1996 S. Kirk Rd Ste 320
Geneva, IL 60134

Kane County

Forest Preserve, Finance and Administration Committee

Agenda

President Bill Lenert, Chair Rick Williams,
Vice-Chair Jon Gripe, Mo Iqbal, Leslie Juby,
Bill Roth

Tuesday, January 20, 2026 **2:00 PM** **3rd Floor Board Room**

I. Call To Order
Remote Attendance Approval

II. Approval of Minutes from October 28, 2025

III. Public Comment (Each Speaker is limited to three minutes)

IV. Bids and Proposals

V. New or Unfinished Business

TMP-26-076 2025 Campground Report

TMP-26-099 Resolution Approving an Intergovernmental Agreement between the Forest Preserve District of Kane County and the County of Kane for Volunteer Site Restoration Services

TMP-25-1437 Approval of the Restated Organization Ordinance

TMP-26-093 Release of Closed Session Minutes

VI. Closed Session to Discuss Land Acquisition, License Agreements, Potential Litigation and Personnel

VII. Communications

VIII. Chairman's Comments

IX. Adjournment
Adjournment until: Tuesday February 24, 2026 at 2:00 p.m. in person at the Forest Preserve District Administration Offices 1996 S. Kirk Road, Suite 320 Geneva, Illinois and via zoom https://zoom.us/j/6302325980? pwd=aURTSGJoRlVJNDRCcHJXd3dvaVVrUT09 Meeting ID: 630 232 5980 Password: 24680 The Request to Speak Form on the Districts' website must still be completed for guests to speak at the meeting.

STATE OF ILLINOIS)
SS.
COUNTY OF KANE)

REPORT NO. TMP-26-076

2025 CAMPGROUND REPORT

AGENDA MEMORANDUM

DATE: January 20, 2026

TO: Forest Preserve District Finance & Administration Committee

FROM: Jeremy Jensen, Director of Operations

SUBJECT: Presentation of the 2025 Campground Report

PURPOSE:

The purpose of this memorandum is to provide the Committee with the 2025 Campground Season Final Report for Paul Wolff Campground and Big Rock Campground.

BACKGROUND:

The District operates two campgrounds; Paul Wolff Campground in Elgin and Big Rock Campground in Big Rock. Both campgrounds offer recreational vehicle (RV) sites with electric and water hook-ups, as well as primitive (tent-only) sites. The cost per night for primitive tent campsites is $18 for residents and $24 for nonresidents. For improved RV campsites, the fee per night is $26 for residents and $41 for nonresidents. For equestrian campsites, the fee per night is $21 for residents and $31 for nonresidents. These prices reflect a fee increase that was voted on and approved by the Commission for the 2024 season. As a recreational campground, campers may stay up to 14 days in any rolling 3-week period, per location.

The 2025 camping season ran from May 1 through October 20 at both the Paul Wolff and Big Rock Campground. Net profit for both campgrounds totaled $289,495.20. Paul Wolff Campground and Big Rock Campground received revenue from daily site reservations, firewood sales, and non-reservation dump station use for a total of $558,577.00. Combined expenses of $269,081.80 were also recorded which include overhead expense allocations including: staff wages, equipment use and repairs, and campground utilities being a bulk of those costs.

Finance staff received approval from the District's audit firm in fiscal year 2025 to recognize campground reservation revenue at the time of transaction, rather than in the fiscal year in which the patron actually camps. This change in accounting methodology was implemented due to limitations within the online reservation software system.

As a result of this change, The District is forecasting that revenue for the 2026 camping season is expected to decrease since more revenue was recorded in the prior fiscal year. This is because revenue accrued for the 2024 camping season was recognized in fiscal year 2025 and is therefore included in the revenue figures presented in this report. Expenses are forecasted to remain consistent, but the District anticipates a decrease in net profits attributable solely to the impact of the timing associated with this accounting methodology change.

FINANCIAL IMPACT:

PAUL WOLFF CAMPGROUND

Paul Wolff Campground revenue for 2025 totaled $360,940.00, with total operating expense recorded at $137,344.41, resulting in a net profit of $223,595.59. A detailed expense report for Paul Wolff Campground is provided, which does include staff time for maintenance and cleaning, start-up and seasonal closure tasks, supplies, allocated equipment and maintenance costs, and all utility services for the location.

July was the busiest month for Paul Wolff Campground in 2025, with 2,316 daily reservations (2,222 in 2024 for the same period). The average monthly use rate was 1,874 (1,859 in 2024 for the same period) reservations per month, for a season total of 11,249 daily reservations.

BIG ROCK CAMPGROUND

Big Rock Campground revenue for 2025 totaled $197,637.00, with total operating expense recorded at $131,737.39, resulting in a net profit of $65,899.61. A detailed expense report for Big Rock Campground is also included in this report.

May was the busiest month for Big Rock Campground with 1,172 daily reservations (down slightly from 2024's total of 1,193). For the season, 6,197 daily reservations were recorded; an average of 1,033 reservations per month (1,070 average for 2024).

ATTACHMENTS:

None.

STATE OF ILLINOIS)
SS.
COUNTY OF KANE)

FP RESOLUTION NO. TMP-26-099

RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE FOREST PRESERVE DISTRICT OF KANE COUNTY AND THE COUNTY OF KANE FOR VOLUNTEER SITE RESTORATION SERVICES

WHEREAS, the County of Kane, an Illinois County organized under the Counties Code, 55 I.L.C.S 5/1-1001 et.seq. (County) and the Forest Preserve District of Kane County, Illinois (District), by virtue of its powers as set forth in the Downstate Forest Preserve Act 70 ILCS 805/0.001 et seq. are authorized to enter into this Intergovernmental Agreement; and

WHEREAS, the District and the County desire to enter into an intergovernmental agreement to permit community volunteers to perform nuisance and invasive vegetation removal on County owned property at the Kane County Recycling Center; and

WHEREAS, the District desires to identify a site for the Volunteer Program to conduct a large invasive tree and brush removal event for local students in March, 2026; and

WHEREAS, the long-term success of the District's restoration efforts will improve if a community volunteer program could be utilized on County property to remove nuisance and invasive vegetation directly adjacent to the Fabyan Forest Preserve; and

WHEREAS, the DISTRICT already has an established Volunteer Program for Natural Areas Management to organize, train and oversee volunteers interested in performing management activities such as nuisance and invasive vegetation removal; and

WHEREAS, the DISTRICT has agreed to utilize its Volunteer Program for Natural Areas Management to conduct nuisance and invasive vegetation removal on the Kane County Recycling Center property.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Forest Preserve District of Kane County, Kane County, Illinois, that the President and Secretary of the District be, and hereby are, authorized to execute and deliver on behalf of the District, the intergovernmental agreement hereto and made a part hereof as attached.

APPROVED AND PASSED on this 10th day February, 2026.

_____	_____
Bill Lenert	Mohammad Iqbal
President, Kane Forest Preserve	Secretary, Kane Forest Preserve
Kane County, Illinois	Kane County, Illinois

AGENDA MEMORANDUM

DATE: January 20, 2026

TO: Forest Preserve District Finance & Administration Committee

FROM: Jennifer Clough, Director of Human Resources
Benjamin Haberthur, Executive Director

SUBJECT: Presentation and Approval of an Intergovernmental Agreement between the Forest Preserve District of Kane County and the County of Kane for Volunteer Site Restoration Services at the Kane County Recycling Center.

PURPOSE:
The purpose of this memorandum is to provide the Committee with information to consider the approval of an intergovernmental agreement between the Forest Preserve District of Kane County and the County of Kane for Volunteer Site Restoration Services at Kane County Recycling Center (517 East Fabyan Parkway, Geneva, IL 60134), which borders the Fabyan Forest Preserve.

BACKGROUND:
The District has an established Volunteer Program for Natural Areas Management that performs substantial invasive and nuisance tree and brush removal on District land throughout the County, including adjacent to the Kane County Recycling Center at Fabyan Forest Preserve.

The Recycling Center, owned and operated by Kane County, contains an area of dense growth of invasive and nuisance trees and brush which the County desires to remove. The District shares this interest, both to protect the previously restored woodlands and prairie that border the property, as well as to provide a site conducive for hosting the Volunteer Program's annual "Battle of the Brushpiles" event, scheduled for March, 2026. This large-scale restoration effort is led by a trained and qualified site steward and invites local student volunteers to participate in brush clearing work.

The District has executed similar intergovernmental agreements with the County, including for streambank restoration work at Gunnar Anderson Forest Preserve and the Kane County Government Center. Consistent with the agreement, the District would recruit, train, and coordinate the Volunteers assigned to improve the site within the parameters established by the County, for the duration of one (1) year.

FINANCIAL IMPACT:
Executing this intergovernmental agreement has no corresponding financial impact to the District.

RECOMMENDATION:
Staff recommends the Committee approve the Intergovernmental Agreement between the Forest Preserve District of Kane County and the County of Kane for Volunteer Site Restoration Services at Kane County Recycling Center as presented.

