

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

**RECORD OF PROCEEDINGS  
REGULAR MONTHLY MEETING OF THE  
BOARD OF TRUSTEES**

**Wednesday, April 18, 2018  
4:30 p.m.  
Environmental Education Center, Cellular One Classroom  
Kennekuk County Park  
Danville, IL**

President Myers called the April Regular Meeting of the Vermilion County Conservation District Board of Trustees to order and opened the meeting with the Pledge of Allegiance to the American Flag.

Roll call showed the following to be present.

Trustees Present: Perry A. Jaynes  
Shelley McLain  
Jonathan A. Myers  
Charles B. Schroeder

Trustee(s) Absent: Robert W. Arnholt

In attendance were Interim Executive Director Pasquale, and Amy Steeples, Recording Secretary.

Staff members present included: Susan Biggs Warner, Cole Craft, Lara Darling, Kim Fox, Nick Jeurissen, Mike Kotcher, Jeff Lete, Charlie Rhoden, and Gary Tyrl.

President Myers noted that Trustee Robert Arnholt submitted his resignation as a VCCD Board of Trustees member on Monday, April 16, 2018.

First order of business, agenda item number four, was the Adoption of, or Amendments to the Agenda.

President Myers asked for amendments to the agenda. Agenda item 5 a. Approval of March 21, 2018 Executive Session Minutes was added.

*With no other amendments, Trustee Jaynes moved to approve the agenda as amended. This was followed by a second from Trustee McLain. All in favor by acclamation, motion carried.*

Agenda item number five was the Approval of the Minutes from the March 21, 2018, Regular Meeting.

Trustee Schroeder stated on pages two and three, Associate Director Pasquale was recorded as Interim Executive Director before appointed.

Trustee McLain stated on page five, agenda item ten, the time to retire to executive session was not recorded. Upon review the time was 4:57 p.m.

With no other corrections, *Trustee Jaynes moved to approve the March 21, 2018, Regular Meeting Minutes as amended. This was followed by a second from Trustee McLain. All in favor by acclamation, motion carried.*

Item number six a. Audience Comments. There were media representatives and several public citizens present. President Myers stated that anyone wishing to comment indicate their request to speak on the sign-up sheet offered, wait to be called by the chairman and be recognized for comment. Each person has a maximum of three minutes, total maximum of 30 minutes for audience comments. As indicated on the agenda, there were two comment periods to be offered.

At this time, Don Ritter was recognized. He stated that the felt that the construction of the education center needed to be put out for bid as it is the fiduciary responsibility of the District; not just to take one estimate as seems to be the case.

Hearing no more, public comments were closed.

Agenda item number seven, the Treasurer's Report. President Myers asked if there were any questions on items seven a through d.

With no questions or comments, *Trustee Jaynes moved to approve the Current List of Bills from March 2018 in the amount of \$12,517.79, which included check #'s 38370 -38388; the Manual Checks for March 2018 in the amount of \$27,585.94 which included check #'s 38233 – 38236, 38256 – 38278, and 38315 – 38328; the General Journal Entries for March 31, 2018; and the March 2018 Budget Report. This was followed by a second from Trustee Schroeder.*

President Myers requested a roll call vote. The results as follows:

Trustee Jaynes	-	yes
Trustee Schroeder	-	yes
Trustee McLain	-	yes
President Myers	-	yes

The vote was 4 – 0 in favor, motion carried.

Agenda item number seven e. Interim Executive Director Pasquale reported that the NOW checking account balance is \$231,280.00; includes Wagner Estate Funds from the Catlin Bank CD. Illinois Funds Investment Pool totaled \$133,640.00; the Illinois Funds Money Market balance is \$5,100.00. First Farmers Bank balance is \$199,950.00; and Central Illinois Bank has a balance of \$199,950.00. These are bond funds. The HRA has a balance of \$3,800.00. First Savings Bank account balance is at \$199,400.00.

Interim Executive Director Pasquale noted that our bond fund balance is \$194,102.19.

The grand total of cash and investments less bond funds is \$779,017.81. This compares to \$668,475.00 in April of 2017.

President Myers asked if there were any questions from the Trustees regarding any of the accounts or investments. There were none.

Agenda item number eight, Specific Items of Business to be Transacted.

Item eight a. Discussion of Land Lease Agreement with VCCF. President Myers stated that the Vermilion County Conservation Foundation has not presented the Board with any lease agreement. He asked the Trustees for any public comments they wished to share at this time, regarding lease of VCCD land.

Trustee McLain stated that she has done some research since the last meeting, and there is no one in this room that does not want to see the education center project Phase II and III completed. In regard to leasing the land, this would be done to avoid putting it out for bid, therefore getting around paying prevailing wage. To lease the land is not the correct, ethical thing to do.

Trustee Jaynes commented he was in full agreement with Trustee McLain's statement.

Trustee Schroeder stated that he found that no other taxing body in Illinois had attempted to do this type of agreement, and he believes that agreement to this will end the District in court and therefore not be good. He would not support a lease of VCCD land.

