



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

Forest Preserve District Commission Meeting Minutes

Tuesday, June 11, 2024

8:30 AM

County Board Room

I. Call to Order

The Forest Preserve District Full Commission meeting was held Tuesday, June 11, 2024 at the Kane County Government Center located at 719 S. Batavia Ave., Geneva, IL 60134. President Kious called the meeting to order at 8:35 AM.

II. Pledge of Allegiance

President Kious asked Commissioner Michelle Gumz to lead the pledge.

III. Roll Call

PRESENT

President Forest Preserve District Chris Kious
Commissioner Mavis Bates
Commissioner Dale Berman
Commissioner Ron Ford
Commissioner Michelle Gumz
Commissioner Mo Iqbal
Commissioner Leslie Juby
Commissioner Michael Kenyon (Arrived in person at 8:46 AM)
Commissioner Bill Lenert
Commissioner Anita Lewis
Commissioner Bill Roth (Arrived in person at 8:50 AM)
Commissioner Cheryl Strathmann
Commissioner Bill Tarver
Commissioner Vern Tepe
Commissioner Rick Williams
Commissioner David Young
Commissioner Deborah Allan
Commissioner Michael Linder
Secretary Forest Preserve District Myrna Molina
Commissioner Jarett Sanchez
Commissioner Monica Silva
Commissioner Gary Daugherty
Commissioner Mark Davoust
Commissioner Clifford Surges

REMOTE

ABSENT

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 staff and members of the public.

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

None.

V. Presentation and Approval of the Minutes from May 14, 2024

RESULT: APPROVED BY UNANIMOUS CONSENT

MOVER: Ron Ford

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

ABSENT: Gary Daugherty, Mark Davoust, Michael Kenyon, Bill Roth, Clifford Surges

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

RESULT: APPROVED BY ROLL CALL VOTE [17-2]

MOVER: Dale Berman

SECONDER: Mavis Bates

AYE: Deborah Allan, Mavis Bates, Dale Berman, Ron Ford, Michelle Gumz, Mo Iqbal, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Bill Tarver, Vern Tepe, and David Young

NAY: Leslie Juby, Rick Williams

ABSENT: Gary Daugherty, Mark Davoust, Michael Kenyon, Bill Roth, Clifford Surges

***DISCUSSION:** Commissioner Williams asked why the Commissioners did not receive a per diem for the Full Commission meeting. Attorney Hodge responded that it has to do with the Downstate Forest Preserve Act, Board members cannot collect per diem for multiple meetings on the same day, as essentially, they would be receiving payment twice. Commissioner Lenert asked about the remote attendance and voting procedures. Attorney Hodge stated that per OMA regulations that were updated, as long as the Commissioner has appropriately identified reasons for remote permission, and they are recognized, they do count for voting and allowed a per diem.*

VII. Presentations

None.

VIII. Finance and Administration

FP-24-05-3088 Resolution Approving a Responsible Outdoor Lighting Policy
NRM Dir. Chess presented the Dark Sky Outdoor Lighting Policy. (Commissioner Kenyon arrived in person at 8:46 AM). The mission of the Forest Preserve District states that the District “acquire, hold and maintain lands within Kane County that contribute to the conservation of natural and historic resources” and to “preserve such lands for the environmental education, recreation, pleasure and well-being of all its citizens.” The natural and historic resources within Kane County are threatened by a number of different pressures, including the visibility of the night sky.

The effects of light pollution brightening the night sky has measurable negative impacts upon wildlife, human health, as well as our night sky heritage. Of particular importance to the District, as a conservation agency, are the impacts that nighttime light pollution can have on the ecosystems present within the preserves. Artificial lights can disrupt breeding habits of amphibians, confuse migratory birds that depend on moonlight and starlight to navigate, and create fatal attraction sources for rare insects drawn to light sources.