ATTACHMENTS:

Draft Intergovernmental Agreement
Fabyan Site Location Map

INTERGOVERNMENTAL SERVICES AGREEMENT
Between the
COUNTY OF KANE, ILLINOIS and the FOREST PRESERVE DISTRICT OF KANE COUNTY, ILLINOIS
For
VOLUNTEER SITE RESTORATION SERVICES AT THE KANE COUNTY RECYCLING CENTER PROPERTY

This intergovernmental agreement (herein after referred to as "Agreement") is made this ___ day of _____, 2026, by and between the County of Kane, Illinois, a unit of local government organized and existing under the laws of the State of Illinois (hereinafter referred to as "Kane County") and the Forest Preserve District of Kane County, Illinois, a forest preserve district and a unit of local government organized and existing under the laws of the State of Illinois (hereinafter referred to as "District"). For purposes of this Agreement, Kane County and the District shall collectively be referred to hereinafter as "the Parties."

RECITALS

WHEREAS, the Parties are units of local government within the meaning of Section 10 of Article 7 of the Constitution of the State of Illinois; and

WHEREAS, the Parties are also public agencies within the meaning of the Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*); and

WHEREAS, the Parties are authorized to contract among themselves to obtain or share services, or exercise, combine, or transfer any power or function in any manner not prohibited by law (5 ILCS 220/3); and

WHEREAS, Kane County owns and operates the Kane County Recycling Center at 517 E. Fabyan Parkway in Geneva, Illinois; and

WHEREAS, the Recycling Center property contains an area of dense growth of invasive and nuisance trees and brush; and

WHEREAS, removal of such vegetation is desirous for the improvement of the habitat utilized by the native flora and fauna of Kane County; and

WHEREAS, the Forest Preserve District of Kane County owns property adjacent to the Kane County Recycling Center and has already removed much of the invasive and nuisance trees and brush from that location; and

WHEREAS, the Forest Preserve District of Kane County has an established Volunteer Program for Natural Areas Management that has performed substantial invasive and nuisance tree and brush removal on District land adjacent to the Kane County Recycling Center; and

WHEREAS, the District has the need to secure a site for the Volunteer Program for Natural Areas Management to conduct a large invasive tree & brush removal event in March 2026; and

WHEREAS, the Kane County Recycling Center property would be a prime location to meet the needs of the District while also benefiting Kane County through the removal of invasive trees and brush on County property at no cost to the County.

NOW THEREFORE, for and in consideration of the mutual covenants herein the Parties agree as follows:

1. **INCORPORATION OF RECITALS**: The recitals set forth above are incorporated herein and made a part hereof.

2. **SERVICES**: The District shall, in accordance with its own Volunteer Program, organize and oversee volunteers and staff to assist with the nuisance and invasive vegetation removal on Kane County property behind the Kane County Recycling Center at 517 E. Fabyan Parkway, as set forth in Exhibit A (Site Map), which is attached hereto and incorporated by reference into this Agreement and made a part hereof. Specifically, the District shall ensure all volunteers are properly trained, when appropriate, and the District shall collect and maintain volunteer waiver forms. Additionally, the District shall coordinate with Kane County regarding dates for vegetation removal. Finally, the District shall oversee the work conducted by volunteers.

3. **LIMITATION OF SERVICES**: The District shall consult with Kane County regarding the specific vegetation removal plans, and shall not deviate from the plans without Kane County's prior consent.

4. **AGREEMENT TERM**: The term of this Agreement shall commence on the date of this Agreement and shall continue for one (1) year ("Term"). This Agreement will automatically renew for additional one (1) year terms, unless either party provides notice within 30 days of such renewal that the party no longer wishes to continue the agreement.

5. **CONFIDENTIALITY**: The District shall not disclose to any third party or use, except in connection with the performance of Services hereunder, any confidential information of Kane County in the possession of the District, unless otherwise required by law or court order.

6. **INDEMNITY**: The District agrees to save, hold harmless, defend and indemnify the Kane County and its Officers, Agents, and Employees, from any and all liability or loss incurred by Kane County resulting from the District's noncompliance with any laws or regulations of any governmental authority having jurisdiction over the District and/or the District's performance of this contract and the District's violation of any of the terms and conditions of this Agreement, and from the District's negligence arising from, in any manner and in any way connected with, the terms and conditions of this Agreement and arising from the District's performance thereunder.

7. **TERMINATION:** Either party may terminate this Agreement at any time with thirty (30) days written notice to the other.

8. **NOTICE:** Any notice required or permitted to be given hereunder shall be in writing an shall be deemed given:
   (i) When delivered personally to the individual designated below; or
   (ii) On the third business day after sent by registered or certified mail, postage prepaid, addressed as follows:

   TO FOREST PRESERVE DISTRICT OF KANE COUNTY:
   Contact: Benjamin Haberthur, Executive Director
   Address: 1996 S Kirk Rd, Suite 320 Geneva IL 60134
   Phone: 630-208-8661
   E-mail: haberthurben@kaneforest.com

   TO KANE COUNTY:
   Contact: Kevin Harris, Building Management Department
   Address: 719 S Batavia Ave, Geneva IL 60134
   Phone: 630-232-3570
   E-mail: HarrisKevin@kanecountyil.gov

9. **SEVERABILITY**: In the event any portion of this Agreement is deemed to be invalid or unenforceable, such portion shall be deemed severed and the parties agree that the remaining portions of this Agreement shall remain in full force and effect.

10. **ASSIGNMENT**: Neither party may assign or otherwise transfer this Agreement without the written consent of the other party. This Agreement shall inure to the benefit of and bind the parties hereto and their respective legal representatives, successors and assigns.

11. **GOVERNING LAW**: This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois and the County of Kane.

12. **ENTIRE AGREEMENT**: This Agreement, including the recitals and schedules, set forth the entire agreement between the parties with respect to the subject matter hereof and the Agreement shall be amended only in writing signed by both parties.

13. **COUNTERPARTS**: This Agreement may be executed in counterparts in the same form and such parts so executed shall together form one original document and be read and construed as if one copy of the Agreement had been executed.

14. **NO THIRD-PARTY BENEFICIARIES:** This Agreement is entered into solely for the benefit of the contracting parties, and nothing in this Agreement is intended, either expressly or impliedly, to provide any right or benefit of any kind whatsoever to any person or entity who is not a party to this Agreement, or to acknowledge, establish or impose any legal duty to any third party.

15. **AUTHORIZATION:** The Parties represent that all necessary acts have been taken to authorize and approve this agreement in accordance with applicable law, and this Agreement, when executed by the Parties hereto, shall constitute a binding obligation of the Parties, legally and enforceable at law and equity against both.

IN WITNESS WHEREOF, the parties have executed this Agreement effective this ___ day of _____, 2026.

KANE COUNTY, ILLINOIS

By:_____
Corinne Pierog, Kane County Board Chairman

FOREST PRESERVE DISTRICT OF KANE COUNTY

By:_____
Bill Lenert, President

KCFPD Property
Kane County Property
Fabyn Creek
Secondary Area of Invasive / Nuisance
Tree & Brush Clearing by KCFPD
Volunteer Program (starting in 2026 or 2027)
Kane County Property
KCFPD Property
Primary Area of Invasive / Nuisance
Tree & Brush Clearing by KCFPD
Volunteer Program (starting in 2026)
Kane County
Recycling Center
21in.
Fabyan Pkwy
Surrey St
36in.
Exhibit A - Site Map
Kane County Property along
Fabyan Pkwy
0 15 30 60 90 120
Feet
Map Updated: 12/8/2025
Kane County
Department of
Environmental &
Water Resources
Aerial Date: 2025
GIS-Technologi

STATE OF ILLINOIS)
SS.
COUNTY OF KANE)

FP ORDINANCE NO. TMP-25-1437

APPROVAL OF THE RESTATED ORGANIZATION ORDINANCE

WHEREAS, the FOREST PRESERVE DISTRICT OF KANE COUNTY, Kane County, Illinois, is a Special District as defined by the Downstate Forest Preserve Act, (70 ILCS 805/). The Organization is defined within the Downstate Forest Preserve Act and therefore complies with the provisions and is recognized by judicial notice as organized under this act; and

WHEREAS, it is reasonable, necessary and desirable for the FOREST PRESERVE DISTRICT OF KANE COUNTY, Kane County, Illinois, hereafter called "District", to restate an Organization Ordinance governing the organization and rules of procedure of the Board of Commissioners of the District annually. The original Organization Ordinance was passed on June 14, 1937, and most recently revised on March 11, 2025; and

WHEREAS, the District is subject to statutory changes from time to time, as well as policy changes adopted by the District over time, and as a result of those changes, it becomes necessary to review, reconsider, and revise the Organizational Ordinance of the District to assure adherence to the changes in statute and policy that have occurred or been adopted by the District since the last formal adoption or ratification of the Organizational Ordinance by the District; and

WHEREAS, the District has the authority and power to restate and establish this Organization Ordinance and rules of procedure.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Forest Preserve District of Kane County, Kane County, Illinois, that the restated Organization Ordinance, hereto attached and identified as Exhibit A be, and hereby is, adopted and approved.

APPROVED AND PASSED on this 10th day February, 2026.

