



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

Forest Preserve District Commission Meeting Minutes

Tuesday, April 9, 2024

8:30 AM

County Board Room

I. Call to Order

The Forest Preserve District Full Commission meeting was held Tuesday, April 9, 2024 at the Kane County Government Center located at 719 S. Batavia Ave., Geneva, IL 60134. President Kious called the meeting to order at 8:34 AM.

II. Pledge of Allegiance

President Kious asked Police Chief Burger to lead the pledge.

III. Roll Call

PRESENT

President Forest Preserve District Chris Kious
Secretary Forest Preserve District Myrna Molina
Commissioner Dale Berman (Arrived in person at 8:42 AM)
Commissioner Mark Davoust (Arrived via remote at 8:53 AM)
Commissioner Ron Ford
Commissioner Michelle Gumz
Commissioner Mo Iqbal
Commissioner Leslie Juby
Commissioner Michael Kenyon
Commissioner Bill Lenert
Commissioner Bill Roth (Arrived in person at 8:46AM)
Commissioner Monica Silva
Commissioner Cherryl Strathmann
Commissioner Bill Tarver
Commissioner Vern Tepe
Commissioner David Young

REMOTE

Commissioner Gary Daugherty
Commissioner Michael Linder

ABSENT

Commissioner Deborah Allan
Commissioner Mavis Bates
Commissioner Jarett Sanchez
Commissioner Anita Lewis
Commissioner Clifford Surges
Commissioner Rick Williams

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

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

None.

V. Presentation and Approval of the Minutes from March 12, 2024

RESULT: APPROVED BY UNANIMOUS CONSENT

MOVER: Michelle Gumz

AYE: Gary Daugherty, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Michael Linder, Bill Lenert, Myrna Molina, Monica Silva, Cherryl Strathmann, Bill Tarver Vern Tepe, David Young

ABSENT: Deborah Allan, Mavis Bates, Dale Berman, Mark Davoust, Anita Lewis, Bill Roth, Jarett Sanchez, Clifford Surges, Rick Williams

(Commissioner Berman arrived in person at 8:42 AM)

VI. Presentation and Approval of the Bills and Commissioners' Per Diem from March 2024

RESULT: APPROVED BY ROLL CALL VOTE

MOVER: Michael Kenyon

SECONDER: Mo Iqbal

AYE: Dale Berman, Gary Daugherty, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Michael Linder, Bill Lenert, Myrna Molina, Monica Silva, Cherryl Strathmann, Bill Tarver Vern Tepe, David Young

ABSENT: Deborah Allan, Mavis Bates, Mark Davoust, Anita Lewis, Bill Roth, Jarett Sanchez, Clifford Surges, Rick Williams

VII. Presentations

None.

VIII. Finance and Administration

FP-R-24-04-3082 Resolution Authorizing a Professional Auditing Service Contract with Lauterbach & Amen, LLP

Finance Manager Carrano presented the renewal contract with Lauterbach & Amen. The 2023 fiscal year was the last contract year with the District's current auditors, Lauterbach & Amen, LLP. In January 2020, the District issued a Request for Proposals (RFP) for auditing services. The proposed term was for four (4) years with the option for three (3) additional one-year extensions, if approved by the Commission and mutually agreeable by the Audit Firm. Due to concerns of inflated audit service costs caused by the pandemic, staff reached out to Lauterbach & Amen to request an extension of all three (3) option years. The auditors acknowledged an overall increase for audit services, but agreed to executing all three (3) option years at the pricing included in the 2020 RFP submittal, and they also provided three (3) additional mutually agreeable option years as well.

DISCUSSION: *None.*

RESULT: APPROVED BY ROLL CALL VOTE

MOVER: Michael Kenyon

SECONDER: Mo Iqbal

AYE: Gary Daugherty, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Michael Linder, Bill Lenert, Myrna Molina, Monica Silva, Cherryl Strathmann, Bill Tarver Vern Tepe, David Young

ABSENT: Deborah Allan, Mavis Bates, Mark Davoust, Anita Lewis, Bill Roth, Jarett Sanchez, Clifford Surges, Rick Williams

(Commissioner Roth arrived in person at 8:46 AM).

FP-R-24-04-3083 Resolution Approving the District Owned Housing Policy

Exec. Dir. Haberthur presented the Housing Policy. He provided history and background information noting, this would be the first written policy being brought through the Commission cycle. He discussed the recommendation from the Finance and Administration Committee, option #2, the monthly rent shall be collected based off of 25% of a home's residence's fair market value plus fringe benefit tax withholdings. The District has had residential properties nearly since its inception. Truly vacant land is rarely available for sale. Land is more typically sold with associated residences. Currently the District owns twelve (12) residential properties which it lets, or has the capacity to let, to employees, and one (1) property that is being leased to a non-District person. Currently, six (6) of the available properties have an active lease agreement. The remaining vacant homes are undergoing improvements prior to re-leasing or becoming available to rent following the full commission's review of this policy document.

