



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

Forest Preserve District Commission Meeting Minutes

Tuesday, December 13, 2022

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 newly appointed Board Member, Rick Williams to lead the pledge.

III. Roll Call

PRESENT:

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

ABSENT:

None

Others Present: Exec. Dir. Haberthur, Former Exec. Dir. Meyers; CFO Stanish & Interim CFO Petschke; Chief of Land Mgt. & Planning Rooks-Lopez & staff Rafferty*; Dir. of Comm. Affairs Metanchuk & staff Kovach, Dir. of Ops. Pentecost; NRM Dir. Chess; Chief of Police Burger; Attorney Hodge, Exec. Assist. Figliozzi, KCIT Peters, Tierney; Don Shaw of Lauterbach and Amen; and members of the public.

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

None.

V. Presentation and Approval of the Minutes of November 7, 2022 Full Commission, Truth in Taxation Hearing, & November 22, 2022

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

VI. Presentation and Approval of the Bills and Commissioners' Per Diem from November 2022 (Commissioner Surges arrived in person @ 9:07 AM)

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

VII. Presentations

A. Presentation and Approval of the Fiscal Year 2021-2022 Annual Comprehensive Financial Report (ACFR)

Interim Chief of Finance Dave Petschke introduced Don Shaw, of Lauterbach and Amen. Shaw presented an overview of the audit as conducted for 2021-2022. Shaw congratulated the District on the well-received audit and letter. The District has been once again, awarded the Certificate of Achievement for Excellence in Financial Reporting for the June 31, 2021 audit. The Government Finance Officers Association (GFOA) conducts this award. Shaw highlighted key items for the District, such as a positive equity increase. He discussed the annual obligations in the report and noted next year a separate letter will be implemented next year, standard procedures.

DISCUSSION: *Commissioner Davoust commended District staff for all their hard work, another year of excellence. He noted that this type of audit reporting is not always the case in units of government; he was very pleased and congratulated staff.*

B. Illinois Association of Park Districts (IAPD) Best of the Best 2022 Awards

Exec. Dir. Haberthur provided a brief background on the IAPD organization awards. They provide trainings, assistance and various lobbying throughout the year. IAPD also provides opportunities with volunteer organizations. The annual award event has a variety of categories including businesses. Exec. Dir. Haberthur recognized Pat Chess, Natural Resource Management for receiving the Best of the Best Award 2022 and Commissioner Deborah Allan for her Years of Service award. Dir. Haberthur congratulated Pat Chess on his promotion to Director of Natural Resources. (Commissioner Daugherty arrived via remote @ 9:10 AM)

FP-R-22-11-2989 Resolution of Commendation for Monica A. Meyers

President Kious presented the Resolution of Commendation for Monica Meyers, who is retiring as Executive Director from the District. Commissioner Kenyon spoke highly of Ms. Meyers, noting he had known her since her beginning days at Elgin Park District over 18 years ago. He thanked her for all her years of service. President Kious read the Resolution aloud. Exec. Dir. Haberthur presented a glass Award from the District staff to Ms. Meyers. Meyers.

RESULT: ADOPTED BY ROLL CALL VOTE
MOVER: Michael Kenyon
SECONDER: Mark Davoust
AYE: Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cherryl Strathmann, Cliff Surges, Vern Tepe

VIII. Election of the President

A. Nomination of Temporary Chairman

Exec. Dir. Haberthur was nominated as the Temporary Chair. Exec. Dir. Haberthur explained the process of nominations for the new Commissioners and covered the standard protocol.

RESULT: ADOPTED BY ROLL CALL VOTE
MOVER: Chris Kious
SECONDER: Mark Davoust
AYE: Deborah Allan, Mavis Bates, Dale Berman, Gary Daugherty, Mark Davoust, Ron Ford, Michelle Gumz, Mo Iqbal, Michael Kenyon, Chris Kious, Bill Lenert, Anita Lewis, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cherryl Strathmann, Cliff Surges, Vern Tepe

B. Nominations for Forest Preserve District President

1. Nomination for Bill Lenert for President

Commissioner Kenyon moved to nominate Bill Lenert for President, with a second by Juby.

2. Nomination for Mark Davoust for President

Commissioner Roth moved to nominate Mark Davoust for President, with a second by Young.

3. Nomination for Chris Kious for President

Commissioner Sanchez moved to nominate Chris Kious for President, with a second by Strathmann.

The floor was closed with the three nominations with each to provide a statement.

DISCUSSION: *Commissioner Lenert introduced himself to the new Commissioners. Lenert stated he has been on the Board for 8 years and discussed the numerous committees on which he has been a part. Lenert stated that over the years, the District has been able to acquire over 22,000 acres, and thus, staff has been stretched thin. Lenert felt, down the road there will need to be a referendum in order to alleviate staff needs. Lenert has successfully lead referendums in the past. He expressed his bipartisan role and noted he would not show any favoritism to any party, making sure all would be equal as much as possible. Lenert stated he would like to research and change the nomination of the presidency timeline to allow the newly elected board members more time to make this decision, rather than their very first Full Commission meeting.*