_____ _____

Bill Lenert
President, Kane Forest Preserve
Kane County, Illinois

Mohammad Iqbal
Secretary, Kane Forest Preserve
Kane County, Illinois

AGENDA MEMORANDUM

DATE: January 20, 2025

TO: Forest Preserve District Finance & Administration Committee

FROM: Jennifer Clough, Director of Human Resources
Benjamin Haberthur, Executive Director

SUBJECT: Review and Discuss Potential Modifications to the Organization Ordinance

PURPOSE:
The purpose of this memorandum is to provide the Committee with information to review and discuss proposed revisions to the District's Organization Ordinance.

BACKGROUND:
On an annual basis, staff and the District's legal counsel review and prepare necessary changes to the District's Organization Ordinance for the Commission's approval. The Ordinance was last approved by the Commission on March 11, 2025. The following new changes are proposed:

1. *Chapter 1, Section C, "Definitions".* Updated the language that ensures compliance with the Open Meetings Act (OMA) to be more concise.

2. *Chapter 3, Section B, "Duties of Officers; Committee Appointments by President".* Removed the President's unilateral ability to appoint legal counsel to improve transparency and align with the District's procurement practices.

3. *Chapter 3, Section D, "Travel Expense Reimbursements".* Updated the terminology to ensure consistency in policy administration for all travelers of the District.

4. *Chapter 4, Section B, "Administrative Staff".* Revised the chain of command to include the Chief Financial and Administrative Officer (CFAO) position.

5. *Chapter 6, Section D, "Regular, Adjourned or Special Meetings".* Clarified the posting requirements and order of business for public meetings.

6. *Chapter 13, Multiple Sections.* Revised the amendment review process for the Organization Ordinance to include the Finance and Administration Committee, and updated the approval dates associated with various other ordinances referenced within the document.

FINANCIAL IMPACT:
There is no financial impact to the District in adopting the proposed revisions.

RECOMMENDATION:
Staff recommends the Committee approve the revisions to the Organization Ordinance as presented.

ATTACHMENTS:
Draft Organization Ordinance

RESTATED ORGANIZATION ORDINANCE OF THE FOREST PRESERVE DISTRICT OF KANE COUNTY

WHEREAS, the FOREST PRESERVE DISTRICT OF KANE COUNTY, Kane County, Illinois, is a Special District as defined by the Downstate Forest Preserve Act, (70 ILCS 805/). The Organization is defined within the Downstate Forest Preserve Act and therefore complies with the provisions and is recognized by judicial notice as organized under this act.

WHEREAS, it is reasonable, necessary and desirable for the FOREST PRESERVE DISTRICT OF KANE COUNTY, Kane County, Illinois, hereafter called "District", to restate an Organization Ordinance governing the organization and rules of procedure of the Board of Commissioners of the District. The original organization ordinance was passed on June 14, 1937; and,

WHEREAS, the District is subject to statutory changes from time to time, as well as policy changes adopted by the District over time, and as a result of those changes, it becomes necessary to review, reconsider, and revise the Organizational Ordinance of the District to assure adherence to the changes in statute and policy that have occurred or been adopted by the District since the last formal adoption or ratification of the Organizational Ordinance by the District; and

WHEREAS, the District has the authority and power to restate and establish this Organization Ordinance and rules of procedure;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Forest Preserve District of Kane County, Kane County, Illinois, as follows:

CHAPTER I-GENERAL

Section A - General Purpose of this Ordinance. The general purpose of this Ordinance is to restate the organizational structure and rules of procedure of the District as provided for in the Downstate Forest Preserve Act. (70 ILCS 805/) (Source: P.A. 96-239, eff. 8-11-09.)

Section B - Corporate Authority. The Board of Forest Preserve Commissioners shall be the corporate authority of the District and shall have the power to pass and enforce all necessary ordinances, rules and regulations for the management of the property and the conduct of the business of such District.

Section C - Definitions. For the purposes of this Ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein. When consistent with the context, words used in the present tense include the future, words in the plural number include the singular number and words in the singular number include the plural number. Words used in the masculine gender are for convenience only. The word "shall" is always mandatory and not merely directory.

1. "Commission", wherever used, means the Board of Forest Preserve Commissioners of the District, when acting as the governing body of the District.
2. "Commissioner", wherever used, means a member of the Board of Forest Preserve Commissioners.
3. "District", wherever used, means the Forest Preserve District of Kane County.

4. "Employee", wherever used, means any full or part time, regular or temporary worker in the employ of the District under the supervision of the President.
5. "President", wherever used, means the elected President of the Board of Forest Preserve Commissioners.
6. "County Board", wherever used, means the County Board of Kane County, Kane County, Illinois, composed of its members elected or appointed, pursuant to state statute and county ordinance whether or not there are vacancies.
7. "Executive Director", wherever used, means the Chief Executive Officer of the District hired by the Commission.
8. "Standing Committee", wherever used, refers to those committees appointed by the President which meet on a regular basis year-round and work on the general matters as opposed to a special committee appointed for a special purpose or for a limited duration.
9. "Public Body", wherever used herein, refers to the Forest Preserve District of Kane County and its committees~~all legislative, executive, administrative or advisory bodies of the State, counties, townships, cities, villages, incorporated towns, school districts, and all other municipal corporations, boards, bureaus, committees, or commissions of this State, and any subsidiary bodies of any of the foregoing including but not limited to committees and subcommittees which are supported in whole or in part by tax revenue, or which expend tax revenue, except the General Assembly and committees or commissions thereof~~. [5 ILCS 120/1.02]

~~10.~~ "Meeting", wherever used, refers to any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat, and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing the~~public~~ business of the public body. ~~[5 ILCS 120/1.02].This includes and is subject to the following:~~

- ~~A gathering of a majority of a quorum of a public body held to discuss public business.~~
- ~~Before permitting a member to attend a meeting electronically, a public body must adopt and have in place rules allowing for members to attend electronically. The rules, requirements and restrictions of the Open Meetings Act (OMA), may further limit the extent to which attendance by other means is allowed, and may provide for the giving of additional notice to the public or further facilitate public access to meetings. To allow a member of a public body to attend a meeting other than by being physically present in a meeting room, the public body and the member seeking to attend by other means must meet certain statutory requirements. The public body must adopt rules for remote participation electronically. If a public body has not adopted appropriate rules, it cannot permit a member to attend electronically [5 ILCS 120/7].~~

~~11.~~10. "Convenient and Open to the Public", wherever used means that meetings of public bodies are to be held at places which are convenient and open to the public and not restricted to a particular group or category of participants and for these purposes~~,~~ "~~c~~Convenient" means suitable or proper and consistent with the other requirements of the OMA, generally. The OMA also requires that Public bodies ~~must~~ give persons~~citizens~~ an opportunity to address the elected officials ~~speak~~ at their ~~public~~ meetings ~~OMA requires~~

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~~that any person shall be permitted an opportunity to address public officials~~ under the rules established and recorded by the public body (e.g., each person providing comment is limited to 3 minutes). [5 ILCS 120/2.06(g)] If a member of the public would like to provide comment to the Board or a Committee at a Meeting, they are encouraged to submit a completed Request to Speak Form. The Completed Request to Speak Form may be submitted online no later than 24 hours before the scheduled meeting, or submitted in person to the Secretary no later than 15 minutes prior to the start of the meeting. In accordance with Illinois law, speakers are encouraged to provide their name and address but doing so is not a mandatory prerequisite to providing public comment.

Notices of all Meetings are posted consistent with the requirements of the Open Meetings Act [5 ILCS 120/1 et seq.] (Open Meetings Act). It is public policy of this State and thus as part of the State, this District, that its citizens shall be given the statutorily required advance~~d~~ notice of, and the right to attend, all meetings at which any business of a public body is discussed or acted upon in any way. 5 ILCS 120/1. The notice concerning the meeting and the place of the meeting itself shall comply with the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend a~~this~~ meeting and who require certain accommodations in order to allow them to observe and/or participate in the~~is~~ meeting, or who have questions regarding the accessibility of the meeting or facilities, are asked to contact the District office prior to the meeting.

~~Additionally, if you wish~~a member of the public would like to speak at a Public ~~Informational Meeting, you~~ they must submit a completed Request to Speak Form. You ~~Completed Request to Speak Forms~~ may be submitted the form online no later than 24 ~~hours before the scheduled meeting, or you may submitted the form in person to the Secretary no later than 15 minutes prior to the start of the meeting. Notices of this meeting are posted consistent with the requirements of the Open Meetings Act [5 ILCS 120/1 et seq.] (Open Meetings Act).~~

~~Advance notice of public meetings is part of this public policy, as is the principle that exceptions to allow closed meetings are to be interpreted narrowly. 5 ILCS 120/~~

~~12.~~11. "Quorum", wherever used, refers to the minimum number of members of a public body who must be present at a meeting in order for the body to take official action. Unless the law otherwise provides, a quorum of a public body is a majority of the total number of members of the body. A "majority of a quorum" is the smallest number of members of a public body able to control action when a bare quorum is present.

