



November 2, 2006 Meeting

Time: 7:00PM

I. **Call to Order and Roll Call** – Marty called the meeting to order at 7:01PM.

Board Members Present:	Marty Portner -	President
	Dan Dummett -	Vice President
	Herb Hill -	Secretary
	Bill Piper -	Treasurer

II. **Pledge of Allegiance**

III. **Motion to Approve Agenda** – Herb motioned to add loading area in front of kitchen door of LCC as item B. of Old Business. Dan seconded the motion. The board approved the motion unanimously. [11-06-01] Marty motioned to add PA System of LCC as item C. of Old Business. Bill seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-02] Marty motioned to allow Chuck Jolicoeur to respond to item A. of Old Business on the agenda. Herb seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-03]

Frank Durkin congratulated the board on its Lost Lake News insert “The Watershed.” He added that he thought it was one of the most interesting and informative newsletter inserts published in the Lost Lake News.

IV. **Motion to Approve the October 12, 2006 Minutes** – Dan motioned to approve the October 12, 2006 minutes. Herb seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-04]

V. **Treasurer’s Report** – \$656,150 was added to the Fixed Assets, Land line item, bringing the total fixed assets of the RCD up to \$1,607,725, as reported in the Balance sheet. There should be a Notes Receivable line item added to show the loan to the LLUD, which brings total current assets up to \$110,921.75. Some expenses incurred this month: Aquatic Management - \$543.82; Legal Fees - \$465; Travel – \$140.66; Loan to LLUD - \$3,000. Total expenses for October - \$9,430.48. Dan motioned to approve the treasurer’s report. Herb seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-05]

VI. **Old Business**

A. Expenses Associated w/ C. Jolicoeur FOIA – Last month the board had asked Bill & Becky to figure out how much had been spent to fulfill FOIA requests from this year (see attachment 1). The total legal and clerical expenses were \$1,212.25. Marty asked Becky to also report the related expenditures that occurred when Herb Hill requested that the attorney research the legality of the RCD charging fees, a question which stemmed from Chuck Jolicoeur's queries. That came to \$567.50 for a total of around \$1,800 dollars (\$1,779.75).

Dan asked Mr. Jolicoeur if the RCD had completely satisfied all of his Freedom of Information Act requests to date and Mr. Jolicoeur said that they have provided him with everything that he asked for to date. He added that as governmental officials, had the board members taken an interest in finding out the various acts that apply to what they can do, they probably wouldn't have had (such expenses). Herb asked specifically what laws Chuck was referring to, adding that they weren't lawyers, rather they volunteer their time. Chuck said no, they were paid governmental officials. Chuck said that the Freedom of Information Act was not a lengthy document and that in this day and age he would think that any governmental official would make a point of reading the different acts that apply to what they do. He said that he didn't ask for anything that cannot be provided by law. Marty disagreed with Chuck in his statement that if they had read the act they would not have had to go to the attorney because even though they may read the statutes as board members, the reason that they have lawyers is because there are subsequent judicial rulings that come from the statutory law when cases are challenged in circuit court, so the reason that they have to consult a lawyer on each request is to make sure that there is not a ruling that they are missing or something that they are doing that is outside the amended statutory law. He said that they have seen the statute many times yet a strict literal reading of the statute isn't good enough – that is why they have a lawyer.

Herb asked Mr. Jolicoeur was his intent was in making his FOIA requests and if there was a redeeming value to the taxpayers, what it was. Chuck said there is (a redeeming value) but that they don't want it out in the open...to open a can of worms. He has the RCD's record of what has happened, however, their records don't reflect everything that goes on at the meetings at all times. Marty said that since he's been on the board they have been as open as they can be and (to everyone in the audience) that what you see is what you get – if there is something that they are not getting they can get it. The RCD will abide by the law and give him and everyone who asks the information that they want. Herb asked if Chuck would be telling them soon what the purpose of his inquiry was and Marty added that if there is something more that Chuck needs then he will give it to him. Chuck said that he would be asking for something more in the near future.

Dan quoted an e-mail that Chuck Jolicoeur sent as follows:

“As a matter of official notification, please be advised that I intend to request copies of certain meeting recordings. These are covered by the Freedom of Information Act and if any records are altered, lost, or destroyed, I will make every effort to use every state office

available to prosecute those persons responsible for such loss.”

Dan said that he considers that a threat to the RCD and he doesn't think that it is necessary because they have never withheld any information that Chuck has requested, therefore, it there is no cause whatsoever for him to threaten them with prosecution to get them to produce information. Chuck said that he wanted to make it clear what he would do if the information was lost or destroyed because he doesn't have a lot of faith in different organizations within the community. Marty said that they (the RCD board) are the custodians of the records and if Chuck has a problem with them than he should say so and they will deal with it as men. Chuck said that he does not have a problem with the information and Marty responded that it should go without saying that if he or any one else asks for it, then he or she will get it 100% - the board does not want to have an adversarial relationship with him or anybody else.

B. Herb – Loading Area in front of Kitchen Door of LCC –

Ken Oltmanns completed the concrete loading area in front of the kitchen door of the LCC for \$1,700. Herb said that Ken did a couple extra things for them at no extra cost. Herb will have Becky make up some signs indicating that it is for loading and unloading only.

C. Marty – PA System of LCC – Marty has talked with different vendors and they are all asking anywhere from \$9,000-\$14,000. He had one gentleman quote \$2,000, however, it was for something that they didn't need (using the storage room as a listening room). Marty is interested in getting another roll-out system like what they have and unfortunately, the existing one at the Halloween Party. Marty said he has sources in the industry so perhaps he can have a friend come out a scope out the situation and perhaps get some loaner equipment for them to try before they buy something.

