McHENRY COUNTY CONSERVATION DISTRICT
BOARD OF TRUSTEES
MINUTES OF AUGUST 17, 2017

1.0 CALL TO ORDER
The Regular Monthly Meeting of the Board of Trustees of the McHenry County Conservation District was called to order at 6:03 p.m. by President Barrett on the evening of Thursday, August 17, 2017 at the Brookdale Administrative Offices, 18410 US Highway 14, Woodstock, Illinois 60098.

2.0 ROLL CALL
Trustees Present: Stephen Barrett, President
David Kranz, Vice President
Pete Merkel, Treasurer
Vern Scacci, Secretary
John Henning, Trustee
Carolyn Campbell, Trustee Appointee (not yet sworn in)

Trustee Absent: Dave Brandt, Trustee

Counsel & Staff Present: Robert K. Bush, Legal Counsel
James D. Rock, Legal Counsel
Elizabeth S. Kessler, Executive Director
John Kremer, Director of Operations & Public Safety
Andy Dylak, Director of Administration & Finance
Ed Collins, Director of Land Preservation & Natural Resources
Wendy Kummerer, Marketing & Communications Manager
Anne Basten, Executive Assistant
Deb Chapman, Educational Services Manager
Jeff Diedrick, Police Chief
Jenny Heider, Human Resource Manager
Val Siler, Land Preservation Manager
Brad Woodson, Natural Resource Manager
Amy Peters, Planning Manager
Perry Weborg, Sites & Fleet Manager
John Berg, Facilities Manager
Ben O’Dea, Sites Supervisor
Jean Gerstbrein, Accounting Supervisor
Mason Dixon, Patrol Officer

Others Present: Marti Swanson, Ringwood
Girl Scouts - Parents and Leaders of Girl Scout Troop #1880 of Wonder Lake

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3.0 PLEDGE OF ALLEGIANCE
President Barrett led the Pledge of Allegiance.

4.0 CONSERVATION ETHIC
Secretary Scacci read Goal #6 and Treasurer Merkel read Goal #5 aloud.

5.0 PUBLIC COMMENTS I
There were no public comments at this time.

6.0 PRESENTATIONS/INTRODUCTIONS
6.1 Oath of Office - Trustee Campbell
President Barrett administered the Oath of Office to Trustee Carolyn Campbell. Trustee Campbell then introduced herself and emphasized her experience in government finance and risk management and her volunteer history with the District.

6.2 Introduction - Mason Dixon, Police Officer
Police Chief Diedrick introduced Patrol Officer Mason Dixon who will start training at the academy the following week. Officer Mason thanked the Board of Trustees for the opportunity.

6.3 Presentation of Bluebird Nesting Boxes - Girl Scout Troop No. 1880, Wonder Lake
The leader introduced the girls by their first names and explained which badges each girl was acquiring with the completion of the boxes as well as the presentation. The Board thanked the troop for donation of the boxes and all of the work that went into them.

7.0 COMMITTEE ASSIGNMENTS & REPORT
7.1 Trustee Reports on Conferences & Meetings Attended
7.1a Fox River Ecosystem Partnership
President Barrett will talk to the new trustees and appoint a new representative at the next meeting.

7.1b Chicago Metropolitan Agency for Planning (CMAP)
Director of Land Preservation and Natural Resources Collins reported that there were no meetings of this group in August.

7.1c Chicago Wilderness
Executive Director Kessler reported that the next meeting will be in October.

7.1d Agricultural Conservation Easement and Farmland Protection Commission
President Barrett suggested changing this to the McHenry County Farm Bureau at the suggestion of Executive Director Kessler. Trustee
Henning suggested that they both be included and he would represent the District if any ACE meetings are scheduled in addition to the Farm Bureau reports.

7.1e IACFPD/IAPD/NRPA
   The IACFPD will be meeting on August 23, 2017 in Lake County. A new Trustee liaison will need to be assigned.

7.1f McHenry County Conservation Foundation
   Vice President Kranz attended and the discussion centered on the upcoming fundraising efforts.

7.1g McHenry County Council of Governments
   President Barrett reported that no one had been able to attend the most recent event.

7.1h Green Drinks Crystal Lake
   Vice President Kranz reported that there had been a presentation by David Christensen of the McHenry County Emergency Management Agency (EMA) and he had spoken about the recent flooding and recommendations for prevention. He stated that the revised plans will be posted online soon for public comment.

