

**KINKAID-REED'S CREEK CONSERVANCY DISTRICT
BOARD OF TRUSTEES MEETING
Wednesday, July 10, 2024**

The Board of Trustees of the Kinkaid-Reed's Creek Conservancy District held its monthly meeting on Wednesday, July 10, 2024. President Barone called the meeting to order at 7:00 p.m. at 1763 Water Plant Rd., Murphysboro, Illinois.

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| ROLL CALL: | Lisa Byrd | Present |
| | David Ardrey | Present |
| | Nate Westphal | Present |
| | Jay Ziegler | Present |
| | Greg Legan | Present |
| | Tony Mileur | Absent |
| | Mike Barone | Present |

Also Present: Scott Wilmouth, Carrie Likins, Jim Pribble, Ed Heller, Gary Raines, Butch Cheatham, Brian Pigg, and Tonya Knust.

MINUTES: Approval of Board meeting minutes for June 12, 2024. Trustee Ardrey made a motion to approve the Board meeting minutes of June 12, 2024. Trustee Byrd seconded the motion. All members present voted "Aye." President Barone declared the motion carried.

Public Comment: None

KINKAID-REED'S CREEK CONSERVANCY DISTRICT

OLD BUSINESS:

Conservancy Committee Report:

Fish Tournament Requests and Fish Tournament Regulations: None

Deck/Shed Requests: Trustee Ardrey reported there was a shed request from the annual camper at site CA37 that the Conservancy Committee will not be bringing forward to the Board of Trustees for approval. Trustee Ardrey stated there is also an issue with an unapproved shed on campsite CA24. Trustee Ardrey stated both of the sheds are constructed or partially constructed and do not meet the specifications of the shed policy, and both customers have failed to remove the sheds from the property after being told to do so. Trustee Ardrey stated that Manager Wilmouth will be sending a letter asking both campers to remove those sheds from the property and they may resubmit a new shed request that meets the qualifications of a commercially built shed.

Fireworks: Trustee Ardrey stated the Conservancy Committee discussed a request from Bill Thompson at the Marina Restaurant regarding a donation from the District for the 4th of July Fireworks display the restaurant had over the Holiday weekend. Trustee Ardrey stated the Conservancy Committee recommends to the Board the approval of a \$500 donation to show the District's support for the event hosted by the Restaurant.

Trustee Ardrey made a motion to approve the District donate \$500 to Kinkaid Bar and Grill for the 4th of July Fireworks. Trustee Legan seconded the motion.

Roll Call Vote:

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| Lisa Byrd | Yes |
| Dave Ardrey | Yes |
| Nate Westphal | Yes |
| Jay Ziegler | Yes |
| Greg Legan | Yes |
| Mike Barone | Yes |

President Barone declared the motion carried.

Glenn Seeber Campground Nightly Rate: Manager Wilmouth reported the Glenn Seeber Memorial Campground is very close to being completed and ready to open. Manager Wilmouth stated one item holding up the opening date is the transition of the old website to the new one because we are still waiting on a response from Brad Davis, who runs the current website, to give the domain information to Alter Ego so control of the website can transition over to them. Manager Wilmouth reported the Conservancy Committee met and recommends a rate of \$35.00 per night at the Gleen Seeber Memorial Campground to cover the cost of electricity due to all sites having a 50-amp hookup. Trustee Ardrey made a motion to approve the \$35.00 per night rate for the Glenn Seeber Memorial Campground. Trustee Legan seconded the motion.

Roll Call Vote:

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|---------------|-----|
| Lisa Byrd | Yes |
| Dave Ardrey | Yes |
| Nate Westphal | Yes |
| Jay Ziegler | Yes |
| Greg Legan | Yes |
| Mike Barone | Yes |

President Barone declared the motion carried.