VII. New Business

A. Lisa Stocksdale - Scrapbooking Group Request – Two women, Lisa Stocksdale and Tamara Halfacre, would like to start a monthly scrapbooking group, using the Lake Court Center to hold sessions the third Thursday of every month from 5:00-9:00PM. Neither woman could be at the meeting tonight due to illness in their families, however, Becky spoke on their behalf. The group would be open to other people in the community interested in scrapbooking as an opportunity to share supplies and ideas and perhaps bring snacks. There would be no selling of scrapbooking material at the meeting. Marty asked how many people would the group consist of and Becky said that the women wanted to get permission from the RCD before they formed a group, and if they found that there was not enough interest to warrant the use of the building then they would discontinue the group. Bill motioned to allow a scrapbooking Group to meet on the third Thursday of every month from 5:00-9:00PM, starting January 2007. Herb seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-06]

Five minute recess at 7:38. Meeting reconvened at 7:42.

VIII. Employee / Committee Report

A. LMC – Jerry & Marty had a couple of meetings with different people like Dave Dornbusch with regard to the watershed.

Buoys & Hardware - Jerry asked Becky to order some buoys and hardware from Rolyan and they have arrived.

Lake Survey - He met with Keith Gray, the principal for the Integrated Lakes Management, on the 30th. They are going to start surveying the lake next Monday at about noon and work here through Friday. They should have a report to the RCD after the first of the year.

Final Water Test - They had a final water testing done on October 23, however, they had a problem with the state accidentally sending it back without opening it. The state said that if they wish to, they can obtain and send another sample.

Fish Stocking - 400 striped bass were stocked last Tuesday at a cost of \$300, courtesy of the fishing club.

Boat Motor - Dan said that he was going to be storing the boat motor for the winter soon and asked Jerry if he still needed it. Jerry asked him to give him another couple weeks before he puts it away.

Marty asked what else is on the horizon for the LMC and Jerry said that there would be planning and follow-up with several people like Dave Dornbusch with the Ogle County Soil and Water Conservation District and Bill Klyman of the Nature Conservancy District. He is also going to call more people about volunteering for the LMC and look further into the grant writing process. Gerry Skyles gave Jerry a website that he found very helpful – www.grants.gov.

B. Fee Structures Review Committee – Marty is still assembling the committee that was approved last month. He wants to use the committee to help to understand and perhaps improve the fee structures. He has no changes in mind right now, however, they might suggest some in the future. He has a couple of people who may be interested in being on the committee to try to do things like fold them into the budget and to gather information on what people think about the fees that are being charged at the Lake Court Center or the Campground. He has gotten some pretty passionate responses from people regarding the fees and he wants to bring a report to the board out in the open to change it if it needs to be changed. He hopes to have the committee solidified with something to report for the December meeting.

C. Watershed Committee – Marty formed this committee as a go between for the board members to submit articles for the newsletter so that they wouldn't have to worry about violating the open meetings act, however, since forming the committee, he realized that a while ago he had talked to the attorney regarding the open meetings act and he had stated that as long as there is only one-way

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communication (for example, the submissions to the newsletter) there isn't a problem with the open meetings act. Regular submitters will be the board members and the committee chairs. The articles for the next "Watershed" newsletter will be due December 1st or 3rd. Marty motioned to dissolve the "Watershed"

Committee. Bill seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-07]

IX. Adjourn – Herb motioned to adjourn the November 2nd meeting at 7:57PM. Bill seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-08]

Next Meeting: December 7, 2006

November 2 Motion List

1. Herb motioned to add loading area in front of kitchen door of LCC as item B. of Old Business. Dan seconded the motion. The board approved the motion unanimously. [11-06-01]
2. Marty motioned to add PA System of LCC as item C. of Old Business. Bill seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-02]
3. Marty motioned to allow Chuck Jolicoeur to respond to item A. of Old Business on the agenda. Herb seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-03]
4. Dan motioned to approve the October 12, 2006 minutes. Herb seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-04]
5. Dan motioned to approve the treasurer's report. Herb seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-05]
6. Bill motioned to allow a Scrapbooking Group to meet on the third Thursday of every month from 5:00-9:00PM, starting January 2007. Herb seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-06]
7. Marty motioned to dissolve the "Watershed" Committee. Bill seconded the motion. The board approved the motion unanimously by roll-call vote. [11-06-07]
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Expenses Related to Chuck Jolicoeur FOIA Requests

Legal Expenses

12/21-12/30/2005- Freedom of Info Act Request by Chuck Jolicoeur	\$601.00	
6/13/2006- review correspond. from Jolicoeur re: fees & licensing	\$186.00	
7/22/2006-review correspond from Jolicoeur	\$87.50	
9/12/2006-review letter from Jolicoeur LNPOA re: RCD referendum	\$52.50	
		\$ 927.00

Clerical Expenses

12/20-12/29/2005-C Jolicoeur FOIA research	\$125.00	
1/3/2006-Obtain Financial Report for C Jolicoeur	\$2.50	
2/13-2/16/2006	\$20.00	
5/8-5/19/2006 Fulfill FOIA Request	\$75.00	
6/1-6/17/2006 Obtain documents to meet FOIA	\$60.00	
7/19/2006 sent Jolicoeur letter to attorney	\$2.75	
		\$ 285.25
Total		\$1,212.25

Related expenses not included above:

Herb Hill requesting attorney research whether charging fees
for lake usage is legal:

5/22 Clerical Expenses: talked & faxed to attorney re: boat sticker fees	\$7.50	
5/22-5/31 Legal expenses: research & consultation re: fees charges by district for use of facilities	\$ 560.00	
Total		\$567.50