7.1i Conservation Congress 2018
   President Barrett reported that he was in the process of establishing the 2018 Steering Committee.

7.1j Other
   There were no other reports.

7.2 Finance & Administrative Committee
7.2a Summary of items discussed at the meeting held on August 17, 2017
   Treasurer Merkel reported that the regular agenda items had been approved and were ready for acceptance. They also recommend approving the bid award as presented. The group then briefly discussed the 2017 Property Tax Levy proposals as well as answering questions to bring the newly appointed committee members up to speed on the reports and processes the committee uses monthly.

7.3 Outreach & Advocacy Committee
7.3a Summary of items discussed at the meeting held on August 17, 2017
   President Barrett reported that with new members to the committee, they were not able to approve the minutes and discussed the importance of outreaching to municipal and county board members.
President Barrett then officially assigned Trustee Campbell to the Outreach & Advocacy Committee.

8.0 COUNTY BOARD LIAISON REPORT
County Board Liaison Nowak was not able to attend due to health issues.

9.0 BOARD BUSINESS - CONSENT AGENDA
9.1 Approval of Minutes
  9.1a July 20, 2017

9.2 Board Committee Minutes to be Received and Placed on File
  9.2a Finance & Administration Committee Minutes for July 20, 2017
  9.2b Outreach & Advocacy Committee Minutes for July 20, 2017

9.3 Motion to accept the Treasurer’s Report for July 31, 2017 as presented.

9.4 Motion to authorize the preparation of specifications and letting of bids for native seed for standard mixes and dedicated account projects county-wide
  (Bid #0817.08.01).

9.5 Motion to award a contract to Amerigas Propane of Gurnee, IL, the lowest responsible and responsive bidder, for the purchase of propane fuel at a cost not to exceed $1.10 per gallon for a period of one (1) year starting September 1, 2017 and ending August 31, 2018 (Bid #0717.07.02).

9.6 Motion to award a contract to Petro Choice LLC of Genoa, IL, the lowest responsible and responsive bidder, for the unleaded and diesel fuels at plus $.2250 per gallon over market price the day the fuel is delivered for a period of one (1) year starting September 1, 2017 and ending August 31, 2018 (Bid #0717.07.01).

9.7 Motion to award a contract for multiple HMA Improvements at Rush Creek, Silver Creek and Stickney Run Conservation Areas, from Chadwick Contracting Company, of Lake in the Hills, IL, the lowest responsible and responsive bidder, for a cost not to exceed $125,152.05 (Bid #0217.09.01).

9.8 Motion to award a contract for parking lot and trail improvements of the Harts Road Access in Glacial Park Conservation Area, from Chadwick Contracting Company of Lake in the Hills, IL, the lowest responsible and responsive bidder, for a cost not to exceed $84,086.25 (Bid #0217.09.03).

9.9 Motion to award a contract for improvements of the Valley Road Bridge in Glacial Park Conservation Area, from Carmichael Construction Company, Inc., of Marengo, IL, the lowest responsible and responsive bidder, for a cost not to exceed $66,310.30 (Bid #0217.09.04).

9.10 Motion to adopt Resolution #17-30 authorizing the Executive Director to execute the Urban and Community Forestry Grant Program Agreement for the Reforestation Efforts at Glacial Park Conservation Area in the amount of $5,000.
9.11 Motion to approve the lowest qualified bidders of Majestic Oaks Nursery, LLC of Spring Grove, IL ($13,435.00), Possibility Place Nursery of Monee, IL ($3,845.00), South Branch Nurseries, INC of Union, IL ($2,500.00), and McHenry County/Glacier Oaks Nursery of Harvard, IL ($2,150.00) for a total cost not to exceed $21,930.00 for the purchase of thirteen (13) species of native trees and shrubs of local genotype for fall reforestation projects on Conservation District sites (Bid #0717.08.01).

9.12 Motion to authorize the purchase of one (1) replacement vehicle directly from the Illinois State Bid Purchasing Contract for a total cost not to exceed $25,088 (Contract #4018025).

9.13 Motion to adopt the modified Resolution #17-16 authorizing the execution of the Construction Engineering Agreement with Baxter & Woodman, Inc. of Crystal Lake, IL for Engineering Services necessary for the Ridgefield Trace Union Pacific Railroad Crossing at Oak Street in Unincorporated Nunda Township.