~~13.~~12. "Presiding Officer", wherever used, refers to the President, President Pro-Tem or a Committee Chair, as the case may be, whose duty it is to chair a Commission meeting and, in the case of committee meetings, it shall mean the Chairperson, or in the case of their absence, the member of the Committee who is elected to chair the Committee meeting *pro tem*. The Presiding Officer may, where approved, attend by remote means and chair the meeting.

~~14.~~13. "Americans with Disabilities Act" (ADA), wherever used, refers to the Americans with Disabilities Act (ADA) which became law in 1990. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public. The purpose of the law is to make sure that people with disabilities have the same rights and opportunities as everyone else.

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CHAPTER II - COMMISSION AND COMMISSIONERS

Section A - Composition and Term.

1. The Commission shall consist of the members of the County Board of Kane County, Kane County, Illinois, functioning in their separate and distinct capacities as members of the Board of Commissioners of the District.
2. The term of each Commissioner shall coincide with, and be the same as, his term as a County Board member.
3. In the event of a vacancy on the Commission for whatever reason, such a vacancy shall be filled according to the applicable statutes and procedures for filling vacancies on the County Board and the new member of the County Board shall automatically, by virtue of becoming a member of the County Board, be a member of the Board of Commissioners of the District upon taking the oath of office as a Commissioner of the District. Modifications in Officers, Committee Chairs and/or Committee members shall be ratified by the Commission.
4. The Commission shall be construed in law and in equity, a body corporate and politic, a municipal corporation, and shall be known as the Forest Preserve District of Kane County, Kane County, Illinois.

Section B - Duties of the Commission.

1. The Commission shall perform those duties prescribed by statute.
2. The Commission shall be the corporate authority of the District and shall have the power to pass and enforce all necessary ordinances, rules and regulations and do those things necessary for the management of the property and conduct of the business of the District.
3. The Commissioners shall elect a President of the Commission. The Commissioners shall hire an Executive Director.
4. *Effective January 1, 2012, elected or appointed members of a public body subject to Open Meetings Act (OMA) must complete the electronic training once during their term of election or appointment* no later than the 90th day after taking the oath of office or, if not required to take an oath of office, after otherwise assuming responsibilities as a member of the public body. Elected or appointed members need not complete the electronic training on an annual basis.

CHAPTER III - OFFICERS OF THE DISTRICT

Section A – Composition and Term.

1. The officers of the District shall be the Ceommissioners and the offices~~shall be the positions~~ of President, President Pro-Tem, Secretary and Treasurer.
2. All Officers, except the Commissioners and the President, shall serve for a term beginning with the annual Organization meeting and ending one day prior to the following annual Organization meeting or until their successors have been properly elected or appointed, unless a shorter term is specified at the time of appointment, in which event the shorter term shall prevail. The Executive Director is not an officer.
3. The President shall be elected by the members of the Commission for a period of two (2) years. For the election of the President, the Executive Director or another senior staff

member of the District shall be deemed elected as temporary chair of that portion of the meeting, entertaining nominations for President from the floor. If more than two candidates are nominated, then votes on all nominated candidates shall be taken by roll call successively. If a candidate receives a majority of the votes cast, that candidate shall be declared the winner without further voting taking place for the position of President. If no majority is reached by one candidate on the first round of voting, another round of voting shall commence, except that the recipient (or in the case of a tie between two or more candidates receiving the least amount of votes the recipients), of the least number of votes cast shall be dropped from the ballot for subsequent rounds of voting. The foregoing will continue until a majority of votes is reached in favor of one nominated candidate. If less than a majority of votes is received by the candidate with the highest vote total in any round of voting, then as contemplated above, the candidate with the least number of votes cast shall be stricken from the next round of voting, and voting shall continue until a single nominated candidate receives a majority of votes cast. Such person receiving the highest number of votes cast and which is a majority of the votes, shall be the elected President. The newly elected President shall then preside over the balance of the meeting in which he or she is elected.

4. ~~All other officers~~The offices of President Pro-Tem, Secretary, and Treasurer shall be appointed by the President.
5. In the event of a vacancy in an office, for whatever reason, such vacancy shall be filled according to the same procedure used for the election or appointment at the annual organization meeting.
6. Whenever any person holding the office of President or Commissioner of the District shall, from any cause, cease to be a legal voter within the District, his office shall thereupon become vacant, and a successor shall be appointed for the remainder of this term as other members of the Commission are appointed.
7. Certain staff shall hold the positions of Assistant Secretary, Recording Secretary and Assistant Treasurer which shall not be considered Officers.

Section B - Duties of Officers; Committee Appointments by President.

1. PRESIDENT:

a. Shall perform those duties prescribed by statute, law or the Commission;
b. Shall preside at all meetings of the Commission;
c. Shall present all appointments to be approved by the Full Commission by a simple majority vote; provided, that if a vacancy arises on any committee, including a vacant chairperson or vice chairperson position, that vacancy may be immediately and temporarily filled by committee appointment(s) by the President to more readily enable a committee quorum to be met at committee meetings that occur prior to final selection ratification by the full commission, as provided in subsection (f) below.
d. Shall be an officer of the District;
e. Shall appoint the President Pro-Tem, Secretary and Treasurer.
f. Shall appoint any additional members of the Executive Committee, and the Chairperson and Vice Chairperson of all other subcommittees. He/she may appoint other members and establish the duties of each committee in writing within 30 days after the President is

elected or to fill any committee vacancy as contemplated in subsection (c) above. Special committees and their duties may be established at any time by the President; The Executive Committee shall consist of the President (as Chair), the Chairpersons of any other Committees, Officers and those other Commissioners as appointed by the President.

g. ~~Shall appoint attorneys and special attorneys to represent the District when deemed necessary;~~ Shall appoint other officers as may be ~~necessary~~established by the Commission;

h. Shall have the power to rescind and cancel any appointment at any time, subject to subsequent Commission approval of same at the next succeeding Full Commission meeting in the same manner as initial appointments or vacancy appointments under Section B(1), subsections (c) and (f) above;

i. Shall sign all ordinances, resolutions and other papers necessary to be signed and shall execute contracts entered into by the District and perform such other duties as may be prescribed by ordinances;

j. May call standing or special committee meetings in addition to those established by this ordinance or special ordinance of the Commission;

k. May veto any ordinance and any orders, resolutions and actions, or any items therein contained, of the Commission, which provide for the purchase of real estate or for the construction of improvements within the preserves of the District; such veto shall be filed with the Secretary of the Commission within five (5) days after the passage of the ordinance, order, resolution or action and when so vetoed, the ordinance, order, resolution or action or any item therein contained is not effective unless it is again passed by a two-thirds vote of all members of the Commission;

l. May vote in the same manner as any other member of the Commission at Commission meetings.

2. PRESIDENT PRO-TEM:

a. The President shall appoint a President Pro-Tem;

b. In the event of the death, disability, or when the President is unable to perform his duties because of absence or inability to act, the President Pro-Tem shall serve as President or until a new President is elected;

c. The President Pro-Tem, at such times, shall have the powers and duties of the President.

3. SECRETARY:

a. The President shall appoint a Secretary;

b. Shall perform those duties prescribed by statute, law or the Commission;

c. Shall record and publish the minutes of the meetings of the Commission as well as the Closed Session minutes pursuant to Illinois Complied Statute 5ILCS 120/2.03 and has made a determination as to whether the need for confidentiality still exists as to all or part of those minutes which have not been made fully public;

d. Shall maintain a file of minutes, ordinances, resolutions and orders of the Commission;

e. Shall serve as custodian of the corporate seal and affix it to any records acquired by statute;

f. Shall oversee Assistant Secretary and Recording Secretary in the duties;

4. ASSISTANT SECRETARY:

a. The Executive Director shall act as Assistant Secretary.

b. Shall perform the duties of the Secretary as delegated to the Assistant Secretary by the Secretary and when the Secretary is unable to perform the duties of Secretary or in the case of absence, inability to act or death of the Secretary;

c. Shall oversee the Recording Secretary and is authorized to further delegate the duties of the Secretary as described in Section B(3), subsection (g), subsubsection (iii) to the Recording Secretary.

5. RECORDING SECRETARY:

a. The Executive Administrative Assistant to the Executive Director shall act as Recording Secretary; Shall also act as Freedom of Information Officer [5 ILCS 140/3.5(a)].

b. Shall also act as Opens Meetings Act Compliance Designee [5 ILCS 120/1.05].

