



1996 S. Kirk Rd. Suite 320
Geneva, IL 60134

Forest Preserve District Executive Committee Meeting Minutes

President Christopher Kious, President Pro Tem Mavis Bates, Treasurer Bill Lenert, Secretary Myrna Molina, Dale Berman, Michael Kenyon, Anita Lewis, Jarett Sanchez, Cherryl Strathmann, Vern Tepe

Thursday, February 9, 2023

8:30 AM

3rd Floor Board Room

I. Call to Order

The Forest Preserve District Executive Committee meeting was held Thursday, February 9, 2023 at 8:30 AM at the Administration Offices located at 1996 S. Kirk Road, Suite 320, Geneva, IL 60134. President Chris Kious opened the meeting at 8:30 AM.

Members Present:

Attendee Name:

President Chris Kious

Commissioner Dale Berman

Commissioner Michael Kenyon

Commissioner Mavis Bates

Commissioner Anita Lewis

Commissioner Cherryl Strathmann

Commissioner Myrna Molina

Commissioner Jarett Sanchez

Commissioner Vern Tepe

Status:

Present

Present

Present

Present

Present (Remote)

Present (Remote)

Present (Remote)

Present

Present

Others Present:

Commissioners: Davoust (Remote), Juby, Linder, Lenert, Roth, Williams; Exec. Dir. Haberthur; CFO Petschke & staff Marano, Carrano; Chief of Plan. & Land Mgmt. Rooks-Lopez & staff Rafferty (Remote); Ops. Dir. Pentecost; Dir. of NRM Chess; Dir. of Comm. Affairs Metanchuk & staff Kovach; HR staff Misner, Cleave, Kouzes; Chief of Police & Dir. of Public Safety Burger; Exec. Assist. Figliozzi; Attorney Hodge

II. Approval of Minutes from January 5, 2023

RESULT: APPROVED BY UNANIMOUS CONSENT

MOVER: Vern Tepe

AYES: Commissioner Myrna Molina

Commissioner Dale Berman

Commissioner Anita Lewis

Commissioner Mavis Bates

Commissioner Michael Kenyon

Commissioner Cherryl Strathmann

Commissioner Vern Tepe

Commissioner Jarett Sanchez

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

None.

IV. Presentation and Approval of Bills and Commissioners' Per Diem from January 2023

RESULT: **MOVED FORWARD BY ROLL CALL VOTE**
TO: Forest Preserve District Commission February 14, 2023
MOVER: Michael Kenyon
SECONDER: Dale Berman
AYE: Myrna Molina, Dale Berman, Anita Lewis, Mavis Bates, Michael Kenyon, Cheryl Strathmann, Vern Tepe, and Jarett Sanchez

V. Finance and Administration

A. Approval of the Restated Organization Ordinance

Exec. Dir. Haberthur presented the restated organization ordinance for approval. Modifications included clarifying language in the event there would be a tie vote for the Presidential election; provisions regarding remote attendance per emergency order implemented, language regarding the Treasure's role within the District.

***DISCUSSION:** Commissioner Sanchez asked about the remote attendance language modification and if it mirrored Kane County's modifications. Exec. Dir. Haberthur responded that the Open Meetings Act language implemented does mirror Kane County's language. Staff is currently waiting on new microphones, once those arrive Kane County's IT department will be installing the new audio equipment. The IT department just installed new equipment in one of the main conference rooms utilized for remote meetings. Commissioner Bates provided information that was presented at the Kane County's Legislative Committee meeting regarding changes of the open meeting act to allow remote attendance. Bates asked if the District would change the rules for the remote attendance as well. Exec. Dir. Haberthur stated the rules would be reviewed after the state establishes their parameters. President Kious noted that the District would have to abide by the state's rules, staff would have the authority to tighten rules only.*

RESULT: **MOVED FORWARD BY ROLL CALL VOTE**
TO: Forest Preserve District Commission February 14, 2023
MOVER: Dale Berman
SECONDER: Cheryl Strathmann
AYE: Myrna Molina, Dale Berman, Anita Lewis, Mavis Bates, Michael Kenyon, Cheryl Strathmann, Vern Tepe, and Jarett Sanchez

VI. Planning & Utilization

A. Resolution Approving a Bid at LeRoy Oakes for the Trail and Shelter RTP Project

Chief of Planning and Land Management Rooks-Lopez presented the LeRoy Oakes RTP project. In 2018, the District received a Recreational Trails Program (RTP) grant from the Illinois Department of Natural Resources (IDNR) for the LeRoy Oakes Forest Preserve Interpretive Trail, Signage & Bridge Project. The project includes additional mown and screenings trails connecting historical structures, and native habitats with the Creek Bend Nature Center; interpretive education nodes and the replacement of the current bridge over the creek to a restored prairie. The RTP grant will reimburse the District 50% of the preliminary engineering and construction costs up to a total of \$200,000.00, following the completion of the project. The District conducted

a formal bid process for the installation of the interpretive trail, and shelter portion of the project. Bids were publicly advertised, with 10 bidders responding, one of which did not meet District standards. The responsible, lowest bidder was Chicagoland Paving Contractors, Inc. with a base bid (trail & shelter) of \$320,000 plus alternate (brush mowing) of \$7,035.00, totaling \$327,035. Additionally, \$16,351.75 shall be set aside as contingency to cover any unanticipated additional costs, that may arise during construction for a total project amount of \$343,386.75

