



FOREST PRESERVE DISTRICT OF KANE COUNTY

EXECUTIVE COMMITTEE MINUTES

I. Call to Order

The Forest Preserve District Executive Committee meeting was held Thursday, August 5, 2021 at 8:30 AM at the Administration Offices located at 1996 S. Kirk Road, Suite 320, Geneva, IL 60134. The meeting was opened by President Chris Kious at 8:30 AM.

Members Present:

<u>Attendee Name:</u>	<u>Status:</u>
President Chris Kious	Present
Commissioner Barbara Wojnicki	Present
Commissioner Jarett Sanchez	Present
Commissioner Dale Berman	Present
Commissioner Mavis Bates	Present
Commissioner Michael Kenyon	Present
Commissioner Drew Frasz	Present
Commissioner John Martin	Present
Commissioner Myrna Molina	Remote*

Others Present:

Commissioners: Allan*, Davoust*, Gumz*; Exec. Dir. Meyers; CFO Stanish & staff Petschke*; Dir. of Ops. Goreth; Dir. of NRM Haberthur & staff Rodeghero; Dir. of Comm. Affairs Metanchuk & staff Kovach; HR Dir. Yee; Attorney Hodge; Recording Secretary Figliozzi and KCIT Peters.

II. Approval of Minutes from July 8, 2021

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Barbara Wojnicki, Commissioner
SECONDER:	John Martin, Commissioner
AYES:	Barbara Wojnicki, Jarett Sanchez, Dale Berman, Mavis Bates, Michael Kenyon, Drew Frasz, John Martin
REMOTE:	Myrna Molina

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

None.

IV. Presentation and Approval of Bills and Commissioners' Per Diem from July 2021

RESULT: **MOVED FORWARD BY ROLLCALL VOTE [UNANIMOUS] Next: 8/10/2021 9:00 AM**
TO: Forest Preserve District Commission
MOVER: Michael Kenyon, Commissioner
SECONDER: Dale Berman, Commissioner
AYES: Barbara Wojnicki, Jarett Sanchez, Dale Berman, Mavis Bates, Michael Kenyon, Drew Frasz,
 John Martin
REMOTE: Myrna Molina

V. Finance and Administration

A. Presentation and Approval of the Bid for Grow-In of the Settler's Hill Golf Course Improvements Project

Last fall, Wadsworth Golf Construction Company (Wadsworth Golf), started construction of the Settler's Golf Course Improvements Project. The project is on schedule and moving forward to the next stage of grow-in. The Forest Preserve District sent out a request for bids to complete the grow-in services related to Settler's Hill Golf Course. The grow-in includes mowing of greens, tees, fairways and rough; fertilization, bunker maintenance, irrigation, rolling greens, disease control, aeration, turf repair, erosion-control measures, topdressing, and selective tree clearing. Three bidders responded with the qualified, lowest bidder being GolfVisions. The contract with GolfVisions shall run until July 1, 2022, or until a management company has been selected to run the Settler's Hill Golf Course.

Funds totaling \$4,700,000 were budgeted in fiscal years 2017/18 and 2018/19 for the Settler's Hill Golf Course Improvement Project. On March 10, 2020, the Commission approved the transfer of funds from FY 2019/20 project "Capital Projects as Determined by the Commission" in the amount of \$2,106,000 to the Settler's Hill Golf Course Improvement Project. Major funding of this project is being provided by Kane County's Settler's Hill Landfill Fund.

In addition, the District is elated to have secured a grant from the Wadsworth Golf Charities Foundation for \$250,000. The funding breakout of the Wadsworth Golf Charities Foundation grant is as follows: practice range: \$75,000; youth-practice area: \$125,000; and golf course improvements: \$50,000. Wadsworth Golf has completed nearly 80% of the job, and is within budget. To fund the grow-in portion of the project, District staff is requesting Wadsworth's contingency funds be reduced by \$100,000 and reallocated for the grow-in. With the fund reallocation, funds totaling \$439,000 are available for the grow-in portion of the Settler's Hill Golf Course Improvement Project. Sufficient funds for the base amount of \$339,500 and the additional services amount of \$100,000 for a total \$439,500 are available.

