

**KINKAID-REED'S CREEK CONSERVANCY DISTRICT  
CONSERVANCY COMMITTEE MEETING  
THURSDAY, May 23, 2024**

The Conservancy Committee of the Kinkaid-Reed's Creek Conservancy District held its meeting on Thursday, May 23, 2024. Chairman Mileur called the meeting to order at 4:00 p.m., at 1763 Water Plant Rd., Murphysboro, Illinois.

**ROLL CALL:**

Scott Wilmouth	Present
Mike Barone	Present
Dave Ardrey	Present
Tony Mileur	Present

Also present: Carrie Likins, Richard Blake, and Jim Pribble.

**Approval of Minutes for May 8, 2024:** Trustee Barone made a motion to approve the minutes of the May 8, 2024, Conservancy Committee meeting. Trustee Ardrey seconded the motion. All members present voted "Aye." Chairman Mileur declared the motion carried.

**Old Business:**

**Deck Policy:** Manager Wilmouth stated the Conservancy Committee has received a memo from legal counsel stating their advice regarding the draft of the deck policy. Manager Wilmouth stated there are four tabled deck requests that have customers in a holding pattern during camping season, and he thinks changes to the deck policy should be implemented in next year's lease agreement. Trustee Ardrey stated he does not want these customers to have to wait longer to build these decks, however he would like to put good policies in place and the Committee has been working on this policy for months now. Trustee Ardrey stated the current lease states the annual campers are renting a 40 by 50 lot and the District has rules that govern those leases. Trustee Ardrey stated the memo from legal counsel suggests that the current lease agreements represent what is in the best interest of the campers, and the language in next year's lease agreement needs to protect the District and their best interests. Trustee Ardrey stated the District has the authority to determine the size of the decks in terms of dimensions even if the current lease language states a maximum 300 square foot deck. Trustee Ardrey stated he would like Manager Wilmouth to talk with the District's Insurance company regarding the District's liability, if any, involved with a customer building their own deck. Trustee Barone stated all deck requests still must go through the Board of Trustees for approval on a case-by-case basis. Trustee Barone stated the District must rely on the Marina Manager to come to the Board if he sees a structure being built that looks unsafe. Mr. Pribble stated he drives around the campgrounds every day with Angela and Tim looking for any issues that he needs to address or bring to the Board's attention. Mr. Pribble stated he doesn't think it would be a good idea to put so many stipulations on the construction of decks or sheds on a camper's leased lot.

Manager Wilmouth stated he would like the Conservancy Committee to vote on the four tabled deck requests this evening so he can give the Committee's recommendations to the full Board for consideration so these customers can move forward with the construction of their decks. Trustee Ardrey stated Manager Wilmouth will need to poll the Board of Trustees individually and the item can be ratified at the June Board meeting. Manager Wilmouth reported the first tabled deck for approval is CA08. Trustee Ardrey made a motion to recommend to the Board the approval of the deck request from CA08. Trustee Barone seconded the motion. All members present voted "Aye," and Chairman Mileur declared the motion carried. Trustee Barone made a motion to recommend to the Board approval of the deck request from CA03. Trustee Ardrey seconded the motion. All members present voted "Aye," and Chairman Mileur declared the motion carried. Trustee Barone made a motion to recommend to the Board approval of the deck request from CA41. Trustee Ardrey seconded the motion. All members present voted "Aye," and Chairman Mileur declared the motion carried. Trustee Barone made a motion to recommend to the Board approval of the deck request from CC34. Trustee Ardrey seconded the motion. All members present voted "Aye," and Chairman Mileur declared the motion carried.

### **New Business:**

**Modification of Boats:** Trustee Ardrey stated a marina customer has modified their houseboat by attaching a metal shed portion to the top of their boat. Trustee Ardrey stated this is a liability concern if that metal structure comes off and strikes other boats or anything else. Trustee Barone asked Mr. Pribble if the modified boat is registered and insured. Mr. Pribble stated the boat is both registered and insured, however if the metal structure comes loose it could definitely injure someone. Attorney Richard Blake stated the language in the current Boat Slip lease agreement states the "Lessor shall be entitled to refuse the leasing of boat slip for any boat that lessor deems unsafe and causing a risk of damage to docks or other boats. Lessor may implement and enforce reasonable safety and appearance standards to assure all boats and equipment are safe and not unsightly." Mr. Blake stated the District can require that the boater remove the metal structure under this rule in the current lease agreement. Mr. Pribble stated he believes the customer will accommodate the request from the Conservancy Committee and remove the structure from his boat.

**Marina/Campground Walk Around:** Manager Wilmouth stated this item is tabled for now.

**OTHER MATTERS TO DISCUSS:** Manager Wilmouth stated Trustee Barone and himself have been discussing hiring a company to inspect the workmanship of the new docks. Manager Wilmouth stated some of the concrete dock panels still move when they are walked on. Trustee Barone stated the dock contractor stated the adhesive will settle and hold the concrete panels in place when it gets hot outside. Trustee Ardrey asked if the District's Engineering firm could make a recommendation to the District of an engineer that has expertise in marinas to inspect the docks. Manager Wilmouth stated he will reach out to HMG Engineers.

Manager Wilmouth stated the Intergovernmental Fire Protection Agreement with the City of Murphysboro is ready for approval at the June Board meeting. Attorney Richard Blake stated the agreement will be on the agenda for the upcoming Murphysboro City Council meeting for approval and the only change to the existing agreement is including the Marina facilities, Campground and docks. Mr. Blake stated Fire Chief Steve McBride also included a release of liability to Murphysboro Fire Department should they have to refuse or delay a response due to already being engaged in providing fire protection services elsewhere. Mr. Blake stated Murphysboro Fire Department would notify the City of Ava Volunteer Fire Department and Murphysboro-Pomona-Somerset Fire Protection District in such a case.

Manager Wilmouth stated the tour and luncheon with the IHSA representatives has been moved to May 29<sup>th</sup> at 11:00 a.m. Trustee Barone stated the organizers of this tour have reached out to him and asked

if the District would be able to provide the lunch for those attending this meeting. Trustee Barone stated the Board has already passed a Resolution giving full support to the IHSA State Fishing Tournament Proposal and providing the lunch portion on the 29<sup>th</sup> would be a good way to show support. Trustee Ardrey stated he believes the District's Manager and President Barone have the discretion to make the decision to provide the lunch based on the Resolution by the Board of Trustees.

**ADJOURNMENT:** There being nothing further to discuss Trustee Ardrey made a motion to adjourn the meeting. Trustee Barone seconded the motion. All members present voted "Aye," and Chairman Mileur declared the motion carried.



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**CHAIRMAN**