewer, all the debris is ending up in the sewer plant lagoons and will cause a significant expense to the District for its disposal. Mr. Lucas recommended sending a letter to the Warden, the State of Illinois Department of Corrections, and IEPA documenting the cause of the prison's sewer issues, corrective measures that need to take place, and expenses that the District has incurred. Mr. Rippy suggested Mr. Thomason contact the Warden first.

### **Recreation Update**

Mr. Sanders provided an update on the following items:

- Greens Mowing
- Golf Course Shelters - re-roofed and modified to accommodate carts within them
- Golf rounds in December are up due to warmer weather
- Greens are in good condition
- Three Golf Pro interviews are scheduled for today's meeting
- During the off season golf rounds will be sold through the lodge

## **December 21, 2015 (continued)**

### **Recreation Projects**

Mr. Sanders presented three cabin proto-types as well as their building sites and a staged plan to construct them. He reported the potential partner for the campers was not able to accommodate the board's request to inspect a camper on site. Mr. Walton expressed interest in moving forward with the viewing of campers at the next meeting. He added that wanted to see the plan for campers. If it looked like it would be successful, he would consider building cabins. Mr. Lucas expressed his preference for cabins over campers and believes the cabins would lease out the entire year. Board members requested to see campers and have additional information before making a final decision.

### **Reconsideration of Ordinance 279 – Combined Facilities**

Mr. Rippy stated that though it was not against the law, he believes that the Board agreed years ago not to use water funds for recreation and that each department would stand on its own. Mr. Thomason informed the Board that each department is paying their own expenses. A discussion ensued in regards to his statement.

Upon motion by Kisha Jackson and second by James Rippy to reconsider Ordinance 279 Combine Facilities, the Board voted as follows:

Ayes: Collins, Jackson, Rippy,

Nays: Lucas, Thomas, Walton, Ward

The President declared the motion has failed.

Mr. Ward expressed his frustration for re-voting on the same issues. Additionally, he asked how the same issues keep getting put on the agenda. Mr. Thomason explained that the Board had voted previously for any board member to have the ability to place an item on the agenda. Mr. Ward asked to have the procedure for setting the agenda to be placed on the agenda for discussion at the next board meeting.

A question was raised in regards to the audit request sent to the Auditor General from Mrs. Jackson. Mr. Thomason presented a letter from the Auditor General's office that stated that the requested audit from the District could only be authorized by an act of legislation and that the estimated cost would be nearly \$400,000. Mrs. Jackson and Mr. Rippy requested and received a copy of the letter.

### **Closed Session**

Upon motion by Keith Ward and second by Kisha Jackson to go into Closed Session at 10:05 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 of Property (For the Setting of a Price for Sale, Purchase or Lease of Property); (8) Security (For discussion of security procedures); (11) Litigation (For the Discussion of Pending, Probable or Imminent); and (21) Closed Session Minutes (For the Discussion of Closed Session Minutes); the Board voted as follows:

Ayes: Collins, Jackson, Lucas, Rippy, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

Upon motion by Keith Ward and second by Ernest Collins to come out of Closed Session at 11:35 a.m., the Board voted as follows:

Ayes: Collins, Jackson, Lucas, Rippy, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

**December 21, 2015 (continued)**

**Bids**

Rapid Mix

Mrs. Towle presented three bids for the Rapid Mix Bypass project. The lowest bidder was Loellke Plumbing Inc. for \$313,973.75. Mr. Thomason recommended approving the alternative bids for the 36" pipe replacement for \$13,800 and a meter replacement for \$10,500. He added that he felt the District could negotiate the price down for the meter replacement by doing some of the work in-house. Mr. Thomason noted that the plant would shut down for 8 hours for work to be performed.

Upon motion by Robert Walton and second by Keith Ward to award the bid to Loellke Plumbing Inc. for the rapid mix bypass project for \$313,973.75, as well as the alternate bids to replace the 36" pipe for \$13,800 and meter replacement up to \$10,500, the Board voted as follows:

Ayes: Collins, Lucas, Thomas, Walton, Ward

Nays: None

Abstain: Jackson, Rippy

The President declared the motion carried.

Sewer Camera

Mrs. Towle presented three quotes for the purchase of a sewer camera. The recommended camera for purchase was an Envirosight push camera quoted by Key Equipment for \$10,850. This recommendation was based on field test demonstrations. The lowest quoted camera was not recommended because they failed to demonstrate the camera after three requests had been made to the company.

