1.0 CALL TO ORDER

The scheduled Committee of the Whole Meeting of the Board of Trustees of the McHenry County Conservation District was called to order at 5:18 p.m. on the evening of Thursday August 20, 2020 by President Henning at Brookdale Administrative Offices and via Video Conference by ZOOM under Gubernatorial Disaster Proclamation - Executive Order 2020-07 in response to COVID-19 (COVID-19 Executive Order No. 5), as amended by 2020-33-COVID 19 Executive Order No. 31) and as reissued and extended by Executive Order 2020-39-Executive Order in Response to COVID-19 (COVID-19 Executive Order No. 37) Suspending the Open Meetings Act (5 ILCS 120/2 &120/7) which limits remote participation of the public body and requiring a quorum be physically present in a public space. The meeting was available for public access through the same log-on and meeting code as the Trustees. Trustees were present at Brookdale Administrative Offices and were connected to ZOOM through individual devices for video and a shared connection via conference phone for audio.

President Henning stated that he had determined that it was not practical or prudent to hold the public meeting of the Board in person with members of the public due to the current pandemic (PA 101-0640)

The meeting was recorded and was posted to www.MCCDistrict.org the following morning.

2.0 INTRODUCTORY ROLL CALL

2.1 Roll Call

Trustees Present: John Henning, President
Dave Brandt, Vice President (remote)
Bill Cook, Treasurer
Carolyn Campbell, Secretary
Pat Fritz, Trustee
Linda Thomas, Trustee

Trustees Absent: One Vacant Position Exists

Counsel & Staff Present: Andrew S. Paine, Counsel (Remote)
Elizabeth S. Kessler, Executive Director
John Kremer, Director of Operations & Public Safety (Remote)
Andy Dylak, Director of Finance & Administration (Remote)
Ed Collins, Director of Land Preservation & Natural Resources (Remote)
Shawna Flavell, Director of Development/Executive Director
McHenry County Conservation Foundation (Remote)
Amy Peters, Planning Manager (Remote)
Perry Weborg, Sites & Fleet Manager (Remote)
Val Siler, Land Administration & Preservation Manager (Remote)
Anne Basten, Executive Assistant

Committee of the Whole Minutes 8.20.2020 Page 1 of 7
2.2 Remote Participation

A motion was made by Trustee Thomas, seconded by Treasurer Cook, to allow Vice President Brandt to attend remotely through electronic participation as per Administrative Policy #2.04.02. The basis for missing the meeting is due to a family emergency and per the State of Illinois Gubernatorial Disaster Proclamation-Executive Order 2020-07 and PA 101-0640 suspending requirements that members of the public body must be physically present. A roll call vote gave the following results: Campbell-yes, Thomas-yes, Cook-yes, Fritz-yes, Henning-yes.

Motion passed unanimously.

3.0 PLEDGE OF ALLEGIANCE
The Pledge of Allegiance was led by President Henning.

4.0 PUBLIC COMMENTS
There were no public comments made.

5.0 NEW BUSINESS
5.1 Review of the August 25, 2020 Regular Meeting Agenda Items
Executive Director Kessler and Land Administration and Preservation Manager Siler stated that the Land Preservation and Gift Agreement contemplated in Item 12.15 had been executed by the donors and was now in the Board folders. The document had not changed, other than the addition of the signatures, from the draft included in their original packet.

5.2 Professional Services RFQ - Engineering - Prairie Trail South Stream Erosion and Trail Stabilization
Executive Director Kessler reviewed for the board that last year staff had let a Request for Proposals (RFP) for legal services and the website and this year have let one for engineering services. Due to the nature and variety of engineering required and available for various projects, this request included a six step process. A matrix of the areas covered by the eight responsive firms was created. Prices were not considered at this step in the process and staff recommends the proposal put forth by Hey & Associates of Volo, Illinois for this project. When asked if there was a price, it was shared that staff has an estimated cost for budgeting but the price and contract has not been negotiated.

The consensus of the board was to authorize the Executive Director or her designee to negotiate a contract for the design of a long-term solution addressing riparian zone restoration and trail stabilization along the Prairie Trail South with the highest-ranked firm, Hey and Associates of Volo, IL.

5.3 2020 Property Tax Levy - FY 2022 Budget
Executive Director Kessler reported that she, Treasurer Cook, President Henning, and Director of Finance & Administration Dylak had met earlier via ZOOM to discuss options with the most flexibility based on the previous board discussions and presentations. Director of Finance & Administration Dylak had included information on abatement scenarios on their call.
Treasurer Cook stated that he previously supported Scenario 3 but after further discussion and investigation, he now supports Scenario 1 which allows for greater flexibility and uses the 2019 levy as the base.

The consensus of the Board of Trustees was to direct staff to develop the Levy Ordinance based on Scenario 1 for approval in September with the option to abate at a later date.

