



# REND LAKE CONSERVANCY DISTRICT

P.O. BOX 807 ■ 11231 MARCUM BRANCH ROAD ■ BENTON, ILLINOIS 62812  
TELEPHONE: (618) 438-4321 ■ FAX: (618) 438-2400

## MINUTES OF THE FIRST 1:17:50 OF THE CLOSED SESSION MEETING OF THE BOARD OF TRUSTEES OF THE REND LAKE CONSERVANCY DISTRICT HELD September 28, 2015

Minutes of the first 1:17:50 of the Closed Session of September 28, 2015, opened on the recommendation of the Public Access Bureau, Illinois Attorney General.

### Closed Session

Upon motion by James Rippy and second by Kischa Jackson to go into Closed Session at 10:02 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, Thomas, Rippy, Walton, Ward

Nays: None

The President declared the motion carried.

Closed Session minutes and legal counsel report were distributed and reviewed. Mr. Rippy addressed the Board and began reading from a newspaper article that suggested the action of the Board in August of 2014 was inappropriate. The referenced Board action concerned a decision made to pay all administrative expenses not covered by taxes with money from the water department. The rest of the Board joined the discussion regarding the Clark lawsuit that settled this matter and the legality of transfer of funds between departments and the uses of gross and net revenues. Current and past Board members have challenged the legality of proposed and past Board actions. Board members sought auditor and legal opinions regarding the legality of actions and proposed actions. Local politicians have also questioned the legality of the actions and the proposed actions. After challenges to past actions and Board members request, the General Manager requested an outside legal opinion. As requested by the GM and the board members, the outside auditing and legal opinions, the opinion from Mr. Sanders, the judge's decision, excerpts from audits, and copies of the River Conservancy Districts Act were given to the Board members. The opinions and information all indicated that the actions of the Board have been legal. The Board members reviewed the information and opinions presented. The Board took no action.

Upon motion by Don Lucas and second by Keith Ward to come out of Closed Session at 12:08 p.m., the Board voted as follows:

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

Nays: None

The President declared the motion carried.

  
Todd Thomas, President

  
James Rippy, Secretary