6. TREASURER:

a. The President shall appoint a Treasurer;

b. Shall perform those duties prescribed by statute, law or the Commission and shall be authorized to delegate any specific function to the Assistant Treasurer of any of the following functions listed in subsections c – m hereinbelow;

c. Shall receive and deposit all monies;

d. Shall prepare all checks and maintain a check-register;

e. Shall register or de-register bonds issued by the District;

f. Shall reconcile bank statements;

g. Shall maintain a file of the orders for deposit of monies;

h. Shall keep and maintain all records at the administration offices of the District;

i. Shall file the annual audit in compliance with audit of accounts;

j. Shall cause a statement of receipt and disbursements or the audit to be prepared and published, in accordance with the law;

k. Shall recommend depositories to be selected by the District;

l. Shall have the responsibility for the handling, care and investment of all deposits, investments or funds of the District, all pursuant to the ordinance for the investment of funds;

m. Shall account to the District, at such times and places, and on such forms as are required by the District;

n. Shall have such other duties as shall be specifically prescribed by the President of the

District, from time to time.

o. Shall oversee the Assistant Treasurer;

7. ASSISTANT TREASURER:

a. The ~~Director of Finance~~Chief Financial and Administrative Officer (CFAO) shall act as Assistant Treasurer.

b. Shall perform the duties of the Treasurer as delegated to the Assistant Treasurer by the Treasurer and when the Treasurer is unable to perform the duties of Treasurer or in case of absence, inability to act or death of the Treasurer;

c. The Assistant Treasurer shall be deemed to have been delegated the following functions by the Treasurer, unless expressly advised otherwise by the Treasurer:

- Shall receive and deposit all monies;

b. Shall prepare all checks and maintain a check-register;

c. Shall register or de-register bonds issued by the District;

d. Shall reconcile bank statements;

e. Shall maintain a file of the orders for deposit of monies;

f. Shall keep and maintain all records at the administration offices of the District;

g. Shall file the annual audit in compliance with audit of accounts;

h. Shall cause a statement of receipt and disbursements or the audit to be prepared and published, in accordance with the law;

i. Shall recommend depositories to be selected by the District;

j. Shall have the responsibility for the handling, care and investment of all deposits, investments or funds of the District, all pursuant to the ordinance for the investment of funds;

k. Shall account to the District, at such times and places, and on such forms as are required by the District;

l. Shall have such other duties as shall be specifically prescribed by the President of the District, from time to time.

8. ATTORNEYS:

a. Shall perform those duties prescribed by statute, law, or the Commission;

b. Shall advise the Commission and the staff on legal matters;

c. Shall direct litigation and represent the Commission~~, except in those cases where a special attorney has been appointed by the President~~.

Section C - Compensation of President and Commissioners.

1. Per Diem Stipend. A Commissioner shall be allowed reimbursement for a *per diem stipend, which shall not be more than the established amount per day, for all services rendered as a Commissioner on such day* for attendance at all regular, adjourned, canceled (due to lack of quorum) Full Commission or Committee meetings of the District for which they are named on the roll call. Commissioners shall be allowed a *per diem stipend maximum* of $30.00 per day for all services rendered on such day for the District. The remote attendance of Commissioners at Full Commission and Committee meetings consistent with Chapter X: Open Meetings Act shall be eligible to receive a *per diem stipend,* with the exception of meetings canceled due to a lack of quorum, in which case remote attendees are not allowed reimbursement.
2. Except for the President, officers of the Commission shall not receive additional compensation by reason of being an officer of the District, but shall receive compensation by *per diem stipend* and expenses as authorized by the President for all time spent on Commission business, whether as a Commissioner or as an officer according to the rules for compensation for Commissioners. See Section D: Travel Expense Reimbursement and also RESOLUTION 16-12-2509.
3. The President of the Commission shall receive, in lieu of *a per diem stipend* payment, a salary fixed by the Board of $25,000.00 per year.
4. Prior Approval Outside the District. A Commissioner must receive the approval of the President or the Commission to carry out the business of the District outside the boundaries of the District prior to receiving reimbursement therefor.
5. Prior Approval Inside the District. A Commissioner must receive the approval of the President to carry out the business of the District other than for Commission or Committee meetings inside the boundaries of the District prior to receiving reimbursement therefor.

Section D. Travel Expense Reimbursements.

The Forest Preserve District of Kane County is a non-home rule unit of local government pursuant to Article VII, 8 of the 1970 Constitution and the Local Government Travel Expense Control Act, Public Act 99-0604. The Act requires that all local non-home rule public agencies regulate by ordinance or resolution (FP-R-16-12-2509) the reimbursement of all travel, meal and lodging expenses of their Commissioners, employees, and representatives by the effective date of July 1, 2017. Travel Expense Reimbursement Policy RES: 16-12-2509: Official Business for which Expenses May Be Reimbursed.

A commissioner, employee or representative of the District shall be entitled to reimbursement for travel, including meals and lodging, related to the following types of official business:

- Educational conferences, seminars or training related to duties of the commissioner, employee or representative of the District.
- Site visits to current or potential vendors of the District.

- Professional associations and partnering agencies meetings and work groups necessitating participation by the District.

1. Maximum Allowable Reimbursement for Expenses.

a. Unless otherwise excepted herein, the maximum allowable reimbursement for a commissioner, employee or representative of the District ("traveler") shall be as follows:

i. Mileage**:** Those reimbursement rates set by the *IRS*.

ii. Travel**:** Those expenses for rental vehicle, airfare, taxi, train, bus, parking, etc.

1. Rental Vehicles- It is the responsibility of each traveler~~employee~~ to obtain quotes for the least expensive provider for a compact level vehicle unless necessitated by equipment/supply cargo or additional personnel and pre-approved by Executive Director.

2. Airfare- It is the responsibility of each traveler~~employee~~ to obtain the least expensive airline and coach seat within reason of travel parameters and pre-approved by Executive Director.

3. Other Travel Expenses- Such as taxi, train, bus and/or parking ancillary to the program or event shall be limited to $75 per day.

iii. Lodging**:** It is the responsibility of each traveler~~employee~~ to obtain quotes from several lodging options within reasonable proximity of conference/meeting and request the lowest available lodging rate at the time of making reservations. Maximum allowable base rate reimbursement is $180.00 per day.

iv. Meals**:** Maximum allowable reimbursement will be $75.00 per day for meals.

The following exceptions shall not be controlled by Section C.2. and shall be limited as indicated:

1. Conference package lodging charges or lodging at official meeting hotels when pre-approved by the Executive Director in excess of the maximum allowed above.

2. Meals and lodging for ~~commissioners, employees and representatives~~travelers exceeding the allowed maximum level when within metropolitan areas such as Springfield, Chicago, counties of Cook, Lake, and DuPage, and out of state travel provided the amount of such expenses does not exceed 150% of the maximum allowance allowed above for all other areas.

3. Meals purchased for non-District ~~employees or non-District officials~~travelers while on travel status and in connection with District business are reimbursable in reasonable amounts not exceeding 200% of the maximum daily allowable reimbursement hereunder for ~~commissioners, employees and representatives~~travelers. A statement

specifying why and for whom, the expense was provided shall be included as part of the travel voucher.

4. The Executive Director, Directors, and Supervisors are responsible for proper monitoring of claims under this Section.

2. Approval of Expenses.

The Board of Commissioners of the Forest Preserve District of Kane County must approve the following reimbursements for travel, including meals or lodging by a roll call vote at an open meeting of the Board of Commissioners of the Forest Preserve District of Kane County:

a. Any expense of any ~~employee or representative~~traveler that exceeds the maximum permitted in Section III; or

b. Any expense of any member of the Board of Commissioners of the Forest Preserve District of Kane County.

3. Documentation of Expenses.

Before any reimbursement for travel related expenses may be approved, a standardized form for submission of travel, meal and lodging expenses supported by the following minimum documentation shall first be submitted to the direct supervisor or the Board of Commissioners of the Forest Preserve District of Kane County; whichever is applicable pursuant to Section IV:

a. An estimate of the cost of travel, meals, or lodging if expenses have not been incurred or a receipt of the cost of the travel, meals, or lodging if the expenses have already been incurred;

b. The name of the ~~individual~~ traveler who received or is requesting the travel, meal, or lodging expense;

c. The job title or office of the ~~individual~~ traveler who received or is requesting the travel, meal or lodging expense; and

d. The date(s) and nature of the official business in which the travel, meal, or lodging expense was or will be expended.

All documents and information submitted under this Section are public records subject to disclosure under the Freedom of Information Act, 5 ILCS 140/1.

4. Entertainment Expenses.

No ~~employee, representative or member of the Board of Commissioners~~traveler of the Forest Preserve District of Kane County shall be reimbursed by the District for any entertainment expense, excluding those sanctioned with prior approval.

CHAPTER IV - ADMINISTRATIVE STAFF OF THE DISTRICT

Section A – President.

The President is the Chairperson of the District's meetings. The President shall administer those functions of the District as directed by the Commission. The duties of the President shall be delineated in his/her job description.

Section B- Administrative Staff.

1. Executive Director: The Chief Executive Officer of the District shall be the Executive Director. He/she shall report to the Commission and its President. The Executive Director shall manage the affairs of the District. The duties of the Executive Director shall be delineated in his/her job description. The Executive Director shall be a contract employee. The Administrative Staff shall also consist of supervisory, administrative and operating personnel required to fill the positions established by the Commission.