Upon motion by Keith Ward and second by Todd Thomas to authorize the purchase of the sewer camera recommended by the District Engineer, from Key Equipment for \$10,850, the Board voted as follows:

Ayes: Collins, Lucas, Rippy, Thomas, Walton, Ward

Nays: None

Abstain: Jackson

The President declared the motion carried.

Water Treatment Chemicals

Mr. Thomason reported that the lowest bidder for activated carbon tested to be the most effective and passed the performance qualifications. He also reported that the District will purchase polymer from two of the bidders based on its best qualified use for the application at hand.

Third Party Administration

Mr. Sanders reported that the District has sought out a third party administrator to replace TASC due to technical issues and poor service. Mr. Sanders recommended Shawnee Administrative Services, LLC (SSA) to replace TASC and requested authorization to deposit 20% of flexible spending account funds with the new provider, an amount up to \$8,000.

Upon motion by Todd Thomas and second by Robert Walton authorizing a deposit up to \$8,000 from the flexible spending account fund with Shawnee Administrative Services, the Board voted as follows:

Ayes: Collins, Lucas, Rippy, Thomas, Walton, Ward

Nays: Jackson

The President declared the motion carried.

**December 21, 2015 (continued)**

**Code of Conduct**

Mr. Thomason presented the RLCD Board of Trustees' Code of Conduct and proposed a modification. Mrs. Jackson expressed her dissatisfaction with the disrespectful way the Board argues and the accusations that have been made. She stated that board members can disagree but should do it in a respectful manner. She added, when concerns arise board members should seek clarity from the person who made the statement directly. Mr. Rippy stated he will not follow the code of conduct and feels that it is written in a manner to silence board members.

Upon motion by Robert Walton and second by Keith Ward approving the amendments to the Code of Conduct, the Board voted as follows:

Ayes: Jackson, Lucas, Thomas, Walton, Ward

Nays: Collins, Rippy

The President declared the motion carried.

**Strategic Planning**

Mr. Thomason reported that the District will meet with mayors and county board chairmen to discuss long term planning and to seek their input. Mrs. Jackson and Mr. Thomas expressed interest in participating in the meetings.

**Public Referendum**

Mr. Rippy stated that he wants the District to conduct a public referendum to let the people decide whether to use water funds for recreational use. He conceded that he would be willing to spend water money on recreation, if the people vote for it. Mrs. Jackson expressed support for the referendum and told Mr. Thomason that this was his opportunity to take control of the information being published. Mr. Lucas expressed opposition to the referendum citing that the Board was appointed to represent the people and their interest. He also noted that the referendum could not be binding. Lastly, he stated that the Board should not take action that would bind or limit the capacity of future Boards to govern. Mr. Thomason read an example question for the proposed referendum but stated he was not in support of the referendum. He also expressed that he is concerned that the people have already been misled by the false information that has been published. Mrs. Jackson asked Mr. Sanders if the referendum would be legally binding. Mr. Sanders stated that this referendum can only advise the Board and would not be legally binding.

Upon motion by Kisha Jackson and second by James Rippy, to submit a referendum regarding the use of water funds for recreational purposes, the Board voted as follows:

Ayes: Collins, Jackson, Rippy

Nays: Lucas, Thomas, Walton, Ward

The President declared the motion has failed.

**Recording Open Session**

Mr. Thomason shared an experience where the media had taken clips of his statement and used them out of context.

Upon motion by Kisha Jackson and second by James Rippy to record open sessions, the Board voted as follows:

Ayes: Collins, Rippy

Nays: Jackson, Lucas, Thomas, Walton, Ward

The President declared the motion has failed.

**Personnel**

Mr. Thomason asked the Board for their thoughts in regards Golf Pro interviews. Board members expressed interest in Dustin Newman. The Board took no action.

**December 21, 2015 (continued)**

**Closed Session Minutes**

Upon motion by Keith Ward and second by Kisha Jackson approving the closed session minutes of the meeting of November 23, 2015 as presented, the Board voted as follows:

Ayes: Collins, Jackson, Lucas, Rippy, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.


**Adjournment**


Upon motion by Kisha Jackson and second by Ernest Collins to adjourn the meeting at 12:30 p.m., the Board voted as follows:

Ayes: Collins, Jackson, Lucas, Rippy, Thomas, Walton, Ward

Nays: None

The President declared the motion carried.

  
Todd Thomas, President

  
James Rippy, Secretary