DISCUSSION: *Commissioner Bates asked about the weed control. Exec. Dir. Meyers noted that the essential part of the contract is the watering and the fertilization. CFO Stanish answered questions from the Committee regarding GolfVisions as the awarded lowest bidder.*

RESULT: **MOVED FORWARD BY ROLLCALL VOTE [UNANIMOUS] Next: 8/10/2021 9:00 AM**
TO: Forest Preserve District Commission
MOVER: John Martin, Commissioner
SECONDER: Dale Berman, Commissioner
AYES: Barbara Wojnicki, Jarett Sanchez, Dale Berman, Mavis Bates, Michael Kenyon, Drew Frasz,
 John Martin
REMOTE: Myrna Molina

B. Presentation and Approval of New Policies and a Comprehensive Board of Commissioner's Policy Manual as Amended

The Forest Preserve District of Kane County has been compiling materials to apply for Distinguished Park and Recreation Accreditation through the Illinois Park & Recreation Association (IPRA) and the

Illinois Association of Park Districts (IAPD). The process requires the District maintain a *Board of Commissioners' Policies Manual* containing all of the District's policies, and to be reviewed every five years. While many of the policies have been approved within the five-year review period, others have been edited or are newly drafted policies that need to be established and approved.

DISCUSSION: *Commissioner Allan commented that the manual has been a large endeavor, thanked the staff for all their work and time.*

RESULT:	MOVED FORWARD BY ROLLCALL VOTE [UNANIMOUS]	Next: 8/10/2021 9:00 AM
TO:	Forest Preserve District Commission	
MOVER:	Mavis Bates, Commissioner	
SECONDER:	Drew Frasz, Commissioner	
AYES:	Barbara Wojnicki, Jarett Sanchez, Dale Berman, Mavis Bates, Michael Kenyon, Drew Frasz, John Martin	
REMOTE:	Myrna Molina	

VI. Land Acquisition

A. Presentation and Approval of an Intergovernmental Easement Agreement with the Elburn and Countryside Fire Protection District

In May of 2021, ECFPD finished the construction of their new Fire Station #3, located in the Village of Lily Lake. As part of the construction, Forest Preserve District of Kane County staff and ECFPD constructed a short asphalt connection from Fire Station #3 to the Great Western Trail. As part of this connection, ECFPD constructed a drinking water and bicycle-repair station for bicyclists and other trail users. A small, concrete refuse container area was also constructed. As part of this intergovernmental cooperative effort, ECFPD has requested an easement. ECFPD has agreed, as part of this easement, that they will maintain the property from Wooley Road to the west and north of the Great Western Trail. The easement and ongoing maintenance would include the new trail connection to Fire Station #3 and the refuse container storage area.

DISCUSSION: *Commissioner Frasz expressed his support for the agreement and noted that this will be a positive benefit for the trail users.*

RESULT:	MOVED FORWARD BY ROLLCALL VOTE [UNANIMOUS]	Next: 8/10/2021 9:00 AM
TO:	Forest Preserve District Commission	
MOVER:	Drew Frasz, Commissioner	
SECONDER:	Jarett Sanchez, Commissioner	
AYES:	Barbara Wojnicki, Jarett Sanchez, Dale Berman, Mavis Bates, Michael Kenyon, Drew Frasz, John Martin	
REMOTE:	Myrna Molina	

VII. Planning & Utilization

A. Presentation and Approval of Bids for Control of Common Reed at Various Preserves

The non-native, invasive plant Common Reed (*Phragmites australis*) is a tall (up to 15') perennial grass that infests many District wetlands. It produces some viable seed on the highly visible plumes it produces in late summer, but primarily propagates through lateral shoots called rhizomes. This vigorously growing plant quickly forms monotypic stands of itself, at the exclusion of native fauna. Its dense growth habit minimizes its utility to native wetland fauna; ducks cannot swim through mature stands, and its stalks are too weak to support the nests of native wetland songbirds.

Contractors were sought to bid on summer/fall 2021 control projects of multiple, separate infestations of Common Reed, across four different preserves. The bid was sent to 31 vendors and publicly advertised, with two responding. The low response rate is attributed to the need for

specialized amphibious equipment (i.e. Marshmaster) to make work at this scale cost-effective.
DISCUSSION: Commissioner Bates asked questions regarding the identification of the native plants versus the invasive. NRM Dir. Haberthur answered questions from the Committee.