2. Chain of Command: In the event of the agency's Cchief Eexecutive Oofficer is incapacitated, out of town, ill or is unable to perform, his/her duties, t The Chief Financial and Administrative Officer (CFAO) Director of Finance will assume authority. In the event that the CFAO Director of Finance is unable to assume authority, the Director of Planning and Land Protection would then assume authority.

   a. Director of FinanceChief Financial and Administrative Officer (CFAO)

      i. The Director of FinanceCFAO will assume authority in the event that the Executive Director is unable to assume authority.

      ii. Performs the duties of the Treasurer as delegated as the Assistant Treasurer by the Treasurer and when the Treasurer is unable to perform the duties of Treasurer or in case of absence, inability to act or death of the Treasurer;

      iii. Shall serve as a Freedom of Information Act (FOIA) Officer, named and identified on website and written documentation. The FOIA Officer also shall develop a list of documents or categories of records that the public body shall immediately disclose upon request [5 ILCS 140/3.5(a)].

   b. Director of Planning and Land Protection

      i. In the event that the Director of FinanceCFAO is unable to assume authority, the Director of Planning and Land Protection would then assume authority.

      ii. The Director of Planning and Land Protection shall serve as the District's ADA Compliance Officer.

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CHAPTER V –
ORGANIZATION AND OPERATION OF A POLICE DEPARTMENT FOR THE DISTRICT

The (Forest Preserve) board shall have the right, and power to appoint and maintain a sufficient police force, the members of which shall be peace officers certified and trained under the provisions of

the Illinois Police Training Act. (70 ILCS 805/8a) (Chapter 96 ½, par. 6316 – *Down State Forest Preserve Act*).

The Forest Preserve District's sworn police officers enforce federal, state, and county laws, as well as our General Use Regulation Ordinance. The department ensures the safety of life and property in the forest preserves and adheres to the highest principles of the law enforcement profession. Officers respond to calls for emergencies, safety and service, and patrol the preserves on foot, bicycle, snowmobile, horseback, ATV, and vehicle. This department's function is to provide protection of facilities, natural resources, and citizen users; deter occurrences of crime, and provide a safe recreational environment for all citizens through pro-active enforcement and education efforts; provide security and traffic control for scheduled special events, when requested. The department is comprised of the following positions:

- Director of Public Safety / Chief of Police
- Sergeant
- Police Officer (5 Full Time)
- Year-round Seasonal Police Officers

1. **Training.** Police officers attend a state-certified police academy and Field Training Officer (FTO) program in conservation and Forest Preserve District ordinances, rules and regulations, as well as procedures. In-service training also keeps staff knowledgeable about legal updates, law-enforcement authority and human rights, and other State mandated training.
2. **Police Protection.** For all purposes of this Ordinance, the term "police protection" shall include, conducting routine , periodic motorized surveillance; making arrests on view of the offense, on reliable report of witnesses or upon warrants for violation of any State law and for violation of any of the penal ordinances of the District; warning apparent violators on District property of their apparent violations of any of the penal ordinances of the District and of laws of the State of Illinois and ordering them to cease the apparent violations; using lawful and reasonably necessary police methods to prevent, detect and make arrests for violations of any of the penal ordinances of the District.
3. **Territory.** The members of the police force shall have and exercise police powers over the territory owned, leased, or licensed by the District and property over which the District has easement rights for the preservation of the public peace, and the observance and enforcement of the ordinances and laws, such as are conferred upon and exercised by the police of organized cities and villages; but such police force when acting within the limits of any city or village, but outside the territory owned, leased, or licensed by the District and property over which the District has easement rights, shall act in aid of the regular police force of such city or village and shall then be subject to the direction of its chief of police, city or village marshals, or of other head thereof. (70 ILCS 805/8a) (Chapter 96 ½, par. 6316 – *Down State Forest Preserve Act*) (Source: P.A. 86-1480)
4. **Filing Complaints.** If ~~you wish~~a member of the public would like to make a complaint about the Forest Preserve District's police personnel, conduct or any aspect of our

law enforcement operations:

- Call or email the District Administration Office at 630-232-5980 (forestpreserve@kaneforest.com) and ask to speak to the Director of Public Safety/Chief of Police ~~Chief~~.
- Uniform Peace Officers' Disciplinary Act, (50 ILCS 725/3.8), requires that anyone who files a complaint against a sworn peace officer must have the complaint supported by a sworn affidavit (effective 1/1/04). If ~~you are~~a complainant is unable to secure a notary public on ~~your~~ their own, the department shall provide one. ~~Please~~ Complainants requiring the service of a notary public must call ahead to make an appointment.

CHAPTER VI - MEETINGS

Section A – Establishing Calendar and Organization Meeting.

The Commission shall approve~~ratify~~ its calendar at its December meeting for the following year to include Committee and Full Commission meetings and Holiday observation calendar. The Commission shall meet annually within forty-five days after the date that the Kane County Board holds its annual organization meeting for the purpose of adopting an organization ordinance, electing officers, making appointments and otherwise organizing the District for the following year. The following shall be the order of business:

1. Reading of roll call by Recording Secretary of the Forest Preserve Commission;
2. Reading and approving the minutes of the last meeting;
3. Approval of organization ordinance;
4. Approval, as applicable, of Officers, Committee Members, and Chairs;
5. Adjournment.

Section B: Election Year – Presidential Election Meeting.

The Commission shall meet bi-annually for the purpose of electing the office of President. The following shall be the order of business:

1. Reading of roll call by Recording Secretary of the Forest Preserve Commission;
2. Reading and approving the minutes of the last meeting;
3. Nomination of Acting Chair;
4. Nominations for duty of President;
5. Election of President;
6. Ordinance ratifying meeting dates and Annual Calendar, including Holiday Observation Calendar for the Commission and Staff;
7. Adjournment.

Section C - Appointments by President and Approval of Organizational Ordinance.

Within forty-five days after the election of the President, the Commission shall meet for the purpose of adopting or ratifying an organizational ordinance and, with the advice and consent of a simple majority of the members of the Commission, the President may make the following

appointments and describe the duties of the standing committees and special committees appointed at that time, all in a written report to be furnished to the Commission within said forty-five days:

1. President Pro-Tem;
2. Secretary;
3. Treasurer;
4. Chairperson of standing committee, if any;
5. Vice Chairperson of standing committee, if any;
6. Members of standing committees;
7. ~~Attorney(s)~~
8. ~~8.~~7. Approval of Organizational Ordinance.

Filling of Vacancies: All vacancies on committees and committee chair selection shall be made by the President from time to time and as ratified by the Commission.

Section D - Regular, Adjourned or Special Meetings.

1. Regular or Adjourned Meetings. The Commission shall meet on days it schedules each month. The meeting may be adjourned to a certain date or adjourned without mentioning a date.
    a. As a public body, the District is required to give public notice, at the beginning of each calendar or fiscal year, of the dates, times, and places of their regular meetings to be held during the year.
    b. An agenda for each regular meeting shall be posted at the Administration Offices of the District, 1996 S. Kirk Road, Suite 320, Geneva, IL 60134, which is also the location of the meeting, it will be posted at least 48 hours in advance of the hold of the meeting. It is also posted to ~~both~~ the website~~s~~ of the District www.kaneforest .com ~~as well as the Kane County Government website www.kanecountyil.iqm2.com/Citizens/Default.aspx~~. These agendas remain posted until the regular meeting is concluded.
2. Order of Business for Regular Meetings:
    a. Call to order by the President;
    b. Pledge of Allegiance;
    c. Roll call;
    d. Acknowledgement of remote attendance requests and approval thereof;
    e. Approval of minutes of the last meeting;
    f. Public Comment~~speaking~~; with a reasonable time limit of 3 minutes of each comment, allowing the public body to end a comment if it is repetitious or disruptive.
    g. New and Unfinished Business; Other petitions, resolutions and ordinances and other action items;
    h. Reports and Communications; To or by the President and the Commissioners;
    i. Adjournment.

3. Special Meetings.

   Special Meetings of the Commission shall be held only upon written request to the Secretary by at least one-third of the members of the Commission, or in the case of an emergency, by the President, specifying the time and place of such meeting and the matter or matters to be presented. Upon receipt of said request, the Secretary shall immediately prepare the agenda and transmit same ~~the request~~ in writing to each member of the Commission, post the agenda at the place of the meeting, and post the agenda on the website at least 48 hours in advance of said meeting. ~~The Secretary shall also cause proper notice of such meeting to be published in some newspaper printed within the County~~.

   a. Notice for any special meeting, rescheduled regular meeting, or reconvened meeting shall be given at least 48 hours before such meeting. However, public notice is not necessary for a meeting that is adjourned to be reconvened within 24 hours, or if the time and place of the reconvened meeting was announced at the original meeting and there is no change in the agenda.

   b. Order of business for Special Meetings:

      i. Call to order by the President;

      ii. Pledge of Allegiance;

      iii. Roll Call;

      iv. Acknowledgement of remote attendance;

      v. Reports of items listed for action or discussion in the as set forth on the Agenda~~request~~ for Special Meeting;

      vi. Adjournment.

Section E - Vote Requirements.