Marina/Campground:

Marina Report – Jim Pribble: Mr. Pribble thanked President Barone and Trustee Ziegler for coming out to the marina over the Holiday weekend and signing a marina check to make emergency repairs. Mr. Pribble stated all the annual campground sites are leased out and all of the annual boat slips that the marina wants to lease at this time are also full. Mr. Pribble reported they have four empty houseboat slips that are not being leased out until after the upcoming dock renovations are completed. Mr. Pribble stated the marina sold a lot of fuel over the Holiday weekend. Mr. Pribble reported that on July 6th there was an incident on H Dock that involved a possible overdose. Mr. Pribble stated two Jackson County Deputies that have boat slips were at the marina and administered two doses of Narcan that revived the woman. Mr. Pribble stated Jackson County Ambulance and Murphysboro Fire Department responded to the incident. Mr. Pribble stated the woman is the girlfriend and guest of an individual who leases several annual boat slips at the marina. Mr. Pribble stated the incident happened on a houseboat leased by another individual who leases a few boat slips.

Attorney Ed Heller stated the overdose occurred on a boat owned by Guy Douglas who resides in St. Charles, Missouri and leases out three houseboat slips, BH-5, BH-6, AND BH-52. Mr. Heller stated that according to the marina staff, Mr. Douglas is not at the marina a lot, however his kids are there a lot, and they are major partying people and have been involved in some minor issues over time at the marina. Mr. Heller stated the other individual involved is Tim Mitchell who leases five slips at the marina. Mr. Heller stated these slips are BD-09, BH-09, BH-10, BH-11, and BH-47. Mr. Heller stated

that Mr. Pribble had encountered Tim Mitchell with the woman earlier in the evening and noticed they were both significantly impaired, but not to the point that alarmed Mr. Pribble at that time. Mr. Heller stated it was reported that when the woman started overdosing that Tim Mitchell left the group and locked himself in his boat and would not respond to law enforcement or anyone else. Mr. Heller stated it is believed that this situation involved heavy drugs. Mr. Heller reported this is not the first incident where these individuals have been observed in behavior to be under the influence of narcotics.

Mr. Heller stated Tim Mitchell and the woman who overdosed were on Guy Douglas's boat as guests and according to the lease agreements, Mr. Douglas is responsible for the behavior of his guests. Mr. Heller stated we do not know where the drugs were taken at, but we know that the woman is Tim Mitchell's girlfriend as he introduced her to Mr. Pribble earlier that evening. Mr. Heller stated the question to the Board of Trustees is what the District wants to do about the situation. Mr. Heller stated the District can first go over their lease contracts, Ordinances, and authorities in this situation to figure out what authorities the District has. Mr. Heller stated the District does not have law enforcement authority over drugs by virtue of statute and it is the Sheriff Departments responsibility to investigate, make an arrest and refer someone to the State's Attorney's office for charges. Mr. Heller stated the Lease contracts give the District the authority to not renew any lease for the following year. Mr. Heller stated that it is the Marina Manager, Jim Pribble's position that these customers and their boats should be off the lake by the end of the season and that both of the individuals' contracts should not be renewed next year. Mr. Heller stated the Board of Trustees will need to decide what their position will be at the Marina in the future when an incident like this takes place. Mr. Heller stated he has already sent in a request to Jackson County Sheriff Bob Burns for a copy of the police report on this incident. Mr. Heller stated this item should be on the agenda for the August Board meeting and it would be a good idea to send both of the gentlemen a letter inviting them to the meeting for discussion on whether or not their contracts will be renewed next year. Trustee Ziegler stated he would like to read the police report before taking any action on the matter. President Barone stated putting the item on next month's agenda is fine, but he would also like to read the police report and then have legal counsel come back to the Board with their advice based on that report.