RESULT:	MOVED FORWARD BY ROLLCALL VOTE [UNANIMOUS]	Next: 8/10/2021 9:00 AM
TO:	Forest Preserve District Commission	
MOVER:	Barbara Wojnicki, Commissioner	
SECONDER:	Dale Berman, Commissioner	
AYES:	Barbara Wojnicki, Jarett Sanchez, Dale Berman, Mavis Bates, Michael Kenyon, Drew Frasz, John Martin	
REMOTE:	Myrna Molina	

VIII. New or Unfinished Business

Exec. Dir. Meyers presented an item to discuss and requested consensus to bring forth a resolution at the Full Commission Meeting. (Commissioner Sanchez departs @ 9:30 a.m.)

A. Discussion of Settler's Hill Golf Course Temporary Club House and Management RFP

Commissioner Davoust opened discussion regarding the Settler's Hill Golf Course renovation project. He explained that during the Commissioner's Retreat a few years ago, the course renovation project included returning 9's, that after \$6M in project costs, the District should be prepared to reopen the course the way it was designed and approved. The design included moving the clubhouse and accommodating parking spaces. He noted that Kane County will be issuing a payment of \$300,000 for the remaining funds following the construction of the Cross Country Course. These funds can be allocated to the construction. Davoust stated that the completed design with the clubhouse and parking will be better suited when sending out request for proposals (RFP). A concern noted was that returning 9's are vital to the food and beverage portion of the game. Individuals and groups typically take breaks after 9 holes, return to the clubhouse, use the facilities and purchase food/beverages.

Exec. Dir. Meyers stated that this design plan was approved a number of years ago. The current design does not meet the typical 18 hole course layout to include a returning 9. The District has the 18 holes however, the current layout with the existing club house allows for play of 1-13 holes, with the 13th closest to the clubhouse. Typically golfers purchase a full 18 hole round, as there is no 9th-hole back to the clubhouse. Meyers noted that the idea was to renovate the course first, then address the clubhouse after. Adding a trailer could be a temporary fix, there would be additional expenses such as rent and utilities (water and electricity).

Commissioner Davoust noted that Hughes Creek Golf Course have increased revenues significantly in the food and beverage. The clubhouse at Settler's Hill should have the same outcome, this is a critical component. Commissioner Wojnicki spoke in favor of the relocation of the clubhouse. She felt it was necessary to provide returning 9's at this location. Wojnicki asked the question if the District could utilize Geneva water, Meyers indicated that the District would bare costs and this would be a discussion with Geneva.

Commissioner Martin asked about another type of shelter, noting the management company could use a tent that could be utilized for a couple of years to gain cash flow. Meyers suggested to entertain a permanent shelter that could be used for events and/or golf carts. Martin discussed the possibility of a second access road, the obligations and need for improvements. He stressed the need for this action, he felt that the food and beverage source of revenues is a major component in golf with returning 9's. He also felt a driving range would be a revenue generator, noting it would be the only one is the area.

Commissioner Bates expressed her concern of spending more funds on a golf course renovation project that has already cost \$6M. She asked what the additional \$300,000 would be utilized for. Exec. Dir. Meyers responded that it would be needed for public access, parking and preparation for the trailer placement.

President Kiouss requested consensus from the Committee to present a resolution for the Settler's Hill Golf Course Temporary Club House at Full Commission. There was consensus among the Committee.

Exec. Dir Meyers presented the terms of the Request for Proposal (RFP), including the previous agreement with two separate management companies. The new request will offer one management company to run both courses. Meyers felt this would relieve expenses, noting that the Manager could float back and forth between both golf courses.

Meyers requested approval from the Committee to add language in the RFP to include known assets needing replacement rather than simple repairs when it is seen fit. She indicated that Hughes Creek needs attention in various areas such as the cart paths, irrigation system, sand traps, and stormwater management. There was consensus from the Committee to add the language stated above.

Commissioner Bates addressed the fact that the number of golfers in general as a sport are reducing, she felt that investing and planning for the future, golf is not the right investment. Exec. Dir. Meyers noted that was the reason behind the closure of Deer Valley Golf Course. The maintenance exceed the revenues. Meyers stated since Covid-19 there has been a new interest in golf. Adding a youth and education center in the golf course will attract new golfers. The only other option for this property would be to restore it as a natural area.

Commissioner Ford felt the District is on the right track, including a youth education center and a driving range can include all family members in the community. Allowing a wider range of participation that includes outside visitors.

Commissioner Martin promoted the ribbon cutting ceremony followed by the first race at the Northwestern Medicine Cross Country Course on August 28th, 2021 at approximately 7:30 AM. (Sanchez departs at 9:30 a.m.)

There was a change in the agenda order as follows: Item B was presented after item IX. Closed Session.