1. The "yeas" and "nays" shall be taken and entered in the meeting minutes recorded by the Recording Secretary upon the passage of all ordinances and all proposals to create any liability or for the expenditure or appropriation of money. The concurrence of a majority of all the members appointed to the Commission is necessary to the passage of any such ordinance of proposal. In all other cases, the "yeas" and "nays" shall be taken at the request of any member of the Commission and shall be entered into the minutes of the meetings as recorded.
2. An affirmative vote of at least two-thirds of all the members of the Commission is required to vacate any street, roadway or driveway contained within a forest preserve.
3. An affirmative vote of at least two-third of all the members of the Commission is required to transfer from one appropriation of any one fund to another use of the same fund, not affecting the total amount appropriated, may be made at any meeting of the Board by a two-thirds vote of all the members constituting the Board. (By a like vote, the Board may make appropriations in excess of those authorized by the appropriation ordinance, in order to amend the appropriation).
4. Except as above provided by law or where otherwise prescribed by ordinance, all

other action of the Commission shall require a majority of those Commissioners present provided that there is a quorum, as defined by Robert's Rules of Order.

Section F –Open Meetings – Notices and Publications.

It is public policy of this State and, thus, as part of the State, this District commits that its citizens shall be given advanced notice of and the right to attend all meetings at which any business of a public body is discussed or acted upon in any way. Notices of each meeting are to be posted consistent with the notice requirements of 5 ILCS 120/1 et seq.

Advance notice of public meetings is part of this public policy, as is the principle that exceptions to allow closed meetings are to be interpreted narrowly [5 ILCS 120/1].

Notices shall also include language subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or facilities, are asked to contact the District office prior to the meeting.

~~1. Individuals wishing to speak at a Public Informational Meeting, must submit a completed Request to Speak Form online no later than 24 hours before the scheduled meeting, or may submit the form in person to the Recording Secretary no later than 15 minutes prior to the start of the meeting.~~

CHAPTER VII - RULES OF ORDER

Section A - Duties of Presiding Officer.

The presiding officer shall preserve order and decorum and may speak to points of order in preference to other members and shall decide all questions of order, subject to appeal. In case of any disturbance or any disorderly conduct, the presiding officer shall have the power to clear the meeting room.

Section B - Adoption of Robert's Rules of Order Newly Revised.

Robert's Rules of Order Newly Revised or as later published and revised from time to time, shall govern the Full Commission meetings, and all other committee meetings.

CHAPTER VIII - COMMITTEES

Section A - Committee Organization.

The Commission has determined that the committee structure in conjunction with the duties of the Executive Director is an efficient and productive way for the Commissioners to carry out their legal responsibilities. The primary responsibilities of the committees are suggesting policy, reviewing, investigating and making recommendations to the Commission.

The committee structure may be established so that more thought and time may be given to Commission matters by delegating review and investigative functions to a portion of its members, rather than reviewing all matters. The committees, therefore, are not operating bodies, but reviewing and investigative bodies; committee actions are not instructions to the Commission, but rather suggestions and/or recommendations.

Section B – Committees.

There may be regular and standing committees. In addition to the standing committees, the President can appoint one or more special committees. Special committees shall abide by the rules designated for standing committees. The duties of the committees shall be those duties specified in writing at the time committees are created or as changed from time to time by the President.

Section C - Confidentiality.

1. Members shall keep confidential all discussion and debate and documents relating to Closed Session or the acquisition of properties until the acquisition is complete.
2. Closed Session minutes are made pursuant to Illinois Complied Statute 5ILCS 120/2.03 and released periodically upon a determination by the District as to whether they need for confidentiality still exists as to all or part of those minutes which have not been made fully public.

Section D - Committee of the Whole.

The President, at his/her discretion, may call a committee of the whole meeting, consisting of all the members of the Commission, by notifying all Commissioners of the date, time, location and subject of such meeting at least three days in advance. No action may be taken at such meeting.

Section E - Rules for Standing and Ad Hoc Committees.

1. Standing Committees shall meet regularly as required by the chairperson of the Committee. An annual list of meeting dates will be prepared by the Commission Secretary for all standing committees. Chairperson may adjourn regular committee meetings to any date.
2. The number of standing committees shall include: Executive, and may include Finance and Administration, Planning and Utilization, and Land Acquisition or such other committee the President establishes by ordinance. A current Committee Roster appears as Exhibit A.
3. Standing committees shall consist of a Chairperson and those committee members appointed by the President and confirmed by the Commission.
4. All Commissioners shall have equal voting privileges.
5. The committee term of each member shall commence upon his appointment of the organization meeting. The President may change committee membership and/or fill vacancies at any time with the consent of the Commission.
6. The committee Chairperson may:
    a. Schedule a regular time for the meetings with concurrence of the President and notification to the members, President, Officers, Executive Director/Assistant Secretary; Recording Secretary, and Assistant Treasurer.
    b. Preside at the meetings;

c. Present an oral or written report of committee business at the regular meetings of the Executive Committee.

d. Present, when necessary, the recommendation of the committee to the Commission for final action.

7. Commitments. No Commissioner, committee or officer shall in any way bind the Commission to do or not to do any certain thing unless expressly authorized to do so, and no such action shall be in any way recognized by the Commission unless expressly ratified or approved by the Commission.

8. Committee Quorum. At least a simple majority of the members must be present before there is a quorum and any official action may be taken by a committee. A majority vote of a quorum is required for action on any item of business.

9. Ex Officio Membership. The Forest Preserve District President shall be an ex officio member of all standing committees. The District President shall be in addition to the number of members otherwise provided in this division for each of the standing committees, and they shall not be considered in the determination of the quorum needed for the conduct of business of a committee; however, their presence at a meeting shall be considered in the determination of whether a quorum is present at the meeting. The District President shall be entitled to vote only in the case of a tie, unless their presence was required to constitute a quorum at a meeting, in which case they may vote on all questions to come before the meeting, and in all events, may make motions or second motions.

10. Chairperson. In the event of temporary absences or inability of a committee chairperson to chair a committee meeting, the President or President Pro-Tem shall chair the meeting. In the event of temporary absence or inability of both the President and the President Pro-Tem to chair a committee meeting, the committee shall elect a member to be the chairperson of that meeting.

CHAPTER IX - CONDUCT OF DISTRICT COMMISSIONERS, OFFICERS, AND EMPLOYEES

Section A - Interest in Contracts - Conduct of Commissioners.

The Commissioners, Officers, and all employees of the District are expected to act and conduct themselves in such a way that they do not violate any statute, rules or regulations of the District, the State of Illinois or of the federal government dealing with contracts, interest in contracts or property of the District.

Section B – Gifts and Rebates.

The Commissioners, Officers and all employees of the District are expected to act and conduct themselves in such a way that they do not violate any statute, rules or regulations of the District, the State of Illinois or of the federal government dealing with contracts, interest in contracts or property of the District. See Ethics Ordinance May 8, 2004 and Article 10 Employee Handbook Rev. January 13, 2026~~February 11, 2020~~.

CHAPTER X - OPEN MEETINGS ACT

The District shall follow the "Open Meetings Act" of the State of Illinois, as well as maintain a record of its ordinances and other proceedings as provided by the Illinois Revised Statutes, as amended from time to time. 5 ILCS 120/1 et seq. The District further adopts the policy allowing for remote attendance at open or closed sessions of meetings in the following manner:

REMOTE ATTENDANCE AT MEETINGS:

In accordance with the provisions of the Open Meetings Act, 5 ILCS 120/7(a)-(c), and subject to the additional limitations prescribed herein, a District Commissioner (herein also referred to as a "member") may attend any open or closed meeting of the District or any of its committees remotely by "other means", which is defined under OMA to mean "by video or audio conference," if the member is prevented from physically attending because of (i) personal illness or disability; (ii) employment purposes or the business of the public body; (iii) a family or other emergency, or (iv) unexpected childcare obligations, so long as the following conditions are met:

(1) A quorum of the members is physically present for the meeting.

(2) Any member who desires to attend a meeting remotely by other means must notify the recording secretary or the assistant secretary as soon as reasonably practical prior to the start of the meeting by email to the assistant secretary, recording secretary at HaberthurBen@kaneforest.com; Figliozzi, Gabriella FigliozziGabriella@kaneforest.com or through any other designated staff member assigned by the Secretary or President of the District to receive notice for these purposes or, if email is not available, by leaving a voicemail message by phone to 630-232-5980. Notification shall consist of a statement that the member is physically unable to attend the meeting for one of the following four reasons:

(a) The member cannot attend because of personal illness or disability; or

(b) The member cannot attend because of employment purposes or the business of the District; or

(c) The member cannot attend because of a family or other emergency.

(d) The member cannot attend because of unexpected childcare obligations.

Video conferencing is the preferred means for remote attendance and will be mandatory in most instances. If a member is unable to attend by video conference due to technical or other reasons, such as privacy concerns, the member shall notify the assistant secretary or recording secretary. The President of the District as to full commission meetings, or the chairman of the committee or designated presiding officer for such other committee meeting may excuse the mandatory use of video in such instances and permit the member to attend by audio only.

(3) The assistant secretary or recording secretary, after receiving the remote attendance request, shall inform the President or the chairman of the committee or the designated presiding officer of the meeting regarding the request to attend remotely by other means.