The following Forest Preserve properties have residential homes onsite:

Binnie Forest Preserve – staff rental
Bliss Woods Forest Preserve – staff rental
Buffalo Park Forest Preserve – vacant/needs repairs
Burnidge Forest Preserve – non-District rental
Paul Wolff Forest Preserve – staff rental
Dick Young Forest Preserve - vacant/needs repairs
Fabyan Forest Preserve - staff rental
Johnson's Mound Forest Preserve - vacant/needs repairs
Jon J. Duerr Forest Preserve – staff rental
Oakhurst Forest Preserve - vacant
Stoney Creek Forest Preserve - vacant/use under review
Tyler Creek Forest Preserve – staff rental
Tekkawitha Forest Preserve - vacant

(Commissioner Davoust arrived via remote at 8:53 AM)

DISCUSSION: *Commissioner Tepe expressed his opposition to the rates. He felt that the monthly rental rate was not sufficient at 25% of the fair market value. He felt that the rental income would not cover the maintenance costs needed for these homes. He urged the Commissioners to vote no. Commissioner Kenyon stated, it was in the best interest of the District and the Board to allow employees to live in housing in the preserves. He noted it is also a perk for employees and expressed his gratefulness to the employees for all that they do.*

Commissioner Juby stated that she was a firm believer of the added value in having employees living on the property. She felt that offering affordable housing was important to the employees so they can live in Kane County. She noted that a house being appraised in Geneva would be very different financially than a house in Hampshire.

Commissioner Iqbal commented that he was in support of the policy, he asked about the income that would be paid towards the tax and if the residents were aware of the amounts. Exec. Dir. Haberthur responded that the fringe tax benefit would be 25% of the fair market value. This is an addition to the \$400 monthly rent collected as previous practice. He noted that all current residents are aware of the changes and the amounts they would be responsible for.

Commissioner Lenert stated he was in favor of the resolution being presented, he requested to submit an amendment to "grandfather" the 6 current residents to maintain the \$400 a month

rental fee, then in one year, reconsider the rental rates. He stated that the tax liability would be substantial for the first year to the employees, and he was sensitive to the wages. Brief discussion for clarification of the first paragraph being amended in the policy.

RESULT: APPROVED BY ROLL CALL VOTE

MOVER: Ron Ford

SECONDER: Cheryl Strathmann

AYE: Dale Berman, Mavis Bates, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Michael Linder, Bill Lenert, Myrna Molina, Bill Roth, Monica Silva, Cheryl Strathmann, Bill Tarver, David Young

NAY: Vern Tepe

ABSENT: Deborah Allan, Mavis Bates, Anita Lewis, Jarett Sanchez, Clifford Surges, Rick Williams

There was a motion by Lenert to amend the first paragraph of the policy to grandfather the current residents to continue the \$400 rental fee, additionally the fringe benefit to the 25% of market value. There was a second to the amendment by Kenyon. Roll call vote was taken.

FP-R-24-04-3083 Resolution Approving the District Owned Housing Policy – Amended

RESULT: APPROVED BY ROLL CALL VOTE

MOVER: Bill Lenert

SECONDER: Michael Kenyon

AYE: Dale Berman, Mavis Bates, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Michael Linder, Bill Lenert, Myrna Molina, Bill Roth, Monica Silva, Cheryl Strathmann, Bill Tarver, David Young

NAY: Vern Tepe

ABSENT: Deborah Allan, Mavis Bates, Anita Lewis, Jarett Sanchez, Clifford Surges, Rick Williams

IX. Planning & Utilization

FP-R-24-04-3084 Resolution Approving the Establishment of the Agricultural Land Use Policy

NRM Dir. Chess presented the establishment of the Agricultural Land Use Policy. Dir. Chess provided a brief background regarding District land use, land acquisitions, conservation and restorations. Dir. Chess discussed briefly the different licenses, such as organic, with financial securities that will aid farmers the first year as they get started. A soil testing fee is a new addition, this will provide the District with data of the soil health as well as the farmers. The District currently owns 23,404 acres of land in Kane County and approximately 5,978 acres of farmland is under annual Farm License Agreements for the production of row crops and grass hay. About 36 local farmers have annual license agreements with the District. The interim land use of farming row crops and hay provides for the suppression of undesirable vegetation on the landscape which would otherwise be problematic for future restoration and development. Sustains the continued farming agricultural nature of Kane County and provides an important revenue source for the District. The District has the responsibility of implementing best management practices and sound stewardship on all its holdings, including farmland. Many public land managers have adopted conservation farming strategies to protect the current and long-term ecological health of their land and have

enlisted a dedicated team member to implement these strategies. With the addition of a dedicated Agricultural Coordinator on staff at the District, efforts have been made to revise the current Farm License Agreement with contemporary agricultural practices and refreshed license language. This includes pesticide restrictions and implementing no-till and conservation tillage conditions to the Farm License Agreement.