IX. Closed Session to Discuss Land Acquisition, Contracts, Litigation and Personnel

The Committee moved into Executive Closed Session at 9:32 a.m. to discuss Contracts.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Drew Frasz, Commissioner
SECONDER:	Dale Berman, Commissioner
AYES:	Barbara Wojnicki, Dale Berman, Mavis Bates, Michael Kenyon, Drew Frasz, John Martin
REMOTE:	Myrna Molina
ABSENT:	Jarett Sanchez

The Committee returned to Open Session at 10:03 a.m. on a motion by Frasz, second by Berman, Roll Call Vote was taken, unanimous vote.

B. Presentation and Approval of the Partial Release of License Fees Due to Force Majeure

Due to the pandemic, the entire 2020 minor league baseball season was cancelled. Thus, the Kane County Cougars did not make any payments per the "force majeure clause" contained within the contract. This clause states that during times of an epidemic, "the performance of the contract would be suspended or excused to the extent commensurate with such interfering occurrence. The

expected revenues remain on the District's accounting system. In order to remove the 2020 season (calendar year) outstanding receivables, it is being recommended that the Commission approve the removal of these receivables for the entire 2020 calendar year. This amount totals \$500,000.

The Fox Valley Ice Arena also was impacted due to the pandemic. Throughout calendar year 2020, the ice arena was either closed or subjected to occupancy limits that were less than 100%. Their contract also includes a force majeure clause. Centrum East-West Arenas Venture, LLC was able to make some payments, and it is being recommended that the Commission deem the payments made in calendar year 2020 as being sufficient to meet the terms of the agreement. The amount that is being removed from the receivables total \$215,442.50. The removal of the receivables will impact the revenues for the current fiscal year, 2020-2021. The baseball revenues will be adjusted in the Enterprise Fund, and the ice arena receivables will be adjusted in the General Fund.

DISCUSSION: None.

RESULT:	MOVED FORWARD BY ROLLCALL VOTE [UNANIMOUS] Next: 8/10/2021 9:00 AM
TO:	Forest Preserve District Commission
MOVER:	Drew Frasz, Commissioner
SECONDER:	Dale Berman, Commissioner
AYES:	Barbara Wojnicki, Dale Berman, Mavis Bates, Michael Kenyon, Drew Frasz, John Martin
REMOTE:	Myrna Molina
ABSENT:	Jarett Sanchez

X. Communications

The District has reached 23,000 acres with the recent acquisition of the Reedy property.

XI. President's Comments

President Kiouss thanked the District's staff for all their hard.

XII. Financial Reports

Items A-C under Financial Reports were moved together.

A. Revenue & Expense Report through May 2021

B. Cash & Investment Report: May 2021

C. Bond Investment Report: May 2021

RESULT:	PLACE WRITTEN REPORTS ON FILE [UNANIMOUS]
MOVER:	Barbara Wojnicki, Commissioner
SECONDER:	Dale Berman, Commissioner
AYES:	Barbara Wojnicki, Dale Berman, Mavis Bates, Michael Kenyon, Drew Frasz, John Martin
REMOTE:	Myrna Molina
ABSENT:	Jarett Sanchez

XIII. Adjournment

The meeting adjourned at 10:07 a.m.

RESULT:	ADJOURNED BY VOICE VOTE [UNANIMOUS]
MOVER:	Michael Kenyon, Commissioner
SECONDER:	Dale Berman, Commissioner
AYES:	Myrna Molina, Barbara Wojnicki, Dale Berman, Chris Kious, Mavis Bates, Michael Kenyon, Drew Frasz, John Martin
REMOTE:	Myrna Molina
ABSENT:	Jarett Sanchez

President Chris Kious, Chairman
Forest Preserve District Executive Committee
Forest Preserve District of Kane County

Respectfully Submitted,

Gabriella Figliozzi

Gabriella Figliozzi
Recording Secretary



FOREST PRESERVE DISTRICT OF KANE COUNTY
EXECUTIVE COMMITTEE CLOSED SESSION MINUTES
AUGUST 5, 2021

The Forest Preserve District Executive Committee meeting was held Thursday August 5, 2021 at 8:30 AM via web conference and at the Kane County Government Center, 719 S. Batavia Ave., Bldg. A, Geneva, IL 60134. The Closed Session portion of the meeting was opened by President Chris Kious via remote at 8:45 AM.

Remote= *

Attendance: President Kious, Bates, Berman, Kenyon, Frasz, Martin, Molina*, Wojnicki

Absent: Sanchez.