Brian Pigg – Proposal for Boat Shop: Brian Pigg stated he would like to open up the Boat Shop at Kinkaid Marina. Mr. Pigg stated he is currently working at Crab Orchard Lake, and it's been a hassle for him going back and forth between Kinkaid Lake and Crab Orchard Lake with work and he would like to be located just at Kinkaid in the future. Mr. Pigg stated he would also like to use the storefront at the front of the building for a convenient store for items that the campers and boaters need. Manager Wilmouth stated this item needs to be referred back to the Conservancy Committee and they will work with Mr. Pigg then bring the proposal back to the Board of Trustees for approval. President Barone asked Mr. Pigg if he wanted to lease the boat shop year-round or just during the season. Mr. Pigg stated he would like to keep it open year-round because they stay busy in off-season winterizing boats, and there will be a lot of reupholstering business in the winter as well.

Trustee Ardrey stated the Conservancy Committee also discussed the current electricity bills and what we are paying per kilowatt versus what we are charging the customers. Trustee Ardrey stated at this time the Committee does not have a recommendation ready to bring to the Board of Trustees on this matter. President Barone stated that camper Lisa Kellerman reached out to him about organizing the Annual Golf Cart Poker Run Fundraiser in October and she will be submitting a request to the Board of Trustees to hold this event again this year to raise money for the Murphysboro Food Pantry. Trustee Ardrey stated the Conservancy Committee also discussed putting up signs to warn of electric shock drowning on the boat docks. Trustee Ardrey stated swimming is not allowed near the boat docks by an Ordinance already in place. Trustee Ardrey stated the District needs to take a more formal approach to ensure people are not swimming in the dock or bay area near electricity.

Master Plan Update: Trustee Legan reported the announcements for this Grant is about a month away.

OSLAD Grant:

Approval of Pay Request #4 – Burkey Excavating, LLC: Manager Wilmouth reported this is pay request #4 from Burkey Excavating, LLC for \$31,259.14 for the oil and chipping of the campground road. Trustee Ziegler made a motion to approve Pay Request #4 from Burkey Excavating, LLC. Trustee Westphal seconded the motion.

Roll Call Vote:

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| Lisa Byrd | Yes |
| Dave Ardrey | Yes |
| Nate Westphal | Yes |
| Jay Ziegler | Yes |
| Greg Legan | Yes |
| Mike Barone | Yes |

President Barone declared the motion carried.

Manager’s Report: Manager Wilmouth reported several landowners signed up for the RCPP program this year and Engineer Butch Cheatham has been working on the surveying and design work for the project. Manager Wilmouth reported the picnic tables and fire rings have been installed at the new campground, and the playground equipment is currently in the process of being installed. Manager Wilmouth stated the signs for the Don Britton Memorial Campground and Glenn Seeber Memorial Campground have also been installed.

New Business:

Legal Report: Attorney Ed Heller reported that Attorney Richard Blake has reviewed the Levy Ordinance 24-196 and it is ready for approval.

Levy Ordinance 24-196: Trustee Ardrey made a motion to approve Levy Ordinance 24-196. Trustee Legan seconded the motion.

Roll Call Vote:

| | |
|---------------|-----|
| Lisa Byrd | Yes |
| Dave Ardrey | Yes |
| Nate Westphal | Yes |
| Jay Ziegler | Yes |
| Greg Legan | Yes |
| Mike Barone | Yes |

President Barone declared the motion carried.

Kinkaid-Area Watershed Project: Engineer Gary Raines stated there is nothing new to report this month, but he would like to give a report on the watershed projects on Kinkaid Lake at an upcoming meeting.

USFS – Margaret Anderson: Manager Wilmouth reported Margaret Anderson sent an email with an update on the current work that the USFS is doing. Manager Wilmouth reported they have some invasive species removal work going on at Johnson Creek campground and Buttermilk Hill. Manager Wilmouth reported their upcoming work in July will be herbicide treatment of the tree of heaven in Buttermilk Hill area. Mr. Wilmouth reported the CALR funding for USFS has included shoreline stabilization work which has been completed. Manager Wilmouth also stated that the USFS has had surveys done for the gullies and are working on the NEPA for the equipment routes. Gary Raines

stated the work coming up in the Gum Ridge area that is scheduled this fall should also include the 319 Gully work to help set better bids.