5.4 3-Year Capital Asset Management Plan (CAMP)

Executive Director Kessler stated that staff has revised the CAMP and it includes bricks and mortar as well as the natural capital. She requested that the Board of Trustee look at the projects proposed for the next year if there are items they recommend be removed or moved up staff will need to know in the next month and for the Board of Trustees to establish the dollars to be allocated for CAMP and to let our professional staff rearrange priorities if needed based on the dollars allocated.

Director of Administration & Finance Dylak then shared his screen with the CAMP summary. He noted that $4.6M was projected to be available in the CAMP Fund balance plus outstanding grants for a total of about $5M for three years of CAMP needs beginning with the start of FY 2022 at the end of March 2021 so staff has based their recommendations on critical needs and organizational capacity and did not include any new development. These are items that can’t be covered by the General Fund. It was noted that some historical buildings will need further board discussion such as the McConnell Farmstead, Kennedy Home and Fox Bluff Conservation Area.

President Henning asked about the possibility of a Trustee tour of the buildings in question. Executive Director Kessler responded that a public meeting could be held as long as posted 48 hours in advance and public gathering social distancing protocols be maintained.

Dollars are identified and earmarked in either the CAMP Fund or the Dedicated Fund for grants and when the grant reimbursements come in for completed grants, they go back into the fund where they were identified. No grant projects are budgeted from General Funds and in most cases they do not get refunded in the same year as the projects.

Director of Land Preservation and Natural Resources Collins stated that the expenses for natural capital are mostly additional seed needed to supplement that collected by staff and volunteers as most of the other costs are personnel expenses through the General Fund. He noted that acreage coming out of agriculture and needing seed in the near future are small acreages, those that have had repeated flooding issues, or highly erodible soil fields and total about 500 acres over three years. He noted that the reforestation efforts related to tree planting are based on donations coming in.

There was a brief discussion about hay leases and timing of tree plantings.

Director of Operations and Public Safety Kremer stated that staff will continue to seek out grant opportunities and make applications for projects where possible. It was stated that the Board of Trustees will try not to stand in the way of staff if funds are available for projects funded by other sources if organizational capacity allows.

Director of Finance and Administration Dylak will build the CAMP budget based on this evening’s presentation and discussion and if any Trustees would like to schedule a second meeting on this subject to go over the details, now would be the time to speak up.
President Henning stated that the Board of Trustees need to discuss how much reserves will be allowed to be allocated for the CAMP Fund for each year, a base figure was provided by staff.

5.5 Discussion on Federal Lands Access Program (FLAP) Grant Application Submittal for Improvements to the Harts Road access to Glacial Park Conservation Area and Associated Trail and Wildlife Improvements

Director of Land Preservation and Natural Resources Collins explained that he had been working with Todd Boostra from U.S. Fish and Wildlife Service (USFWS) and Richmond Township Road District about applying for this funding which requires a local submitter. Research found that most of Harts Road is not within the jurisdiction of the Township and the District may end up maintaining approximately one mile of road. Planning Manager Peters explained some of the items included in the grant request including a turn lane onto Harts Road from Route 31, the Prairie Trail North, the parking lots and access roads, and wildlife crossing/tunnels. Usually grants are 80/20, and in this case, the USFWS is willing to contribute a portion of the 20% match and the estimated cost to the District will be $71,000 (15%) for ADA requirements (beacon crossing) and other specific needs. It was noted that this grant is not a reimbursement grant so the Federal government pays their portion directly. The consensus was in support of the project.

6.0 EXECUTIVE DIRECTOR’S REPORT

President Henning had requested an update on a list of ongoing projects which were listed. Executive Director Kessler provided an overview of the revised process in which not all items in this portion of the agenda will have corresponding Board Summaries but are provided to keep everyone apprised of inquiries, correspondence and project updates.

6.1 Pichen Debt Certificate

Staff had been hoping for a private sale but has since learned from the financial advisor that the District will do significantly better with a public offering.

6.2 Personnel Requests FY 2022

Agroecologist, Grade 18 - Technical/Professional Schedule $48K-$60K

Executive Director Kessler shared that Glen Von Bergen will be retiring from his part-time position this year and that Director of Land Preservation and Natural Resources Collins had laid out a very detailed revised job description and there would be more details regarding the agricultural program presentation to be held at the Regular Monthly Meeting of the Board of Trustees next Tuesday. Director of Land Preservation and Natural Resources Collins emphasized that the new position will not only be responsible for infrastructure issues and leases, but will include relationship building which is currently limited by staff being part time. It was noted that the description includes an agricultural business-related degree or experience and that the reality is we will be in the agriculture business for possibly decades and the person will need a science and pragmatic background.

Executive Director Kessler stated that every division of the District could use more staff to manage the workload; however, due to the fact that this position is directly tied to a major revenue source, it was supported to move forward.