Also Present: Commissioners Allan*, Davoust*, Gumz* Exec. Dir. Meyers; Attorney Hodge; CFO Stanish; Dir. of Community Affairs Metanchuk; Chief of Planning Anderson Jr.;* Dir. NRM Haberthur, Dir. of Ops Goreth; Recording Secretary Figliozzi and KCIT Peters.

RESULT:	ENTER INTO CLOSED SESSION TO DISCUSS CONTRACTS AT 9:32 AM. ROLL CALL VOTE [UNANIMOUS]
MOVER:	Frasz, Commissioner
SECONDER:	Berman, Commissioner
AYES:	Mavis Bates, Dale Berman, Drew Frasz, Michael Kenyon, Myrna Molina, Barb Wojnicki, John Martin
ABSENT:	Jarett Sanchez

DISCUSSION:

Exec. Dir. Meyers stated the reason for the Closed Session was to allow an opportunity for the Commissioners to discuss the terms of the Cougars contract.

Cougars

Exec. Dir. Meyers provided an update on a meeting that was held with Dr. Froehlich, she wanted to inform him of a letter that was being sent regarding the request of the waiver of license fees. Dr. Froehlich then provided a response. He provided the financial changes that have occurred, the affiliation loss caused incurred expenses, and a decrease in revenue. They have less games scheduled causing a cut in ticket sales, sponsorship's and concessions.

Exec. Dir. Meyers indicated that the Cougars lost the 2020 game season, for 2021 they were at 25% operations until June 11. This effected the whole season. They are considering the 2021 season as a loss as well. Current they are projecting a loss of \$1.5M for 2021. Meyers provided the details of federal assistance, the Cougars received. In the first round of PPP they received just under \$600,000 with \$157,000 that has to be paid back. In round two they received \$600,000 that none has to be paid back. They received other funds such as \$25,000 from Kane County, \$300,000 Economic Entry Disaster, and \$150,000 from the Business Interruption Program. The Cougars have requested a three year waiver of license fees with a three year extension to their contract agreement.

Commissioner Martin stated for consensus, he would be in favor to relieve the 2020 obligations, suspicious of the 2021. He questioned any other funding received should be directed to rent.

Attorney Hodge explained the concerns of ongoing debt with the Cougars, essentially stating that at some point it becomes the obligation of the guarantor. Commissioner Martin noted that he did not want to relinquish any rights that the District has to any obligation from Dr. Froehlich. Hodge responded that the 15 page letter written by Dr. Froehlich included many arguments of defense. He noted that the agreement has the force majeure, and a formula of reasons as to why he could not play baseball.

Commissioner Allan asked if the suggestion of writing off 2020 and waiting to see what happens in 2021 would affect the bond rating if we forgive the first year. CFO Stanish responded that the auditors were in agreement with this action. It is justified to write off the portion and comfortable with including the 2021 revenues. Stanish noted that the Enterprise fund has approximately \$2.8M to cover bond payments, however if we continue with the entire length of the bonds, 2027, we will be short \$1.5M.

There was consensus from the Committee to relieve the 2020 license fee payments from the Cougars.

Exec. Dir. Meyers reported on a meeting that Dr. Froehlich had with Stephanie Dawkins from the city of the Geneva, and Mayor Burns of Geneva. She indicated that all the information that was presented in the letter and discussion with the District was shared with them. Due to this, Geneva representatives will hold off any ownership until our issues are resolved. Commissioner Davoust encourage staff to have a conversation with the Mayor and the City of Geneva, to explain the situation.

Fox Valley Ice Arena

CFO Stanish presented the partial payment made from the Fox Valley Ice Arena, they were not able to pay in full for 2020, however they made all payments in 2021. The 2020 payments that were not received were recommended to take off the books to be consistent for the 2020 year for the auditors.

There was consensus from the Committee to move forward with the 2020 write off.

RESULT:	RETURN TO OPEN SESSION AT 10:03 AM. ROLL CALL VOTE [UNANIMOUS]
MOVER:	Michael Kenyon, Commissioner
SECONDER:	John Martin, Commissioner
AYES:	Mavis Bates, Dale Berman, Drew Frasz, Michael Kenyon, Myrna Molina, Barb Wojnicki, John Martin
ABSENT:	Jarett Sanchez

Respectfully Submitted,

Gabriella Figliozzi

Gabriella Figliozzi
Recording Secretary