DarkSky International is a recognized worldwide authority combatting light pollution. They work to protect communities from the harmful effects of light pollution through outreach, advocacy, and conservation. Included in their efforts was the creation of a DarkSky Approved certification process for lighting elements focused on five lighting principles for responsible outdoor lighting. Those principles ensuring that lighting is useful, targeted, low level, controlled, and warm-colored. In order to fulfill the District's mission and better preserve the night sky across the District's 23,000 acres, a policy was created to reflect the specifications set out by DarkSky International. These specifications would ensure that any future construction or replacement projects undertaken by the District adhere to the five principles of responsible outdoor lighting.

***DISCUSSION:** Commissioner Young asked what the difference in cost was between a regular street light and the DarkSky certified lighting. Dir. Chess responded that the costs are comparable. Additional conversation occurred clarifying that this initiative is about installing DarkSky certified lighting in new construction as most existing lighting has been retro-fitted. President Kious noted that the District should explore LED lighting on behalf of Commissioner Roth was not in attendance today.*

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

FP-R-24-05-3089 Resolution Approving the Surplus Vehicle and Equipment Disposal

Accounting Manager Carrano presented the vehicle and equipment surplus. (Commissioner Roth arrived in person at 8:50AM). The surplus auction process allows the District to dispose of unneeded vehicles and equipment while recouping the remaining financial values of these items. The District has been utilizing an online auction house to dispose of surplus vehicles and equipment since 2013. In 2024, we will again utilize the online Public Surplus auction house (www.publicsurplus.com). Historically, the utilization of Public Surplus has brought wide spread attention to District auction items and enabled the District to realize estimated values of auctioned inventory. Attached is a list of vehicles and equipment that staff requests approval to declare as surplus, for immediate disposal through an online auction. All proceeds from the auction go into the General Fund under Sale of Material. In calendar year 2023, the District received \$32,083.50 from the online sale of vehicles and equipment.

DISCUSSION: None.

RESULT: **ADOPTED BY ROLL CALL VOTE**
MOVER: Mavis Bates
SECONDER: Dale Berman
AYE: Deborah Allan, Mavis Bates, Dale Berman, 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, Bill Tarver, Vern Tepe, Rick Williams, David Young
ABSENT: Gary Daugherty, Mark Davoust, Clifford Surges

IX. Planning and Utilization

FP-R-24-05-3090 Resolution Approving a Contract With V3 Companies, Ltd. for Professional Resident Engineering Services for the Removal of Carpentersville Dam

Chief of Planning and Land Management Rooks-Lopez presented the contract with V3. In 2015, the District entered into an intergovernmental agreement with the Illinois Department of Natural Resources (IDNR) for the River Obstruction Removal Project for the removal of the Fabyan Causeway Island and Carpentersville Dam. The agreement included 100% reimbursement from the IDNR for engineering and construction costs up the \$3,500,000, of which \$2,510,796.68 remain for Carpentersville Dam removal. The District is responsible for costs associated with the impacts and repairs to the boat launch north of the dam estimated to cost \$45,000.00.

A condition of the agreement requires the District to establish a contract for resident engineer services to perform construction observation and administration during the course of the demolition project. V3 Companies, LTD., Woodridge, Illinois was hired in 2019 as the design engineer for the Carpentersville dam removal project, as such, V3 has a privileged understanding of the project and planned demolition. A scope of work was developed, approved by the IDNR, and a total not to exceed fee was established at \$106,570.00 for V3 to perform the duties of ‘Resident Engineer’ during the demolition of the dam. Demolition quotes are being re-bid due to IDNR disqualification of all round 1 bids. The anticipated presentation of the winner of the 2nd round of bidding (subject to IDNR approval) is in July or August of this year.

