



Government Center
719 S. Batavia Ave., Bldg. A
Geneva, IL 60134

Forest Preserve District Commission Meeting Minutes

Tuesday, April 11, 2023

9:00 AM

County Board Room

I. Call to Order

President Kious called the meeting to order at 9:00 AM.

II. Pledge of Allegiance

President Kious asked Chief of Police and Dir. of Public Safety Burger to lead the pledge.

III. Roll Call

PRESENT

Commissioner Deborah Allan
Commissioner Mavis Bates
Commissioner Dale Berman
Commissioner Gary Daugherty (Remote)
Commissioner Mark Davoust (Remote)
Commissioner Ron Ford (in person @ 9:03 AM)
Commissioner Michelle Gumz
Commissioner Mo Iqbal
Commissioner Leslie Juby
Commissioner Michael Kenyon
President Forest Preserve District Chris Kious
Commissioner Bill Lenert (Remote)
Commissioner Anita Lewis
Commissioner Michael Linder
Secretary Forest Preserve District Myrna Molina (Remote)
Commissioner Bill Roth
Commissioner Jarett Sanchez (Remote)
Commissioner Monica Silva (Remote)
Commissioner Cheryl Strathmann
Commissioner Clifford Surges
Commissioner Bill Tarver
Commissioner Vern Tepe
Commissioner Rick Williams
Commissioner David Young

Others Present: Exec. Dir. Haberthur, CFO Petschke; Chief of Planning & Land Mgmt. Rooks-Lopez; NRM Dir. Chess; Dir. of Comm. Affairs Metanchuk & staff Kovach, Dir. of Ops. Pentecost; Chief of Police Burger; Attorney Hodge, Exec. Assist. Figliozzi, KCIT Tierney and members of the public.

IV. Public Comment (Each Speaker is limited to 3 minutes)

None. (Commissioner Ford arrived in person @ 9:03 AM)

V. Presentation and Approval of the Minutes from March 2, 2023 and March 14, 2023

RESULT: APPROVED BY ROLL CALL VOTE

MOVER: Dale Berman

SECONDER: Bill Roth

AYE: Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams and David Young

VI. Presentation and Approval of the Bills and Commissioners' Per Diem for March 2023

RESULT: APPROVED BY ROLL CALL VOTE

MOVER: Michael Kenyon

SECONDER: Deborah Allan

AYE: Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams and David Young

VII. Administration

FP-R-23-04-3010 Resolution Approving the Commissioners' Expenses Attending the 2023 IPRA/IAPD Annual Conference in Chicago

Exec. Dir. Haberthur presented the resolution to approve the Commissioners expenses for the Illinois Park and Recreation Association (IPRA) and the Illinois Association of Park Districts (IAPD) annual conference.

DISCUSSION: *Commissioner Allan expressed her appreciation for the Commissioners and staff that attended the conference.*

RESULT: ADOPTED BY ROLL CALL VOTE

MOVER: Cheryl Strathmann

SECONDER: Bill Lenert

AYE: Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams and David Young

VIII. Agreements

FP-R-23-04-3011 Resolution Approving a Stewardship Services Agreement with the Wayne Area Conservancy Foundation

NRM Dir. Chess provided a brief background of the stewardship services with the Wayne Area Conservancy Foundation. Dir. Chess explained the differences between the District's volunteer program and the agreement with the Foundation. The Wayne Area Conservancy Foundation provide their own insurance coverage as they are a 501(c)(3), separating them from the volunteer program. Between 2012 and early 2015, the Conservancy has removed hundreds of feet of tree line, hundreds of feet of fence posts and barbed-wire fencing, cleared invasive brush from five acres of oak savanna, contributed \$25,000 toward the purchase of prairie seed,

installed prairie seed across 22 acres, and mowed weed as needed each summer. The District fully appreciates all the hard work and accomplishments of the Conservancy volunteers, as they are conducting work staff otherwise could not tackle. This stewardship work continued as the agreement was renewed in 2015 and 2018 and is now currently expired. At this time, staff is recommending the renewal of the agreement with the Conservancy for another three-year term.
DISCUSSION: None.

RESULT: ADOPTED BY ROLL CALL VOTE
MOVER: Michael Kenyon
SECONDER: Deborah Allan
AYE: Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams and David Young

FP-R-23-04-3012 Resolution Authorizing Permanent Construction Easements with the Illinois Department of Transportation (IDOT) for Bridge Improvements at Illinois Route 20 and the Fox River Trail

Chief of Planning and Land Mgmt. Rooks-Lopez provided a brief presentation regarding the permanent easement agreement with IDOT. IDOT is requesting to acquire permanent construction easements for the removal and replacement of the existing bridge at Route 20 at the Fox River crossing. These easements are required to allow IDOT access during construction and for future maintenance of the bridge. In total IDOT, will be acquiring permanent construction easements of 0.342 acres for a price of \$4,125.00. The existing Fox River Trail will remain intact during the construction. However, because the work by IDOT will involve the removal and replacement of the existing Route 20 Bridge over the Fox River, the trail will need to be detoured during construction. Construction is expected to begin in 2024.

DISCUSSION: None.

