

**Vermilion County Conservation District
Headquarters: Kennekuk County Park
Danville, IL**

**RECORD OF PROCEEDINGS
SPECIAL MEETING OF THE
BOARD OF TRUSTEES**

**Thursday, May 24, 2012
6:30 p.m.
Zack Hickman Room
Kennekuk County Park
Danville, IL**

President Call called the May 24, 2012 Special Meeting of the Vermilion County Conservation District Board of Trustees to order at 6:30 p.m., and opened the meeting with the Pledge of Allegiance to the American Flag.

Roll call showed the following:

Trustees Present: Max C. Call
Dan L. Danner
Ken E. Green
Brett K. Little

Trustee(s) Absent: Nikki A. Bogart

Also in attendance were Ken Konsis, Executive Director, Jamie Pasquale, Associate Director, Gil Saikley, V.C.C.D. attorney, and Steve Miller, lake property owner group representative.

This meeting was the result of an agenda item from the May 16, 2012 regular meeting in which Steve Miller, attorney and representative of the lake homeowners group who wish to reinstate gasoline sales at Lake Vermilion, presented the Board with a draft of a resolution. The resolution outlined the criteria of their cash donation to fund the project. The resolution wished to assure that if a future V.C.C.D. Board of Trustees desires to discontinue gasoline sales, the equipment may be relocated elsewhere, such as the Gao Grotto or the Danville Boat Club. The resolution also brought up points of communication between the District and the lake owner's group and a portion of the profits from the sales to go into a dedicated fund to repair/replace equipment essential for gasoline sales as needed. V.C.C.D. attorney Bill Saikley worked with Steve Miller to fine tune the resolution.

President Call asked the Trustees which item they wanted to discuss first, or the entire document in general.

Trustee Green suggested that we discuss the project in general.

President Call stated that the biggest problem seemed to be the required relationship with the donor group and the District. As he sees it, once we sell gasoline, the project is done.

Trustee Danner commented that if the District decides to get out of the gasoline business, then the donor group would get the first chance to take over the operation. However, we are still responsible and liable if an accident occurs since we hold the insurance policy on the lake.

President Call stated that the District should have a clear-cut termination clause.

Executive Director Konsis wished to add that we, as the District, never intended to quit selling gasoline at the lake. Last year, our old equipment did not pass the state inspection. Once we priced new equipment, the District just couldn't afford it. Our maximum profit on gasoline sales for a fiscal year was only \$2,000.

Trustee Danner stated that he will only agree to do this if we accept the donation to purchase the equipment to sell gasoline, we operate it, and that's it.

Trustee Little commented that he doubts that we would ever terminate the operation since we have an agreement with Aqua Illinois. Trustee Little then asked Steve Miller if there was a plan in place if we did terminate the operation.

Steve Miller answered, "No, the donor group does not want to operate a gas business." Many of the donors were alarmed last year when gasoline sales were terminated. It is very difficult for some lake home owners to haul 5 gallon gasoline cans down steep hills to fill their boats. Many of the donors have kids that use ski boats and jet skis that use a lot of gas. Therefore, the donors dug into their own pockets to try to bring gasoline sales back. The perception from the donors is that the District did not consider this a high priority. Once given the funds, the intent is that the District is in complete charge of the funds. The donors just wish that any excess donations be placed in a fund so that they would not be placed in a position to do this again.

President Call commented that this enlightened the Trustees.

Trustee Danner commented that just reading the resolution, he got a different impression.

President Call stated that essentially, the group just wants to be sure that gas is sold on the lake. He then asked the Executive Director how we could handle future donations.

Executive Director Konsis answered that this was simple. We place it into a restricted cash account or dedicated fund. We have many of these already when donations are made and meant to go towards a specific purpose.

Trustee Green asked how long our old tank lasted, and Associate Director Pasquale answered, "Ten or eleven years."

President Call stated that if we buy the equipment from the contractor, then we would be in control. If something was defective or needed repairs, the contractor wouldn't want to deal with a group of people.

Steve Miller just added that the donors were concerned that if they gave money to the District, what recourse they would have if the District didn't follow through with the project.

President Call said that if we approve this, it will be a legal document tonight.

Attorney Gil Saikley agreed.

Steve Miller added that the contractor needs to know if the board approves this before he invested time in the project. Once approved, the District does not write a check for the equipment until the donor cash is available.

Attorney Gill Saikley said there is no problem in passing a resolution. The District would commit to the contract on receipt of the funds and there is no obligation on our part until the funds are received.

Trustee Little asked what if the Fire Marshall has more concerns and it will cost an additional \$10,000.

Steve Miller answered that we won't know this until the application is sent in for the permit.

Attorney Gil Saikley said that he will reword item #3 on the resolution.

President Call then asked if the Trustees were ready to vote on the amended resolution.

Trustee Danner moved to adopt the resolution as amended to reinstate gasoline sales at Lake Vermilion County Park. This was followed by a second from Trustee Little. All in favor by acclamation.

President Call requested a roll call vote. The results were:

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|----------------|---|-----|
| Trustee Green | - | yes |
| Trustee Little | - | yes |
| Trustee Danner | - | yes |
| President Call | - | yes |

The resolution was therefore adopted by a 4-0 vote.

With no further discussion, and all business transacted, *Trustee Danner moved to adjourn the meeting at 7:12 p.m. This was followed by a second from Trustee Green. Meeting adjourned.*

Nikki A. Bogart
Secretary/Treasurer
V.C.C.D. Board of Trustees