DISCUSSION: *Commissioner Iqbal commented on a current controversy in Elgin regarding their dam, the issue is that if it were to be demolished, toxic soils would be released and the city would be responsible for the liability. He asked why this is not the case with this project. Chief of Planning Rooks-Lopez responded that this project has undergone a series of permitting requirements from agencies that establish those types of issues. All permits have been secured at this time by the IEPA, IDNR and the Army Corps. therefore, best practice is being sought. Commissioner Lenert asked with respect to the fund balance remaining, would this cover the total costs. Dir. Rooks-Lopez responded that the lowest bidders are within the budgeted amount.*

RESULT: **ADOPTED BY ROLL CALL VOTE**
MOVER: Ron Ford
SECONDER: Jarett Sanchez
AYE: Deborah Allan, Mavis Bates, Dale Berman, 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, Bill Tarver, Vern Tepe,

Rick Williams, David Young
ABSENT: Gary Daugherty, Mark Davoust, Clifford Surges

FP-R-24-06-3091 Resolution Approving a Bid for the Buffalo/Brunner Family Forest Preserve Site Improvements

Chief of Planning and Land Management Rooks-Lopez presented the bid for the Buffalo/Brunner Family Forest Preserve site improvement project. A total of \$625,000 of funds were allocated in the FY23/24 budget to complete the construction of a shelter, bathroom, parking lot, sled hill, drainage improvements and trail connections and construction drawings development. Additional funds of \$100,000 were allocated in the FY24/25 budget due to increased construction costs since the project was originally planned. This project is partially funded by KDOT in the total amount of \$625,000. The original plan for Buffalo/Brunner Preserve was to construct a new lodge to upgrade the Raging Buffalo facility with assistance from KDOT in the amount of \$500,000. When this project did not move forward, the District evaluated other uses of the funding for the Preserve. In 2021, KDOT amended its agreement through a restatement and an additional \$125,000 would be provided to the District to construct a shelter and bathroom on site. The District conducted a formal bid process for the improvements. Bids were publicly advertised, with four (4) bidders responding. The responsible, lowest bidder is Midwest Excavators LLC. with a base bid of \$603,724.60. Additionally, \$15,928.46 shall be set aside as contingency to cover any unanticipated additional costs, that may arise during construction for a total project amount of \$619,653.06.

DISCUSSION:

Commissioner Lenert asked about the amount set aside for contingency noting that historically, the District has allocated more than \$15,000. He asked if this would be sufficient. Dir. Rooks-Lopez responded that staff would need to request additional funds if the contingency is not sufficient.

RESULT: ADOPTED BY ROLL CALL VOTE

MOVER: Michael Kenyon

SECONDER: Cheryl Strathmann

AYE: Deborah Allan, Mavis Bates, Dale Berman, 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, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Gary Daugherty, Mark Davoust, Clifford Surges

FP-R-24-05 -3092 Resolution Approving a Bid for the Installation of Two (2) Water Control Structures

NRM Dir. Chess presented the second phase of the water control structure project. Burlington Prairie FP is a 950-acre complex of tallgrass prairie mixed with various wetlands, including a sedge meadow/wet prairie complex comprising an Illinois State Nature Preserve. This large complex of community types currently supports populations of a variety of wildlife including state endangered reptiles and rare grassland birds like bobolinks. While some of these species are supported by the small remnant wetland present on site, the majority of the biodiversity present is located in the large restored prairies. Almost the entirety of the site was farmed historically and the process of restoration is ongoing. To enable farming, settlers installed drain tiles throughout the preserve. These buried tile lines collected sub-surface water and intentionally drained small wetlands. These tiles are still present today, where they continue to drain areas

that would otherwise be wetlands. The District has partnered with the USFWS Partners for Fish and Wildlife Program to evaluate two of these drained wetlands and develop a plan to restore the original hydrology. United States Fish and Wildlife Service (USFWS) staff have surveyed two wetlands and engineered plans that would create a combined 23 acres of surface water through the installation of new tile lines in concert with in-line water control structures. Construction on one of those potholes was completed in 2023 for \$32,690. Bids were sought presently to restore the hydrology of the second pothole. Two in-line water control structures are required to rehydrate the area and will result in the creation of approximately 8 acres of surface water within a restored prairie. The District advertised and sent bids to 23 vendors, with 1 responding. The lowest, qualified bid was received from Hartstrand Water Solutions, LLC., of Rock Falls, Illinois in the amount of \$14,410. Staff recommends a contingency of \$2,500 to cover any unforeseen additional costs that may arise during this project.