DISCUSSION: *Commissioner Strathmann asked about the contingency amount, if this was standard practice. Rooks-Lopez responded that the 5% amount was lower than our standard 10%. Staff did not anticipate any potential issues.*

RESULT: **MOVED FORWARD BY ROLL CALL VOTE**
TO: Forest Preserve District Commission February 14, 2023
MOVER: Michael Kenyon
SECONDER: Cheryl Strathmann
AYE: Myrna Molina, Dale Berman, Anita Lewis, Mavis Bates, Michael Kenyon, Cheryl Strathmann, Vern Tepe, and Jarett Sanchez

B. Resolution to Approve a Bid for Updated Vegetation Inventories at Ten Locations

NRM Dir. Chess presented the bid for the updated vegetation inventories. Funds were requested and approved for contracted wide scale Floristic Quality Assessments (FQA) across the District's highest quality natural areas. All of the natural areas owned by the Forest Preserve District of Kane County have varying degrees of floristic quality and integrity. Since the degree to which conservative plants are present on a piece of land is a major factor in our management strategy, an assessment method is necessary that can be able to both index the presence of conservative plants and discriminate amongst tracts of land with differing levels of floristic integrity. The standard that is used in the Chicagoland area is the FQA as defined by Swink and Wilhelm as published in their fourth edition of Plants of the Chicago Region (1994).

The FQA determines both a Floristic Quality Index (FQI) and Native Mean C, which is an indication of the native vegetation quality. Vegetation composition changes slower than animal composition across our preserves, but it is constantly changing if slowly. All of the selected projects are due for updated FQAs. Hiring contractors to conduct an updated assessment will help us address several issues. The most important of these is determining how the extent of previous management, including controlled burning, cutting brush, weeding, or neglect, has affected floristic quality from the previous assessment. This detail will help inform future management activities and priorities, zeroing in on protecting the highest quality natural areas remaining.

Fourteen (14) project options were developed for the bid. The bid was publicly advertised and sent to 55 vendors with five responding. Projects 1, 2, 4, 5, 6, 7, 8, 10, 11, and 12: Funds totaling \$29,980 were budgeted in the 2022/23 Fiscal Year for the Vegetation Inventories Update. Sufficient funds totaling \$15,114.34 are available in the Natural Resources Restoration Account for this expense totaling \$14,935.44. Projects 3, 9, 13, and 14: Sufficient funds are not available to cover the cost of these projects at a total cost of \$8,904.78. Staff will address these projects in a future year, potentially in-house.

DISCUSSION: *Commissioner Bates asked if we do this every year. Chess responded this was the fifth year. The areas that cannot be addressed would either be bumped for next year, or handled in-house. Commissioner Sanchez asked about the location of the Fox River Shores area. Dir. Chess explained this property was a newer addition, Lake Marian Road Woods on the east side of the Fox River. President Kiouss asked if the information collected would be sent to a regional data bank to help inventories for Illinois. Dir. Chess stated that any listed species that*

are endangered or threatened would be documented. Common species data would be made available. Exec. Dir. Haberthur noted that a new position for a restoration plant technician was created from the early retirement incentive savings last year. This position would take over the research in house. Commissioner Roth asked if staff labels any species in the preserves. Dir. Chess responded that labeling is not included in this project. Exec. Dir. Haberthur noted that staff has a current project with spring ephemerals; they add stakes and a QR code for the public.

RESULT: **MOVED FORWARD BY ROLL CALL VOTE**
TO: Forest Preserve District Commission February 14, 2023
MOVER: Jarett Sanchez
SECONDER: Michael Kenyon
AYE: Myrna Molina, Dale Berman, Anita Lewis, Mavis Bates, Michael Kenyon, Cheryl Strathmann, Vern Tepe, and Jarett Sanchez

C. Resolution Approving a Bid for Control of Reed Canary Grass at Various Preserves

NRM Dir. Chess presented provided a PowerPoint presentation not included in the agenda packet. Images were shared to demonstrate differences of invasive common reed canary grass and native species. Chess included images of staff applying herbicide treatments.

Reed canary grass (*Phalaris arundinacea*) is a perennial, cool-season grass that plagues many of our forest preserves. This pernicious pest is equally at home in wetlands as it is in upland environments. Reed canary grass also forms dense monotypic stands that overtake wetlands at the exclusion of all other native plant species. This plant is difficult to control because of how well its root system colonizes an area. Repeated herbicide treatments are often required. Reed canary grass is abundant across county wetlands and forests. Contractors were sought to bid on spring/summer 2023 control projects of multiple, separate infestations of reed canary grass, across eleven different preserves.

