McHENRY COUNTY CONSERVATION DISTRICT
BOARD OF TRUSTEES
MINUTES OF MAY 13, 2019
SPECIAL CALL MEETING - DRAFT

1.0 CALL TO ORDER
The Special Call Meeting of the Board of Trustees of the McHenry County Conservation
District was called to order at 2:01 p.m. by President Kranz on the afternoon of Monday, May
13, 2019 at the Brookdale Administrative Offices, 18410 US Highway 14, Woodstock, Illinois
60098.

2.0 ROLL CALL
2.1 Roll Call
Trustees Present: Dave Kranz, President
Vern Scacci, Vice President
Pete Merkel, Treasurer
Dave Brandt, Secretary
John Henning, Trustee
Carolyn Campbell, Trustee
Benjamin Washow, Trustee

Counsel & Staff Present: Robert “Bob” Nowak, County Board Liaison
Scott Puma, 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
Anne Basten, Executive Assistant
Val Siler, Land Preservation Manager
Shawna Flavell, Director of Development/Executive Director
McHenry County Conservation Foundation
Brad Woodson, Natural Resource Manager
Amy Peters, Planning Manager
Sarah Rummel, Landscape Architect II
Jean Gerstbrein, Accounting Supervisor
Ben O’Dea, Sites Supervisor
Jenny Heider, Human Resource Manager

Others Present: Paula Yensen, McHenry County Board
Lauretta Wolf, Woodstock
Cal Skinner, Crystal Lake
Drew Zimmerman, Northwest Herald
Carl Edstrom, Crystal Lake

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

4.0 PUBLIC COMMENTS
Lauretta Wolf of Woodstock spoke about efficiency efforts.
5.0  BOARD BUSINESS

5.1  Reconsideration of FY 2020 Budget and Appropriation Ordinance

After President Kranz set the ground rules of respect, he reminded the board that this budget began back in July of 2018 and staff will be starting the FY 2021 budget this summer. He also restated that he had attended a County Board meeting where he had invited all of the County Board to attend the public hearing on our budget after announcing that the budget was available on the website. At that time he had only received favorable comments.

Vice President Scacci stated that he supported the increased levy and noted that the District did not have any record of County Board expectations. He continued that after he had spoken with several County Board members, he had asked for a special call meeting of this board prior to the County Finance & Audit Committee meeting. This request for a special call meeting was confirmed by Trustee Henning who was also in favor of this meeting.

President Kranz stated that he had asked for a meeting with the Chairman, other County Board representatives and District staff as well as Vice President Scacci but that meeting had been rejected by the County Board Chairman.

Legal process clarification was provided by Attorney Puma that the Conservation District Act states that our budget goes to the full County Board; however, the McHenry County Board rules give the County Board Chairman full control of the agenda.

President Kranz expressed that his desire was to make sure the District received input from all 24 County Board members and that there were other ways for the County Board to take action on the budget by obtaining signatures by one-third of the County Board to convene a special call meeting.

Treasurer Merkel stated that the process the District followed for budget approval worked well until recently and he did not like seeing negative articles in the paper prior to the County Board members having the opportunity to review and discuss the budget. He noted that the District has worked with the County Board Chairman in previous years and had made several major cuts but that information did not reach the public. He recommended we continue to follow the process as per the statute. The County Board members on the Finance & Audit Committee did state that the presentation was very good but only issue was the tax increase.

Vice President Scacci spoke about a previous cut made of $500,000 from a repair to the Prairie Trail and those repairs have not yet been made and is frustrated at not having a budget approved and was concerned that there would not be the necessary 13 board members needed at a Special Call meeting of the County Board.

It was reiterated that the democratic and transparent process takes place in a public forum and not over the phone as has been happening at the County level.

Trustee Washow asked for clarification as he had the understanding that the even if our budget did not get a favorable vote at the committee level that it would still be heard; however, his experience is that a full board usually follows the recommendation of the committee.

There was a concern that the full board would not get to see the budget until the June meeting as it was not on the agenda for discussion at the Committee of the Whole and at that time it would be too late to make changes by the statutory deadline.

It was noted that the statute doesn’t say that negotiations with the County can’t happen.

Vice President Scacci reiterated that this board has made conscious decisions not to take $2.8 million over the last 7 years which is longer than the County Board has taken reduced levies.
Treasurer Merkel restated that this board will continue to do everything in the open, transparently and legally.