DISCUSSION: *Commissioner Bates asked if the sink hole was a natural feature, or created. Dir. Chess responded that the pothole is a natural feature, and the water control structures will allow for the natural wetland to retain water.*

RESULT: **ADOPTED BY ROLL CALL VOTE**

MOVER: Dale Berman

SECONDER: Deborah Allan

AYE: Deborah Allan, Mavis Bates, Dale Berman, 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, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Gary Daugherty, Mark Davoust, Clifford Surges

FP-R-24-06-3093 Resolution Approving a Bid for the Construction of an Electric Fence

NRM Dir. Chess presented the following bid for the construction of the electric fence.

The tallgrass prairie once covered Illinois, and much of the Midwest, in an ocean of grass. These diverse and productive ecosystems persisted until 1837 and the invention of the steel plow. Prairies were rapidly plowed into rich agricultural fields, ultimately leaving Illinois with less than a tenth of a percent of its original 22 million acres of prairie. Restoring tallgrass prairie has been one of the primary goals of the District and it now manages several thousand acres of grasslands. Key to the historic management of these grasslands was disturbance, primarily driven by two factors: fire and grazing. Fire has been reintroduced across the landscape by staff, but the grazing component is still missing.

Conservation efforts to preserve the North American bison have been wildly successful in the west, and more recently, conservation agencies within Illinois have started to reintroduce bison herds within their properties. The District is now faced with the opportunity to bring bison back to a restored prairie at Burlington Prairie Forest Preserve, aided by the acquisition of a \$90,100 grant from the Kane County Grand Victoria Riverboat fund to help construct the pasture fence. The first step in the reintroduction process is to construct a fence around the future pasture. Specifications were created for the installation of both a 6-foot tall and an 8-foot-tall woven wire fence. The fence would also contain three hot wires powered by solar panels as an additional deterrent to keep the bison contained. Discussions with current bison ranchers indicate that a 6-foot fence will be sufficient for containment and that the 8-foot height is not a necessary addition.

The District originally advertised in August, 2023 for the construction of this fence. The lowest qualified bid was received from Farm Way Fencing, LLC of Kingston, Illinois in the amount of \$144,859.76 and was awarded in October, 2023. In the interim, the bidder defaulted leading the District to re-bid the project. In March, 2024 the project was advertised with one bid received. The lowest, qualified bid was received from Provantage Systems, Inc. of St. Charles, Illinois in the amount of \$252,865 for the 7,350 linear feet of fencing. Negotiations with the sole bidder allowed the District to reduce the linear feet of the fence to 5,280 feet and bring the cost for construction to \$150,000. Staff additionally recommends a contingency of \$15,000 to cover any unforeseen costs that may arise during this project. We have since re-bid the project. The only bidder that came in was negotiated with a change in the linear feet of the fence. Chess presented a map and explained the area for the fence. Hopeful to have a second phase to make the space larger, however this will allow the fence to be constructed and have the same number of animals as anticipated and on time.

DISCUSSION: *Commissioner Gumz expressed her opinion on the aesthetics of the fence. She requested for staff to obtain quotes on a horse-style fence. She felt that the electric fence was not visually pleasing and it would be better to have a fence to restrain the bison and a fence to keep the people back from the electric fence from viewing the bison.*

Commissioner Kenyon stated that constituents have expressed their excitement and the bison will be a popular viewing area. Commissioner Juby asked about the electric fence, and the number of hot wires. She indicated that the solar function should have a hard line as a back should the solar power fail. Dir. Chess responded that the hot wires are top and bottom. Exec. Dir. Haberthur stated that the fence line does have the capability to run hard electric in addition to the solar power. Commissioner Berman asked about the parking spaces and if there would be sufficient spaces. Dir. Chess responded that the preserve does have adequate parking for the area, there are various viewpoints along the road for the public. Commissioner Young agreed with Commissioner Gumz regarding a quote for an additional fence. He noted that signs should be posted noting the hot wires. Exec. Dir. Haberthur responded that the District's farm tenant at All grass Farms has a similar setup with an electric fence for the cattle. There are signs and the public is alerted; the District has not had any issues with the public getting close to the electric fence. Commissioner Bates stated that the electric fence alone has a better viewing allowability, she noted, for people who are smaller such as children, they would have less visibility if the District constructed another fence around the electric fence.