9.14 Motion to authorize the preparation of specifications and letting of bids for concrete abutment repairs of the LaFox River Drive Bridge, Prairie Trail South, Algonquin (Bid #0817.07.01).

9.15 Motion to pass Ordinance No. 17-936 authorizing the Transfer of Funds Between Line Items in the General Fund.

Item 9.2b was pulled from the Consent Agenda by Secretary Scacci.

A motion was made by Secretary Scacci, seconded by Vice President Kranz, to approve Board Business-Consent Agenda items 9.1, 9.2a and 9.3 through 9.15 as presented. A roll call vote gave the following results: Scacci-yes, Kranz-yes, Merkel-yes, Campbell-yes, Henning-yes, Barrett-yes. Motion passed unanimously.

Secretary Scacci asked to have the following sentence added to the Outreach and Advocacy Meeting Minutes of July 20, 2017 on page 2 at the bottom of the page under item 7.2: “Trustee Scacci reminded the Committee that the District has no funds set aside to build or maintain a special use trail and that the Chicago Area Mountain Bikers (CAMB) group has stated at all meetings that they would fund the building and would maintain a trail if all parties agree.”

A motion was made by Secretary Scacci, seconded by Trustee Henning, to approve item 9.2b Outreach & Advocacy Committee Minutes for July 20, 2017 as amended. A roll call vote gave the following results: Campbell-yes, Merkel-yes, Scacci-yes, Henning-yes, Kranz-yes, Barrett-yes. Motion passes unanimously.
10.0 OTHER BOARD BUSINESS

11.1 Approval of Bills Payable for the Month of July 2017

Vice President Kranz asked that Vendor number B7808 Bank Card Processing Center be pulled from the submission of bills for a separate vote.

A motion was made by Vice President Kranz, seconded by Treasurer Merkel, to approve the payment of bills as indicated on the Submission of Bills Pending Report for the month ending July 31, 2017 with the exception of vendor B7808. A roll call vote gave the following results: Kranz-yes, Campbell-yes, Scacci-yes, Henning-yes, Merkel-yes, Barrett-yes.

Motion passed unanimously.

A motion was made by Secretary Scacci, seconded by Trustee Henning, to approve the payment of bills to vendor B7808 Bank Card Processing Center as presented. A roll call vote gave the following results: Campbell-yes, Scacci-yes, Henning-yes, Kranz-recused, Merkel-yes, Barrett-yes.

Motion passed 5 to 0 with 1 recusal by Vice President Kranz.

10.2 Continued Discussion and Direction on the 2017 Property Tax Levy for FY 2019

Executive Director Kessler explained that the District is required to pass the levy at the September meeting per statute. Director of Finance and Administration Dylak presented several scenarios last month and in the meantime, the District has received some feedback from the County. The County will pass their levy in October so the District will be the first to act.

Director of Finance and Administration Dylak then reviewed the assumptions made and the previous scenarios which included increased and reduced levies, and recapped the PTELL limitations on the non-debt funds which equal the aggregate levy. He explained how the past levies affect future levies. He also explained how other agencies, with numerous separate levies have significant flexibility under PTELL and will sometimes utilize the excess levy capacity of one fund to benefit another fund, depending on the specific needs in a particular year. It was noted that the District has much less flexibility due to the limited nature of the liability and social security levies and their legal limitations; restricting the District’s General Fund and operational needs to the single Corporate levy.

Director of Finance and Administration Dylak explained a new possible concept of using an abatement as a method to refund taxpayers on a temporary basis without losing future levy capacity abilities and to avoid the permanent loss of funding. He also discussed flat levies issued by the District in the past several years.

Treasurer Merkel reminded the Board that the District is a very small portion of a household’s property taxes and therefore a 10% reduction would a very minimal per household savings; however, it has a major impact on the activities of the District.

It was noted that McHenry County will request their first reduction in 2018 and that the County is still in discussion about how and what they will be
doing but we don’t have the luxury of excess fund balances to rely on like the County.

It was also stated that the passing of the levy is the first step and then if an abatement is requested, that is the second step and would need to occur before March 31, 2018.

Executive Director Kessler outlined a worst-case scenario of what could happen if the County Board Chairman or County Board decided to not accept the District’s FY 2019 budget or even put it on the agenda for consideration. It was also stated that if the District were to levy the full amount and if the budget was not accepted at the same level, the unused amount would be collected by the District and retained as part of the District’s Reserve Fund Balance.