The bid was sent to 32 vendors and publicly advertised, with three responding. Projects 2, 3, 5, 6, 7, 8, 9, and 11 – Aurora West, Braeburn Marsh, Grunwald Farms, Hannaford Woods, Lone Grove, Fox River Shores, Meissner-Corron and Rutland Forest Preserves: Funds totaling \$140,000 were budgeted in this fiscal year for Weed Management. Sufficient funds totaling \$66,784.88 are available in the Natural Resources Weed Management Account for these projects, totaling \$62,073. Project 1 – Dick Young Forest Preserve: Funds totaling \$205,000 were budgeted for the Dick Young/Nelson Lake Marsh Revitalization project at Dick Young Forest Preserve. Sufficient funds totaling \$23,112.47 are available in Natural Resources Restoration Account for this expense totaling \$18,900. Project 10 – Pingree Grove Forest Preserve: Funds totaling \$448,000 were budgeted for the Pingree Grove Wetland Bird Habitat Enhancements project at Pingree Grove Forest Preserve. Sufficient funds totaling \$80,180.07 are available in Natural Resources Restoration Account for this expense totaling \$10,600. Project 4 – Freeman Kame Forest Preserve: Sufficient funds are not available to cover the cost of project 4 at \$17,400. Staff will address this project in-house.

DISCUSSION: Commissioner Strathmann appreciated the PowerPoint presentation as it provided a visual aid for the herbicide treatments for these types of projects.

RESULT: **MOVED FORWARD BY ROLL CALL VOTE**
TO: Forest Preserve District Commission
MOVER: Mavis Bates
SECONDER: Jarett Sanchez
AYE: Myrna Molina, Dale Berman, Anita Lewis, Mavis Bates, Michael Kenyon, Cheryl Strathmann, Vern Tepe, and Jarett Sanchez

VII. New or Unfinished Business

A. Closed Session Minutes Review

The Executive Committee of the Forest Preserve District of Kane County, Illinois has reviewed the minutes of Closed Sessions pursuant to 5ILCS 120/2.06 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 fully made public.

The Committee has determined that the need for confidentiality still exists as to the Closed Session minutes of: 06/01/2007, 07/06/2007, 03/02/2018, 04/06/2018, 11/06/2020, 02/4/2021, 07/08/2021, 08/05/2021, 01/06/2022, 02/03/2022, 04/07/2022, 06/09/2022, 07/07/2022, 08/04/2022, 09/08/2022, 10/06/2022 and 11/03/2022.

The Committee has determined that there is no longer a need for confidentiality as to all or part of the Closed Session minutes of: 03/02/2018, 04/03/2020, 10/02/2020, 01/07/2021, 07/08/2021, 08/05/2021, 09/02/2021, 12/02/2021 and 01/06/2022, 04/07/2022 and 11/03/2022.

RESULT: **APPROVED BY ROLL CALL VOTE**
MOVER: Michael Kenyon
SECONDER: Dale Berman
AYE: Myrna Molina, Dale Berman, Anita Lewis, Mavis Bates,
 Michael Kenyon, Cheryl Strathmann, Vern Tepe, and Jarett Sanchez

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

The Committee moved into Executive Closed Session at 8:57AM to discuss license agreements and potential litigation.

RESULT: **APPROVED BY ROLL CALL VOTE**
MOVER: Michael Kenyon
SECONDER: Vern Tepe
AYE: Myrna Molina, Dale Berman, Anita Lewis, Mavis Bates,
 Michael Kenyon, Cheryl Strathmann, Vern Tepe, and Jarett Sanchez

The Committee returned to Open Session at 9:35 AM on a motion by Berman, second by Tepe, roll call vote was taken, unanimous vote.

IX. Communications

Community Affairs Cir. Metanchuk presented the annual native plant sale held by the District's Forest Preserve Foundation on Saturday April 29, 2023. This year the plant sale will be held in person as well as online. Funds will be used to purchase spotting scopes. Additional sponsors and volunteers are needed.

Exec. Dir. Haberthur introduced the District's new Accounting Manager, Melissa Carrano. Commissioner Bates promoted the Aurora Green Fest on May 13, 2023. More information can be located at Kane County.

X. President's Comments

None.

XI. Financial Reports

Reports A-C were moved together by unanimous consent requested by Commissioner Sanchez.

- A. Revenue & Expense Report through December 2022
- B. Cash & Investment Report: December 2022
- C. Bond Investment Report: December 2022

XII. Adjournment

The meeting adjourned at 9:40 AM.

RESULT: **APPROVED BY VOICE VOTE [UNANIMOUS]**

MOVER: Michael Kenyon

SECONDER: Dale Berman

AYE: Myrna Molina, Dale Berman, Anita Lewis, Mavis Bates,
Michael Kenyon, Cheryl Strathmann, Vern Tepe, and Jarett Sanchez

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

Respectfully Submitted,

Gabriella Figliozi

Gabriella Figliozi
Recording Secretary