President Myers stated that he does not believe that leasing VCCD property is legal and is not in the best interest of the District or the taxpayers that they serve, to agree to do so. The current education center was built with private donations and state grants and constructed under prevailing wage laws. It is his understanding that the construction of Phases II and III would not have any VCCD Board or employee input. He stated that he would not support a lease agreement as a way around prevailing wage to build a building at the Conservation District.

There were no other trustee comments.

The floor was opened to the public who had signed up for comments. There were seven members of the public signed up and recognized to speak. All were in agreement with the Board, and appreciated the Trustees comments. *See attached documentation.*

There were no other public comments.

President Myers asked for follow up remarks from the Trustees.

Trustee Jaynes stated it was his belief that the Foundation had been attempting to separate the Trustees; research has been done by the Trustees and they are aware of the consequences of a wrong decision.

President Myers reiterated that no proposal has been brought forward to the Board for review or approval. This discussion is for informational purposes only.

The discussion concluded.

Item eight b. Reinstatement Education Supervisor Position. President Myers stated that the position was previously held by Gary Wilford, who retired in 2016, and was dissolved by Executive Director Konsis. There would be an application period, with a fair interview process.

*With no discussion, Trustee Jaynes moved to reinstate the Education Supervisor position. This was followed by a second from Trustee Schroeder. All in favor by acclamation, motion carried.*

Item eight c. Approve formation of Executive Director Search Committee. This committee will have two trustees who will choose members of the community to serve. The committee will set the salary, job description and requirements. The applicants will be narrowed down to three by this committee. The three candidates will be presented to the Board of Trustees who will interview and select the ultimate Executive Director.

*With no discussion or comments, Trustee Jaynes moved to form an Executive Director Search Committee. This was followed by a second from Trustee McLain. All in favor by acclamation, motion carried.*

President Myers appointed Trustee McLain and Trustee Schroeder to the Executive Director Search Committee.

Item eight d. Approve Resolution #18-1 Local Public Agency Appropriation Resolution. Interim Executive Director Pasquale explained this is an agreement required with IDOT to confirm that the VCCD has agreed to be responsible for grant matching funds and for construction and construction engineering of the Kickapoo Rail Trail, Phase One in Vermilion County. The VCCD portion of the ITEP grant will be approximately \$186,000. Total funds available at this point are \$205,000. This resolution is essential to move forward with the trail.

*With no comments, Trustee Jaynes moved to approve Resolution No. 18-1 Local Agency Agreement with IDOT for the construction of the Kickapoo Rail Trail, Phase One, in Vermilion County. This was followed by a second from Trustee Schroeder.*

President Myers requested a roll call vote. The results are as follows:

Trustee Jaynes	-	yes
Trustee Schroeder	-	yes
Trustee McLain	-	yes
President Myers	-	yes

The vote was 4 – 0 in favor, motion carried.

Item eight e. Discuss/Approve Proposal From Current Tenant Regarding Farm Lease. Interim Executive Director Pasquale reported that a counter proposal was received from the current tenant for payment to the VCCD of \$27,637.50 prior to planting, and \$110,550.00 paid to the VCCD by the end of 2018. This would require the signing of a lien waiver by the VCCD. The VCCD has not received any payment from the tenant since March of 2016, the current contract expiring in 2019.

Interim Executive Director Pasquale commented that it would be difficult to get another farmer to lease the ground at this date.

Discussion ensued.

*Trustee Jaynes moved to approve the acceptance of the counter proposal made by the current tenant. This was followed by a second from Trustee Schroeder.*

After further discussion regarding legality of the counter proposal, it was decided to consult with the District Attorney.

The motion was amended as such. *Trustee Jaynes amended the previous motion to include, pending legal counsel. This was followed by a second from Trustee Schroeder.*

President Myers requested a roll call vote. The results as follows:

Trustee Jaynes	-	yes
Trustee Schroeder	-	yes
Trustee McLain	-	yes
President Myers	-	no

The vote was 3 – 1 in favor, motion carried.

Agenda item eight f. Discuss/Approve Attorney Conflict Waiver for the VCCF. President Myers stated that the next four items of business may fall under the executive session, open meetings act so if at any time the Trustees wish to go into executive session please advise him to do so. President Myers explained that the VCCD and the VCCF currently use the same law firm. The VCCF has asked the VCCD to sign a contract waiver with an attorney in that firm so that the Foundation may continue to use that attorney to represent them in the education center property lease.

Discussion ensued for purposes of clarification.

With no more discussion, *Trustee McLain moved to deny signing the legal counsel contract waiver presented by the Vermilion County Conservation Foundation. This was followed by a second from Trustee Jaynes. All in favor by acclamation, motion carried.*

Agenda item eight g. Approval Legal Counsel for Land Lease/Education Center Subject. President Myers contact Illinois Association of Park Districts for legal counsel regarding the lease of public lands owned by conservation districts. They could not give written legal opinion and recommended Andrew Keyt, specializing in this field. President Myers contacted Andrew and he agreed to represent the District for a retainer of \$2,000. The District currently does not have legal representation for counsel regarding leasing of VCCD ground since the attorney waiver was revoked.

Discussion ensued.