Trustee Henning suggested presenting a levy with the 2.8% increase as allowed under PTELL and then abating that same amount back, generating a neutral or flat ‘net’ levy to be collected in 2018.

The consensus was to direct staff to move forward with creating a levy Ordinance that included a 2.8% increase of the “Aggregate” levy over the prior year, with the intent of abating the same 2.8% back at a later date.

10.3 Consideration of a Resolution Authorizing the Transfer of Real Estate to the Village of Algonquin for Public Utility Purposes

Land Preservation Manager Siler briefly reviewed the roughly 480 sq. ft. parcel and the legal requirements for transferring land for public utility purposes through the Village.

A motion was made by Secretary Scacci, seconded by Treasurer Merkel, to adopt Resolution #17-29 authorizing the transfer of real estate to the Village of Algonquin for public utility purposes pursuant to the Local Government Property Transfer Act, 50 ILCS 605/2 as presented. A roll call vote gave the following results: Campbell-yes, Merkel-yes, Henning-yes, Kranz-yes, Scacci-yes, Barrett-yes.

Motion passed unanimously.

10.4 Action to Request to Waive the Formal Bid Process and Authorization to Execute an Independent Contract Agreement for the Emergency Stabilization

Legal Counsel Bush explained that the District does not normally have the authority to waive the formal bidding process like other units of local government; however, there is an exception for official disaster circumstances and the involvement of the Army Corps of Engineers for disaster relief meets that criteria.

A motion was made by Secretary Scacci, seconded by Treasurer Merkel, to waive the formal bid process and to authorize the Executive Director to execute an Independent Contract Agreement for the emergency stabilization of Crystal Creek - Prairie Trail South, with Excavating Concepts, of Woodstock, IL, the lowest and qualified contractor, for a cost not to exceed
$33,606.80. A roll call vote gave the following results: Merkel-yes, Kranz-yes, Campbell-yes, Scacci-yes, Henning-yes, Barrett-yes. Motion passed unanimously.

10.5 Continued Discussion and Direction for Nighttime Use of Regional Trails for Bike Commuting

Director of Operations and Public Safety Kremer shared the history of this subject that has been before the Outreach and Advocacy Committee over the last several months and most recently the Outreach & Advocacy Committee directed staff to look at possible areas that might work. Director of Operations and Public Safety Kremer searched for a model where a trail has different hours than the balance of a park and could not find one. Director Kremer shared that in a meeting with Eberhard Veit, President of the McHenry County Bicycle Advocates and Holt Kepes, the originator of the request, he asked that they look for a model to accommodate his request but as of today they had not reported that they found a model that would fit the existing conditions and the request. Director of Operations and Public Safety Kremer did find a trail in Durham, North Carolina where the hours are longer on the portion of the American Tabacco Trail that passes within the Durham City limits and all other portions were different but these are different conditions.

Secretary Scacci read a prepared statement asking for a section of the Ridgefield Trace between the City of Woodstock and the McHenry County College to be used as a test area where the cost to make it acceptable from a risk management/liability perspective and then seek partnership funding to meet the expected costs including permitting. If no partnerships are established then the change would not proceed. Director of Operations and Public Safety Kremer reminded the Board of Trustees that estimating the costs would not be without a cost and that staff would not feasibly have time to look at the feasibility and costs of this initiative until later this winter or next year due to other projects currently underway.

There was discussion about using trail cameras or other methods to find out what kind of usage would be involved but again, because nighttime use is prohibited it would not give accurate figures.

It was also discussed that if one trail is converted there would be requests for other trails to likewise be converted and the District currently cannot fund these modifications.

Director of Operations and Public Safety Kremer shared that when the issue was discussed with the McHenry County Bicycle Advocates and other users, they suggested using the existing permit process on an individual basis but that any recommendations should be shared with them first to see if they would be willing to raise the necessary funds for staff to move forward to determine the associated costs as well as the costs to implement any changes. It was noted that the ongoing costs for maintenance of the improvements be included.

The consensus of the Board of Trustees was for staff to communicate with the bike community through the McHenry County Bicycle Advocates to
see if they are willing to discuss funding of the cost of research, trail upgrades, and ongoing maintenance of the upgrades.