President Kious stated that the District has worked hard to be able to budget for the electric fence with the assistance of a grant from the Riverboat. Exec. Dir. Haberthur shared pictures of what the fence would look like and the specs approved by the USDA. He noted that McHenry County utilizes the same fence structure for their bison.

Commissioner Iqbal asked why a traditional fence is utilized rather than an electric fence. Exec. Dir. Haberthur responded that the electric fence is the appropriate level of security bison farmers require. Commissioner Iqbal moved to postpone the approval of the bid. Commissioner Young seconded the motion. President Kious stated that this item has been presented in committee and postponing would jeopardize the grant and the board should not delay the process. Commissioner Roth stated that this project has been presented and discussed since last year 2023 August and did not agree with

postponing this item. Commissioner Gumz called the question, Bates seconded.

Roll Call vote to postpone the bid:

RESULT: **FAILED BY ROLL CALL VOTE [3-18]**
MOVER: Mo Iqbal
SECONDER: David Young
AYE: Ron Ford, Mo Iqbal, David Young
NAY: Deborah Allan, Mavis Bates, Dale Berman, Michelle Gumz Leslie Juby, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Bill Tarver, Vern Tepe, Rick Williams
ABSENT: Gary Daugherty, Mark Davoust, Clifford Surges

Roll Call Vote on original motion to approve the bid:

RESULT: **ADOPTED BY ROLL CALL VOTE [20-1]**
MOVER: Michael Kenyon
SECONDER: Michelle Gumz
AYE: Deborah Allan, Mavis Bates, Dale Berman, Ron Ford, Michelle Gumz, Leslie Juby, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Bill Tarver, Vern Tepe, Rick Williams, David Young
NAY: Mo Iqbal
ABSENT: Gary Daugherty, Mark Davoust, Clifford Surges

X. New Business

President Kious called for a clerical error correction on the numerical value of the resolutions; the resolutions should state 06 rather than 05 that represents the month. There was a motion made by Bates, second by Kenyon, voice vote was taken, motioned passed.

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

None.

XII. Communications

Dir. of Community Affairs Metanchuk shared photos of volunteer activities, summer camps and outreach programs. She noted that the District turned 99 years old last Saturday, a new logo is being displayed with the year the District was established. Commissioner Bates thanked District staff for all of their assistance during the Green fest in Aurora. Exec. Dir. Haberthur promoted the employee recognition event, on Wednesday June 12, 2024 at the Cougars Stadium. Commissioner Kenyon promoted the Kane Forest Foundation's first annual golf outing this fall at Hughes Creek Golf Course, sponsorships available.

XIII. President's Comments

President Kious promoted National Pollinator Month, he encouraged everyone to plant native pollinator plants in their yards.

XIV. Department Reports

RESULT: **APPROVED BY UNANIMOUS CONSENT**
MOVER: Michelle Gumz

AYE: Deborah Allan, Mavis Bates, Dale Berman, 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, Cherryl Strathmann, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Gary Daugherty, Mark Davoust, Clifford Surges

XV. Adjournment

The meeting adjourned at 9:35AM.

RESULT: APPROVED BY VOICE VOTE

MOVER: Michael Kenyon

SECONDER: Bill Roth

AYE: Deborah Allan, Mavis Bates, Dale Berman, 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, Cherryl Strathmann, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Gary Daugherty, Mark Davoust, Clifford Surges

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

Respectfully Submitted,

Gabriella Figliozi

Gabriella Figliozi
Recording Secretary

Myrna Molina
Board Secretary