It was noted that staff has been talking about working on improving soil quality and that good sustainable farming practices will make the future conversion to natural communities easier and less costly in the future.
6.3 **50th Anniversary Celebration**
Executive Director Kessler stated that the 50th Anniversary will be celebrated in 2021 and that we already have obtained the 50th Anniversary logo which was designed pro bono by One Zero Charlie of Woodstock, IL; the same designer who developed the District’s logo. Local, state and federal proclamations will be requested from our legislators. The Passport to Adventure exhibit at the Lost Valley Visitor Center will open and most of the activities taking part from April through October. The District is not planning on spending a lot of money to celebrate the milestone, but rather use the opportunity to bundle current activities/programs with themed anniversary activities. The Board of Trustees was asked to forward any suggestions for inexpensive celebrations to staff.

6.4 **Fuel Management Tracking System**
Executive Director Kessler reported that staff has been reviewing options and the item has not yet been put out to bid due to continued discussions by Board of Trustees and staff. The rationale for the Fuel Management Tracking System was discussed noting that this area of the District was susceptible to fraud and having a tracking system provides accountability and oversight. Director of Administration & Finance Dylak noted that the approximate actual total annual gasoline expenses have been as high as $200K in FY 2014, $180K in FY 2015, and $125K in FY 2020. The current fuel tracking system has lasted ten years with about 50,000 gals used/year. Preliminary estimates are $30,000-$45,000 plus an annual fee of about $3,600 for a system expected to last another ten years. The advantage is the tracking of where all the fuel that is received is going with checks and balances. The figures are also tracked by vehicle and we have historically been able to tell how a vehicle is performing over time.

The consensus was to move forward with letting the bid as already approved.

6.5 **Hebron Drainage District**
Staff reported that we have heard of discussions but have not received anything in writing supporting the assessment of a tax for the Hebron Drainage District; therefore, we have no specific details to share at this time. Staff is seeking direction from the Board of Trustees on whether the District would want to seek a legal exemption from the Drainage District.

6.6 **Richmond Township Request for Storage at Glacial Park**
No formal request has been received.

6.7 **New Walking Trail Proposal in Prairie Grove - Stickney Run Conservation Area**
Executive Director Kessler shared that this portion of the site has highly sensitive natural resources. It is understood that neighbors have an interest for expanded trails at the Stickney Run Conservation Area; however, what is proposed at this time is beyond our current resources.

The consensus was for a response to be put into writing by the Executive Director.
6.8 Abrogation, Release and Vacation of Easement - Nunda Township Fernwood Lane Realignment
The Nunda Township Road District has not provided the information this board needs to make a decision. Land Administration and Preservation Manager Siler is working on the process and seeking information on what the replacement access would be.

6.9 Villas of Boulder Ridge - Lease Agreement
The Homeowners Association is interested in a new lease and we are hoping they will have it for us in September or October.

6.10 300 West Water Contamination
Executive Director Kessler stated that our insurance provider will not cover legal services for attending the expected Public Meeting being held by the McHenry County Health Department regarding a proposed Ordinance prohibiting the use of water by adjacent land owners including the District. Executive Director shared a cost estimate from special counsel in the amount of $5,600 to attend the meeting and prepare a written statement opposing the proposed ordinance. It was noted that the District has chosen not to litigate and that either staff or counsel needs to attend the meeting. After additional discussion, the consensus was to move forward with legal counsel attending the hearing.

Executive Director Kessler announced that the McHenry County/Illinois Farm Bureau Field Day will be August 26th at the Queen Anne Conservation Area where the virtual event will feature the installed woodchip bioreactor on District property.

7.0 OTHER
There were other comments.

8.0 PUBLIC COMMENTS II
There were no public comments.

9.0 EXECUTIVE SESSION
At 7:15 p.m., a motion was made by Vice President Brandt, seconded by Trustee Thomas to go into Executive Session pursuant to Exception 2C1 (Personnel), 2C5 (Real Estate), 2C11 (Pending Litigation), and 2C21 (Review of Closed Session Minutes) of the Open Meetings Act. A roll call vote gave the following results: Cook-yes, Thomas-yes, Brandt-yes, Fritz-yes, Campbell-yes, Henning-yes.
Motion passed unanimously.

10.0 RECONVENE
The meeting was reconvened to order at 7:45 p.m. by President Henning on the evening of Thursday, August 20, 2020 at Brookdale Administrative Offices and via Zoom conference services.

10.1 Roll Call
Trustees Present: John Henning, President
Dave Brandt, Vice President (remote)
Bill Cook, Treasurer
Carolyn Campbell, Secretary
11.0 ADJOURNMENT

A motion was made by Vice President Brandt, seconded by Treasurer Cook, to adjourn the meeting. A roll call vote gave the following results: Brandt-yes, Fritz-yes, Campbell-yes, Cook-yes, Thomas-yes, Henning-yes.

Motion passed unanimously. Meeting adjourned at 7:48 p.m., August 20, 2020.

Respectfully submitted,

Carolyn Campbell, Secretary

Date