*Trustee Jaynes moved to approve the hire of attorney, Andrew Keyt with Heyl Royster Law Firm pending receipt of a lease proposal for future matters relating to the Vermilion County Conservation Foundation leasing of ground and building of the center. This was followed by a second from Trustee McLain.*

Trustee Schroeder stated that he believes that the retainer be paid immediately, so that questions may be addressed now in preparation.

A voice vote was taken, two ayes and two nays were recorded; motion failed to pass.

*Trustee Schroeder moved to approve the immediate hiring of Andrew Keyt, attorney with Heyl Royster for a \$2,000 retainer fee. This was followed by a second from Trustee Jaynes.*

President Myers requested a roll call vote. The results as follows:

Trustee Schroeder	-	yes
Trustee Jaynes	-	yes
Trustee McLain	-	no
President Myers	-	yes

The vote was 3 – 1 in favor, motion carried.

Both agenda items eight h. and eight i. require executive session.

*Trustee Schroeder moved to retire to executive session in conjunction with Illinois Open Meetings Act 5 ILCS 120/2 (C)(1) as stated; Illinois Open Meetings Act 5 ILCS 120/2 (C)(2) as stated; and Illinois Open Meeting Act 5 ILCS 120/2 (C)(11) as stated. This was followed by a second from Trustee McLain.*

President Myers requested a roll call vote. The results as follows:

Trustee Schroeder	-	yes
Trustee McLain	-	yes
Trustee Jaynes	-	yes
President Myers	-	yes

The vote was 4 – 0 in favor, retired to executive session at 5:19 p.m.

The Board returned from executive session at 6:11 p.m.

Agenda item eight h. Discussion/Approval of Fiscal Year 2018-2019 Salary Schedule.

*Trustee McLain moved to approve a 6.25% salary increase over the 2018-2019 Fiscal Year for the financial administrator; a 10.25% increase over the 2017-2018 for the Program Secretary, effective April 30, 2018. This was followed by a second from Trustee Schroeder.*

President Myers requested a roll call vote. The results as follows:

Trustee McLain	-	yes
Trustee Schroeder	-	yes
Trustee Jaynes	-	yes
President Myers	-	yes

The vote was 4 – 0 in favor, motion carried.

Agenda item eight i. Discussion/Action on Legal Correspondence Received. There was no action taken.

Agenda item nine a: VCCF Report. There was no report.

Agenda item nine b; IAPD Report. Interim Executive Director Pasquale reported that the executive staff and board members have additional insurance coverage now. A flyer was provided for more information.

This concluded the IACD Report.

Agenda item nine c: VCCD Education Report. The Trustees were provided with this report in their board packets. There were no questions.

Agenda item nine d: VCCD Maintenance and Land Management Report. The Trustees were provided with this report in their board packets. The Trustees shook their heads regarding snow removal done in April!

Agenda item nine e: Internet Access Committee. There was no report.

This concluded Representative Reports.

Agenda item ten: Report from the Interim Executive Director. Interim Executive Director Pasquale reported there was very little contact with representatives from the Serenity Base Music Festival since the beginning of the month. The District attorney is working with their legal counsel on terms prior to starting work on a contract.

The District attorney is still reviewing the VCCD personnel policy.

Work continues on the fiscal year 2018-2019 budget. It will be ready for the public hearing and approval at the May Regular Board of Trustees Meeting.

One ½ ton truck, 11' finish mower, and a three-point grader have been ordered. There will be three trucks, three mowers, a road grader, and a tree spade eliminated from the District equipment and vehicle fleet.

Interim Executive Director Pasquale attended the February Foundation meeting. He plans to attend the Kickapoo Rail Trail Open House on April 23<sup>rd</sup>, at the Oakwood Library; 1-3 p.m. and 5-7 p.m. This is an informational event since the trail will begin at the west edge of Oakwood to Gray's siding road area.

Upcoming events include: VCCD Volunteer Fair and Earth Day Event, April 22, 1-4 p.m.; Kennekuk Education Center; Kickapoo Rail Trail Fundraiser April 24, at any Monical's Pizza Restaurant; World War II Remembrance Days, May 5-6, Bunker Hill Historic Area, Kennekuk; The Keep Vermilion County Beautiful Great American Cleanup, May 5, Kennekuk; and Conservation Olympics, May 11, Edgewood Center, Forest Glen Preserve.

The next V.C.C.D. Board Meeting will be Wednesday, May 16, 2018; 4:30 p.m., Environmental Education Center, Kennekuk County Park.

Trustee Schroeder will be out of town that date. Another date needs to be scheduled, possibly May 23, 2018.

There were no other comments or questions.

This concluded the Report of the Interim Executive Director.

Agenda item twelve: President's and Trustee's Comments.

President Myers would like the public to know that the Board takes their duties as volunteer trustees very seriously; he is available to anyone wishing to speak to him regarding the District. He thanked the Trustees for their time and support.

Trustee Schroeder wished to thank President Myers for all his time spent working to solve District problems.

With no further discussion and all business transacted, *Trustee Jaynes moved to adjourn the meeting at 6:23 p.m. This was followed by a second from Trustee Schroeder. All in favor by acclamation.*

---

Secretary  
V.C.C.D. Board of Trustees