Trustee Campbell stated that the staff has made continuous efforts to support the budget cuts finding efficiencies and doing without and that the board made a conscious decision that it was time to invest in the District and wanted to refocus on taking care of the public lands. Our efforts at reduction over the seven years went unnoticed and she doesn’t like the backpedaling done behind closed doors after making a conscious effort to spell it all out.

County Board Vice Chairman Skala had stated at the Finance & Audit Committee meeting that the process was flawed and needed fixing. Vice President Scacci reminded the board that we will need support in the future for the long-term payoff of the Pichen parcel and for future funding initiatives. He further stated that he loves the District and the staff and wants to keep things moving forward without continuing to have the budget fight with the County.

All were upset that the whole process was played out in the press instead of having a public dialog and all want a resolution.

Trustee Henning was happy the Finance & Audit Committee members took the time to read the budget and brought items forward and that this board would be naïve to think that the budget would move forward without changes.

County Board Liaison Nowak was asked for “words of wisdom”. He stated that all the previous comments of this board were the truth but that everything at the County Board level is changed and this board is up against a different policy of no tax increases and levy reductions as the County Board makes their own cuts. He also stated that it would be difficult to reach the thirteen county board members needed to pass the budget before June 1st if then. He recommended taking a levy cut in September of the amount taken in 2018 and reducing this proposed budget by the $200K requested and present it to the County Board and Chairman.

Further discussion was on getting acceptable wording in writing from the County Board Chairman in the future so this board would not in a crunch at this time next year. Attorney Puma responded to a question about entering into a memorandum of understanding to which he stated that it was his legal opinion that it would need further legal investigation and would be unprecedented. Legal Counsel hasn’t done thorough research on how to shut down the agency if the budget is not adopted but other governments have done it. Attorney Puma did confirm that because this would be a reduction of the budget that another public hearing would not need to be held if there was a decision to reduce, but that a reduced budget would just need to be recertified.

Trustee Washow stated he was not prepared to make specific recommendations on what changes to make and asked that staff prepare possible cuts for discussion at the May 16th regular meeting of this Board.

It was clarified that the District has become a political football which was not the intention. The intention was to do the right thing for the public property held in trust.

Questions were asked about procedure and if the item can be added to the agenda for the May 16th District Board meeting. Attorney Puma stated that if the consensus this day was to take a reduction, that staff could be directed to come up with recommended cuts to make up the difference for the May 16, 2019 meeting. He also stated that a motion to reconsider was on the agenda for this date and if it was passed by a majority of this board to reconsider the budget with reductions, that County Board Liaison Nowak would have the opportunity to bring up the issue at the County Committee of the Whole meeting and make a statement.

Executive Director Kessler stated that the item can be added to this Board’s agenda for the evening of May 16, 2019 as the agenda will be posted on May 14, 2019.
Director of Administration and Finance Dylak reminded the Board of Trustees that this would be Scenario 2B previously discussed and if the amount was abated, it could not be retrieved. He also shared that if the 2019 levy was reduced by $206,000, this would put the District further behind on inflationary costs and would then be looking at a reduction of closer to $350,000 not just the $206,000. Trustee Merkel requested that the District share with the taxpayers that a reduction of the 2019 levy will impact the sites with the higher cost of deferred maintenance and that this is not a sustainable model.

A motion was made by Trustee Washow, seconded by Trustee Henning, to reconsider the FY 2020 Budget and Appropriation Ordinance #19-959 previously adopted by the Board of Trustees on April 18, 2019 to be discussed and voted on May 16, 2019, with the intention of reducing the FY 2020 budget by the levy increase taken in the levy year 2018. A roll call vote gave the following response: Scacci-yes, Washow-yes, Brandt-yes, Merkel-yes, Campbell-yes, Henning-yes, Kranz-yes.

Motion passed unanimously.

It was requested that a new procedure be established before the next budget year.

6.0 ADJOURN
A motion was made by Secretary Brandt, seconded by Treasurer Merkel, to adjourn the meeting. A voice vote resulted in all ayes.

Motion passed unanimously. Meeting adjourned at 4:15 p.m. May 13, 2019.

Respectfully submitted,

[Signature]

Dave Brandt, Secretary

[Date]