The Policy that is being recommended shall govern the stewardship and licensing of agricultural lands, reflect a commitment to agricultural practices based on regenerative agriculture goals, soil health principals and conservation farming concepts. The District will be a leading example and strong partner to other conservation organizations moving forward.

DISCUSSION: *Commissioner Juby asked about additional hay cuttings after the July 1 deadline. ED Haberthur responded that the particular provision was added in the policy due to the rare grassland bird species within a specific area. Bird breeding timeframe was subject to the policy. The farmers are aware of this provision and are complying. Commissioner Strathmann asked how the District monitors compliance with herbicides and pesticides. NRM Dir. Chess responded that the contracted farmers submit an end of season report as to what they are administering on the land.*

Commissioner Young mentioned that when Kane County purchases land from farmers, they pay taxes. He asked, once the District purchases farm land and lease it back to the farmers, does that land not produce tax income to the township? ED Haberthur responded that was correct, the County realizes less income in this circumstance, some counties practice a step down, however Kane does not. Commissioner Iqbal noted state law and a new legislation that limits government agencies to purchase and lease farm land. ED Haberthur responded that there is a cap to revenues, this is vetted by bond council and bond council establishes the amount that the District is allowed to incur. Attorney Hodge noted that this agriculture policy is to implement the administrative procedures that have already been in practice.

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

X. New Business

None.

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

None.

XII. Communication

Community Affairs Dir. Metanchuk provided an update on the online reservations, now including camping reservations. The District held the first ever public burn demo at LeRoy Oakes Forest Preserve. The event was successful and the District looks forward to hosting future demos at the next burn season.

The Earth Day event was promoted, will be held on April 20, 2024. Dir. Metanchuk noted this week was the last week of the online portion of the Native Plant Sale, the in-person sale will be Saturday, April 27, 2024 from 8:00AM to 12:00PM (Commissioner Lewis arrived in person at

9:10 AM.) Commissioner Kenyon noted the annual report was done very well, he felt that the District is one of the “gems” of Kane County. Commissioner Kenyon promoted a golf Outing that will be hosted by the District’s Foundation in September.

Commissioner Surges commented that a resident in Gilberts had started a burn on their own personal property, however they lost control of the fire and it turned into a dangerous situation. Commissioner Surges asked how residents could get information on safe burning practices. (Commissioner Allan arrived in person at 9:14 AM) Exec. Dir. Haberthur noted that these kinds of incidents jeopardize the burn program and that is why the District held a public burn demo. Exec. Dir. Haberthur noted that showing the public how to safely handle burns and the ecological benefits will help educate the public overall. Commissioner Iqbal asked about the burn policy regarding notices for neighborhoods. Exec. Dir. Haberthur explained the main points for burning, noting how fire sustains the natural areas. He stated that flyers are mailed to neighboring residents, notice is also posted on social media, staff does their best to manage, as there are residents with sensitives and respiratory issues.

XIII. President's Comments

President Kious thanked District staff for their hard work.

XIV. Department Reports

RESULT: ACCEPTED AND PLACED ON FILE

MOVER: Ron Ford

SECONDER: Cherryl Strathmann

AYE: Mavis Bates, Gary Daugherty, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Michael Linder, Anita Lewis, Bill Lenert, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cherryl Strathmann, Bill Tarver Vern Tepe, David Young

ABSENT: Deborah Allan, Mavis Bates, Jarett Sanchez, Clifford Surges, Rick Williams

XV. Adjournment

The meeting adjourned at 9:18 AM.

RESULT: APPROVED BY VOICE VOTE

MOVER: Michael Kenyon

SECONDER: Mark Davoust

AYE: Mavis Bates, Gary Daugherty, Ron Ford, Michelle Gumz, Mo Iqbal, Leslie Juby, Michael Kenyon, Chris Kious, Michael Linder, Anita Lewis, Bill Lenert, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cherryl Strathmann, Bill Tarver Vern Tepe, David Young

ABSENT: Deborah Allan, Mavis Bates, Jarett Sanchez, Clifford Surges, Rick Williams

Chris Kious, Chairman
Forest Preserve District Commission
Forest Preserve District of Kane County

Respectfully Submitted,

Gabriella Figliozzi

Gabriella Figliozzi
Recording Secretary

Myrna Molina
Board Secretary