(4) After establishing that a quorum is physically present at a meeting where a member desires to attend remotely by other means, the presiding officer shall state that the member is present by

video or audio conference, as applicable, and has notified the assistant secretary or recording secretary in accordance with the Rules. The member will be deemed authorized to attend the meeting by video or audio conference unless a motion objecting to the member's attendance is made, seconded, and approved by two-thirds of the members of the District or committee that are physically present at the meeting.

(5) Any member attending remotely by other means shall be counted as present, and the minutes shall reflect that a member is attending remotely by audio or video conference, as applicable.

(6) The equipment and internet or phone connection used for remote participation shall be of such quality that the members present and the public shall be able to (i) see the member's face at all times, unless excused by the chairman or designated presiding officer, and (ii) hear the comments of the member participating.

(7) The equipment and the internet or phone connection used for remote participation shall be the responsibility of the member attending remotely.

(8) The member attending the meeting remotely by other means shall have their microphone off or muted during the meeting, unless they are called to vote or are otherwise recognized by the District President, committee chairman or presiding officer to be an active speaker.

(9) The District staff managing the conference shall be permitted to mute a member's microphone when the member is not speaking or voting in order to eliminate disruptive background noise.

(10) The member who makes a presentation at a meeting while in attendance via video conferencing may have to share their screen. It is the member's responsibility to protect their privacy and the information that they may not want to share with the public.

(11) The member attending remotely shall have the same rights to participate in discussions and vote as if the member were physically present.

(12) At an executive session or closed session of the District or one of its committees, the member attending remotely by other means must comply with the privacy and confidentiality requirements of the meeting and confirm such compliance on the record.

(13) Nothing herein shall be construed to prohibit the board from conducting a meeting by audio or video conference, without a physical presence of a quorum, in the event of a disaster declaration related to public health concerns, in accordance with the provisions of the Open Meetings Act, 5 ILCS 120/7(e).

CHAPTER XI – AMERICANS WITH DISABILITIES ACT

The Board of Commissioners of the Forest Preserve District of Kane County, is committed to complying with all applicable provisions of the ADA for the purpose of eliminating discrimination against individuals with disabilities and to allow them to fully participate in society. The District supports the ADA that prohibits exclusion of qualified individuals with a disability from employment, services, programs, or activities of any state or local government, including forest preserve districts. The District wishes to have its services, programs, and activities available to employees, applicants,

participants, beneficiaries, and other interested persons as defined by the ADA.

Section A - Compliance.

The District intends to comply with the ADA in the delivery of its services, programs and activities, by making reasonable accommodations for individuals with disabilities, such as the removal of architectural, transportation, and communication barriers; the changing of rules, policies, and practices; and the providing of auxiliary aids or services for the enhancement of communication with individuals with hearing or sign impairments with regard to services, programs, and activities provided by the District.

Section B - Contracts.

All contracts entered into by the District which shall result in the delivery of services, programs, and activities shall include a requirement that such services, programs and activities be delivered without discrimination on the basis of disability, in a manner consistent with the ADA.

Section C - Accessibility Evaluation.

The District shall evaluate its current services, policies and practices and the effects thereof, that do not or may not meet the requirements of the ADA or which may result in the exclusion of individuals with disabilities or in the provision of a less effective service for individuals with disabilities.

Section D - Compliance Officer.

The Board of Commissioners designates the Director of Planning and Land Protection, as the ADA Compliance Officer, responsible for the coordination of the District's efforts to comply with and carry out its responsibilities under the ADA and to investigate any complaint against the District which alleges non-compliance with the ADA.

Section E - Grievance Procedure.

A grievance procedure for the prompt and equitable resolution of complaints which allege any action prohibited by the ADA is in place and utilized by staff. The District has an internal grievance system for prompt and equitable resolution of grievances alleging any action by the Forest Preserve District that would be prohibited by the A.D.A. or the applicable Title II Rules.

Grievances should be directed to: The ADA Compliance Officer, Forest Preserve District of Kane County. By mail, phone, email, or fax.

CHAPTER XII - FISCAL YEAR

The fiscal year of the District shall commence on July 1 and extend through the following June 30. The Commission shall adopt, by September 30, an annual appropriation ordinance appropriating funds for the fiscal year which commenced on the previous July 1. The Commission shall adopt, after the first Monday in October and by the last Tuesday in December, a tax levy for the fiscal year which commences on the following July 1.

CHAPTER XIII - MISCELLANEOUS

Section A - Conflict.

All District ordinances and parts of ordinances and all resolutions and orders, or any parts thereof, in conflict with this ordinance, or any parts thereof, are hereby repealed. In the event of any conflict between this ordinance and the statutes or case decision of the State of Illinois, then the statutes and case decisions of the State of Illinois shall control.

Section B - Amendment.

By adoption of this organization ordinance, the Board of Forest Preserve Commissioners recognizes that the organizational guidelines and rules herein provided may require revision and adjustment as experience will dictate. Revisions of this ordinance shall be made by recommending changes to the ~~Executive Committee~~Finance and Administration Committee, which shall review the proposed change and make recommendations Executive Committee which shall review the proposed change and make recommendations to to the Commission. The proposed change shall be placed on the Commission agenda brought to the floor for debate and action.

A two-thirds vote of all elected Commissioners is required to amend this ordinance.

Section C - Ordinances, Orders and Resolutions - Publication - Evidence.

All ordinances imposing any fine or penalty or making any appropriation of money shall, within ten (10) days after passage, be published at least once, on the District's website, and no such ordinance shall take effect until ten (10) days after it is so published.

All other ordinances and all orders or resolutions shall take effect from and after their adoption, unless otherwise provided therein.

All ordinances, orders and resolutions, and the date of publication thereof may be proven by the certificate of the Secretary of such District, under the seal of the corporation and when posted on the District's website, or printed in book or pamphlet form and published by authority of such commission. Such book or pamphlet shall be received as evidence of the passage and publication of such ordinances, orders and resolutions as of the date mentioned in such book or pamphlet in all courts and places without further proof.

Section D - Copies.

The Secretary of the District is authorized and directed to transmit a copy of this ordinance to the President, President Pro-Tem, Secretary, Treasurer, Commissioners, and Attorney of the District. ~~As well as~~A copy of this ordinance shall also be posted to the website and made available in print at all site locations.

Section E - Captions and Headings.

The captions and headings used herein are for convenience of reference only and do not define or limit the contents of each paragraph.

Section F – Organization Officers and Committees Roster – 2025~~3~~ Adopted ~~January 11, 2023~~February 11, 2025. (FP-R-25-00-0000) and incorporated by this reference.
~~(FP-R-23-01-3000) and incorporated by this reference.~~

Section G – General Use Ordinance.

Adopted August 8, 1995 (FP-O-08-95-213) revised and reviewed periodically. Last revision made and approved July 11, 2023 (FP-O-23-07-0593) and incorporated by this reference.

Section H – Travel Expense Reimbursement Policy.

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Adopted December 2016 (FP-R-16-12-2509) and incorporated by this reference.

Section I – Establishment of Police Department.
Ordinance Adopted December 8, 1966 (FP-O-66-12-17). Revised July 10, 1979 (FP-O-79-07-037) and incorporated by this reference.

Section J – Municipal Directory.
Reference guide to personnel contacts and locations. Available online and at each facility and incorporated by this reference.

Section K – Ethics Ordinance.
Ordinance Adopted May 8, 2004, FP-O-05-04-393-A.

Section L – Employee Handbook.
Adopted February 13, 2024 FP-R-24-02-3074.

STATE OF ILLINOIS)
SS.
COUNTY OF KANE)

REPORT NO. TMP-26-093

RELEASE OF CLOSED SESSION MINUTES

AGENDA MEMORANDUM

DATE: January 20, 2026

TO: Forest Preserve District Finance & Administration Committee

FROM: Benjamin Haberthur, Executive Director

SUBJECT: Presentation and Approval of Closed Session Minutes from January 2020 through December 2025

PURPOSE:

The purpose of this memorandum is to provide the Committee with information to consider the release of Closed Session minutes and to request permission to destroy audio recordings of which are older than 18 months and completely released.

BACKGROUND:

The Finance and Administration Committee of the Forest Preserve District of Kane County, Kane County, Illinois has reviewed the minutes of the Closed Sessions pursuant to Illinois Complied Statute 5ILCS 120/2.03 and has made a determination as to whether the need for confidentiality still exists as to all or part of those minutes which have not been made fully public.

The Committee has determined that the need for confidentiality still exists as to the Closed Session minutes of: 04/25/2023, 05/23/23, and 06/24/2025.

The Committee has determined that there is no longer a need for partial or full confidentiality as to the Closed Session minutes of: 01/28/2020, 02/25/2020, 02/23/2021, 05/25/2021, 06/22/2021, 07/27/2021, 09/28/2021, 01/25/2022, 05/24/2022, 9/27/2022, 10/25/2022, 11/15/2022, 01/24/2023, 02/21/2023, 03/26/2024, 02/27/2024, 06/25/2024, 07/23/2024, 08/27/2024, 09/24/2024, and 10/22/2024.

RECOMMENDATION:

The Committee recommends the approval of the Closed Session minutes as presented.

ATTACHMENTS:

None.