RESULT: ADOPTED BY ROLL CALL VOTE
MOVER: Rick Williams
SECONDER: Mark Davoust
AYE: Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams and David Young

IX. Bids and Proposals

FP-R-23-04-3013 Resolution Approving a Bid for the Roof Replacement of the North Operations Cold Storage Facility Located in Muirhead Springs Forest Preserve

Dir. of Ops. Pentecost presented the roof replacement bid for the North Operations storage facility. In September of 2022, we experienced a weather event in the north end of the county that ultimately ended with damages to the North Operations Maintenance Facility located at Muirhead Springs Forest Preserve. The Cold Storage Building that was salvaged through the acquisition of the property sustained most of the damage with the roof failing in multiple locations by wind or falling debris. A claim was filed and was processed for the 70% of the roof that received the damages. Staff investigation provided a recommendation that it would be best for the longevity of the structure to also look at replacing the remaining 30% with District funds. Based on that additional work as well as the significant delay in claims processing this repair was no longer classified as emergency work and was required to go out to bid. The bid was sent

to 38 vendors with 3 respondents. R. A Pinno & Sons Construction, Inc. out of Rosendale Wisconsin was the lowest qualified bidder at \$46,947.00 including 100% of the roof being replaced. Anticipated insurance reimbursement of \$29,695.00 will be provided to the district upon receipt of the final invoice of the project. Additionally, \$2,347.35 (5% TPC) shall be set aside as contingency to cover any unanticipated additional costs during the roof replacement, for a total possible cost of \$49,294.25.

DISCUSSION: *Commissioner Allan asked about the District's insurance providing reimbursement for a percentage rather than the entire roof. Dir. Pentecost stated that the insurance only identified 70% of damage, so they were not willing to repair completely.*

RESULT: **ADOPTED BY ROLL CALL VOTE**
MOVER: Michelle Gumz
SECONDER: Bill Roth
AYE: Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams and David Young

X. Ordinances

FP-O-23-04-0590 Ordinance Approving an Amendment to the Purchasing Ordinance for the Forest Preserve District of Kane County

CFO Petschke presented the following amendments to the District's purchasing ordinance in accordance with the Downstate Forest Preserve Act. The District's Purchasing Policy (the "Policy") was comprehensively amended in January of 2021. Since that time, the Illinois General Assembly has enacted the "Forest Preserve District and Conservation District Design-Build Authorization Act," Public Act 102-0460 ("Act"). The Act allows the District (and other forest preserve and conservation districts) to utilize a design-build procurement practice in a manner similar to that authorized for park districts. While the Act's design-build process is competitive, it does not require adherence to rigid competitive, sealed bidding requirements that often limit flexibility and creativity. Separately, the Act also increased the dollar threshold that triggers competitive bidding requirements (for purchases that are not exempt from the competitive bidding) from \$25,000.00 to \$30,000.00. Finance staff worked with the District's Corporate Counsel to revise and update the Purchasing Policy to specify the manner in which the District will use this new design-build authority, to make some other changes that will improve efficiency and make some "clean-up" changes. In summary, the substantive changes:

- Describe the process for soliciting, submission of, and evaluation of proposals for design-build projects.
- Allow the Chief Financial Officer to approve change orders up to \$30,000.00 (the new threshold that triggers the competitive bidding requirement).
- Allow the Chief Financial Officer to approve services for engineering, architectural, and surveying services that do not (because of their lower dollar value) require a statutory request for proposals process.

DISCUSSION: *None.*

RESULT: **ADOPTED BY ROLL CALL VOTE**
MOVER: Deborah Allan
SECONDER: Michael Linder
AYE: Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams and David Young

XI. New Business

None.

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

None.

XIII. Communications

Community Affairs Dir. Metanchuk promoted the tree planting Earth Day event on April 22, 2023 at the Tekakwitha Forest Preserve. The Kane Forest Foundation native plant sale will be held at Creek Bend Nature Center on April 29, 2023. The online orders will be available for pick up as well as in person sales. Dir. Metanchuk thanked everyone who has purchased and donated to the Foundation. Commissioner Gumz asked about tree species for sale. Dir. Metanchuk responded the Kentucky coffee tree is available for purchase.

Commissioner Roth asked about the current percentage of sales to date. Dir. Metanchuk reported, as of Friday April 7, 2023 an estimated 46% of plants have been sold, noting the District is on track with a total of \$8,400 thus far. Commissioner Bates promoted the Green fest event in Aurora, asking about plant give away. Dir. Metanchuk clarified that in the past the District was able to give milkweed plants from a past event called Milkweed and Monarchs.

XIV. President's Comments

President Kious provided a presentation of the most recent senior stroll. The District's Enviro. Education staff included a personal tour of the Frank Lloyd Wright farmhouse currently owned by the Muirhead family. The farmhouse is privately owned and located within the Muirhead Springs Forest Preserve. President Kious noted that the family has a website to register and purchase tickets for in person tours. Exec. Dir. Haberthur stated that the Muirhead Wetland Mitigation bank project could be viewed from a distance. Brief conversation occurred.

XV. Department Reports

A. Department Reports March 2023

RESULT:	PLACED ON FILE BY ROLL CALL VOTE
MOVER:	Michelle Gumz
SECONDER:	Bill Roth
AYE:	Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams and David Young

XVI. Adjournment

The meeting adjourned at 9:33 AM.

RESULT:	ADJOURNED BY VOICE VOTE [UNANIMOUS]
MOVER:	Michael Kenyon
SECONDER:	Cheryl Strathmann
AYE:	Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams and David Young

Chris Kious, Chairman

Respectfully Submitted,

Gabriella Figliozzi

Gabriella Figliozzi
Recording Secretary

Myrna Molina
Board Secretary