FINANCE CHAIRMAN REPORT:

Finance Chairman Recommendation

District Account Balances Approval and District Budget vs. Actual Report Approval: Trustee Westphal made a motion to approve both the District Account Balances and the District Budget vs. Actual Report. Trustee Ardrey seconded the motion. All members present voted "Aye," and President Barone declared the motion carried.

Approval of District Bills: Trustee Westphal made a motion to approve the District Bills. Vice President Byrd seconded the motion.

Roll Call Vote:

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|---------------|-----|
| Lisa Byrd | Yes |
| Dave Ardrey | Yes |
| Nate Westphal | Yes |
| Jay Ziegler | Yes |
| Greg Legan | Yes |
| Mike Barone | Yes |

President Barone declared the motion carried.

KINKAID AREA WATER SYSTEM

OLD BUSINESS:

Campbell Hill Tank Painting Low Bid Approval: Manager Wilmouth reported the bid opening for this project was yesterday and the low bid was submitted by Neumann Company Contractors, Inc. at \$186,100 to repaint the Campbell Hill Tank. Trustee Ziegler made a motion to approve the low bid of \$186,100. Trustee Westphal seconded the motion.

Roll Call Vote:

| | |
|---------------|-----|
| Lisa Byrd | Yes |
| Dave Ardrey | Yes |
| Nate Westphal | Yes |
| Jay Ziegler | Yes |
| Greg Legan | Yes |
| Mike Barone | Yes |

President Barone declared the motion carried.

Legal Report: Nothing to report.

Manager's Report: Nothing to report.

New Business:

SEDAP Grant: Manager Wilmouth reported the SEDAP Grant is through Greater Egypt and the

deadline was this past Friday. Manager Wilmouth stated the District had a short time to get the paperwork submitted for this Grant and J.T. Jenkins and himself got everything prepared and sent in. Manager Wilmouth stated this would be a \$500,000 project that includes installing an emergency water main loop around the lake to serve water to Gorham in the event something happens to Gorham's water main going under the lake. Manager Wilmouth reported the other part of the project is replacing a section of the water main running through Campbell Hill which has been repaired numerous times and also upsizing the Campbell Hill Booster Pumps. Manager Wilmouth stated the District would be committed to \$53,000 for the project. Manager Wilmouth stated there needs to be Board approval for submittal of the SEDAP Grant. Trustee Legan made a motion to approve submitting the application for the SEDAP Grant. Trustee Ardrey seconded the motion. All member present voted "Aye," and President Barone declared the motion carried.

Tap Requests: None

FINANCE CHAIRMAN REPORT:

Finance Chairman Recommendation

Water System Account Balances Approval and Water System Budget vs. Actual Report

Approval: Trustee Westphal made a motion to approve both the Water System Account Balances and Water System Budget vs. Actual Report. Vice President Byrd seconded the motion. All members present voted "Aye." President Barone declared the motion carried.

Approval of Water System Bills: Trustee Westphal made a motion to approve the Water system bills. Vice President Byrd seconded the motion.

Roll Call Vote:

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|---------------|-----|
| Lisa Byrd | Yes |
| Dave Ardrey | Yes |
| Nate Westphal | Yes |
| Jay Ziegler | Yes |
| Greg Legan | Yes |
| Mike Barone | Yes |

President Barone declared the motion carried.

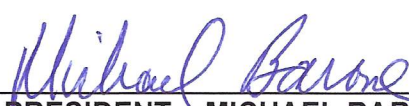
OTHER MATTERS TO DISCUSS: Nothing to Discuss

ADJOURNMENT:

President Barone asked for a motion to adjourn until next month's regular Board meeting scheduled for August 14, 2024. Trustee Legan made a motion to adjourn the meeting and Trustee Ardrey seconded the motion. All members present voted "Aye." President Barone declared the motion carried.



SECRETARY- ANTHONY MILEUR



PRESIDENT - MICHAEL BARONE