11.0 PRESIDENT’S REPORT
President Barrett announced to the staff present that within all of the discussions regarding levy and budgets, it is the consensus of all Trustees that layoffs are not an option. He reported that there may be some reorganization of existing staff through tweaking but the District will continue on track.

12.0 TRUSTEES’ REPORTS
There were no additional reports.

13.0 EXECUTIVE DIRECTORS’ REPORT
Executive Director Kessler made the following announcements:
The City of Marengo had scheduled an open house on the Route 23 and US 90 interchange for August 22, 2017 at Marengo City Hall.
The McHenry County Conservation Foundation has been awarded monies tied to a Settlement between the Illinois Nature Preserves Commission and the Village of Twin Lakes, Wisconsin through the Illinois Attorney General for herbicide damage done to the Elizabeth Lake Nature Preserve. Additional buoys and informational signage has been installed on the Village property as well as on District property. An additional settlement is pending with the business that applied the herbicide.
The Fall Landscapes has been distributed; however, a typographical error within the annual report was identified and a corrected version has been posted to the website and will be reprinted in the Winter Landscapes.
The Openlands Annual Luncheon is scheduled for November 6, 2017 at the Hilton-Chicago and Executive Director Kessler reported that Director of Land Preservation and Natural Resources Collins would be giving the keynote. Treasurer Merkel encouraged those interested to attend as it is a very large and prestigious group.
The Land Conservancy of McHenry County has “The Art of the Land” annual fundraiser scheduled for September 22 & 23, 2017.
The McHenry County Conservation Foundation “Tap Into Your Wild Side” is scheduled for October 7, 2017 at the Lost Valley Visitor Center. Event tickets and raffle tickets are on sale currently through the Foundation.
The Illinois Association of Park Districts has opened up nominations for the Best of the Best awards through which the District had several award winners last year.
The new County Highway Map was distributed and the District is included in the document.

Robert K. Bush, Legal Counsel, announced his upcoming semi-retirement and that he is turning over attendance at our meetings to Attorney James D. Rock who we have been working with regularly. Attorney Bush thanked the District for the opportunity and acknowledged the professionalism of the Board of Trustees and staff of the District.
14.0 PUBLIC COMMENT II
There were no public comments at this time.

15.0 EXECUTIVE SESSION
A motion was made by Secretary Scacci, seconded by Vice President Kranz, to go into Executive Session pursuant to Exception 2C5 (Real Estate) of the Open Meetings Act. A roll call vote gave the following results: Scacci-yes, Kranz-yes, Merkel-yes, Campbell-yes, Henning-yes, Barrett-yes.
Motion passed unanimously.

16.0 RECONVENE AND ACTION ON ITEMS OUT OF EXECUTIVE SESSION
The Regular Monthly Meeting of the Board of Trustees of the McHenry County Conservation District was reconvened to order at 8:21 p.m. by President Barrett on the evening of Thursday, August 17, 2017.

ROLL CALL
Trustees Present: Stephen Barrett, President
David Kranz, Vice President
Pete Merkel, Treasurer
Vern Scacci, Secretary
John Henning, Trustee
Carolyn Campbell, Trustee

Trustee Absent: Dave Brandt, Trustee

Counsel & Staff Present: Robert K. Bush, Legal Counsel
James D. Rock, Legal Counsel
Elizabeth S. Kessler, Executive Director
Ed Collins, Director of Land Preservation & Natural Resources
Val Siler, Land Preservation Manager
Anne Basten, Executive Administrative Assistant

16.1 Consideration of a motion to pass Ordinance #17-937 authorizing the execution of a Purchase Contract and the acquisition of real property.
A motion was made by Trustee Campbell, seconded by Vice President Kranz, to pass Ordinance #17-937 authorizing the execution of a Purchase Contract and the acquisition of real property from the McHenry County Surplus Property listing as presented. A roll call vote gave the following results: Campbell-yes, Merkel-yes, Henning-yes, Kranz-yes, Scacci-yes, Barrett-yes.
Motion passed unanimously.

17.0 ADJOURN
A motion was made by Vice President Kranz, seconded by Trustee Campbell, to adjourn the meeting. A voice vote resulted in all ayes.

Motion passed unanimously. Meeting adjourned at 8:22 p.m. August 17, 2017.

Respectfully submitted,

[Signature]

Vern Scacci, Secretary

[Date]