Commissioner Davoust presented a statement; he discussed the benefits of becoming a Forest Preserve Commissioner in addition to Kane County Board. He noted he started around the same time as Monica Meyers and the challenges of having to run a business and the needs for the employees. The referendums are the lifeblood of this organization. He stated that a referendum would be needed in the future. Davoust spoke in regards to the "Ball Park" in Kane County, satisfying our bond debt. He noted the District has not had a positive outcome with the Baseball owner. Davoust stated he took a phone call from the owner to discuss the concerns; the owner made a payment to the District to apply towards the outstanding debt and agreed to make another payment. Davoust stated he would be privileged to lead the Forest Preserve. (Commissioner Allan arrived in person @ 9:46 AM)

Commissioner Chris Kious made his statement; noting he has served the District as President for the last two years. He has attended meetings and made relationships with various Directors and Associations throughout Kane County. He discussed the various projects that have moved forward and major accomplishments during his Presidency. Kious discussed the Early Retirement Incentive (ERI) that was passed and created four new staff positions. He quoted Peter Murphy, President and CEO of Illinois Association of Park Districts (IAPD), noting the job of the President is to get the consensus of the Board and provide that for the Executive Director of the District. Kious felt strongly to honor the consensus of the Board and read the Forest Preserve's mission statement.

Statements were complete, Exec. Dir. Haberthur called the vote for the nominations.

C. Close Nominations for Forest Preserve District President

Bill Lenert with 5 votes, Mark Davoust with 5 votes, Chris Kious with 14 votes. There was a tie with the least of three. The Commission turned to Attorney Hodge for clarification. Attorney Hodge stated the District does not hold a provision for a tiebreaker, suggested to vote again.

DISCUSSION: *Commissioner Tepe stated he felt that 14 votes for Kious was an overwhelming number. Dir. Haberthur deferred to Attorney Hodge. Hodge noted that the vote is set up as a run off, to allow the ultimate decision. He suggested, the candidates could withdraw, or the Board could call the vote again. Commissioner Sanchez suggested for the Board to vote only on the two candidates who tied, and then the lesser would drop off. Hodge stated that would be up to the candidates, if they would agree we could move forward. There was no objection to the conclusion of calling the vote for the tied candidates.*

*Exec. Dir. Haberthur called the vote:
Bill Lenert with 7 votes, Mark Davoust with 10 votes.
Abstained: Allan, Bates, Berman, Kious, Molina, Strathmann, Tepe*

Roll call vote was called for the two remaining nominees: Mark Davoust and Chris Kious

RESULT:	PRESIDENT CHRIS KIOUS APPROVED BY ROLL CALL VOTE [13-11]
KIOUS:	Deborah Allan, Mavis Bates, Dale Berman, Michelle Gumz, Leslie Juby, Chris Kious Mike Linder, Myrna Molina, Bill Tarver, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Vern Tepe
DAVOUST:	Gary Daugherty, Mark Davoust, Ron Ford, Mo Iqbal, Michael Kenyon, Bill Lenert, Anita Lewis, Bill Roth, Cliff Surges, Rick Williams, David Young

Roll Call vote was taken to return President Kious as Chairman moved by Kenyon, second by Roth, unanimous vote.

IX. Administration

FP-R-22-11-2990 Resolution Approving a Request to Reimburse Waste Management for Costs Associated with the Repair of Two Groundwater Monitoring Wells as Part of the Settler's Hill Golf Course Improvement Project

Exec. Dir. Haberthur presented the resolution to approve a reimbursement to Waste Management. Haberthur provided background information regarding the costs of damage that occurred during renovations to the Settler's Hill Golf Course.

DISCUSSION: None.

RESULT:	ADOPTED BY ROLL CALL VOTE
MOVER:	Jarett Sanchez
SECONDER:	Vern Tepe
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, Mike Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Cliff Surges, Bill Tarver, Vern Tepe, David Young
NAY:	Rick Williams

X. Agreements

FP-R-22-11-2991 Resolution Approving an Intergovernmental Agreement with Kane County Informational Technologies for Hardware and Software Services

Exec. Dir. Haberthur presented the resolution approving an intergovernmental agreement with Kane County for IT services. He provided background information on the terms of the agreement. The current contract fee is \$62,000 per year. The fee would increase \$20,000 annually over the next 10 years, reaching a total fee of \$242,000 per year for IT services.

DISCUSSION: None.

RESULT:	ADOPTED BY ROLL CALL VOTE
MOVER:	Dale Berman
SECONDER:	Jarett Sanchez

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, Mike Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Cliff Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young

FP-R-22-11-2992 Resolution Approving a Vehicle Lease Contract with Enterprise Entities and Enterprise Fleet Management, Inc. (EFM) for the Public Safety Department
Chief Burger presented the following resolution to approve a new vehicle lease contract with Enterprise. The original agreement approved in February of 2022 has been canceled due to a shortage of vehicle availability. Enterprise has provided a new agreement, pricing of overall vehicles have increased.

DISCUSSION: None.

RESULT: **ADOPTED BY ROLL CALL VOTE**
MOVER: Michelle Gumz
SECONDER: Ron Ford
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, Mike Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Cliff Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young

XI. Bids and Proposals

FP-R-22-11-2993 Resolution Approving a Contract with Paramount Fence to Provide and Install Chain Link Fence and Gate at the Natural Resources Management Facility at MillCreek Greenway Forest Preserve

Dir. of Operations Pentecost presented the resolution approving a contract to install a chain link fence at the NRM Facility. Pentecost provided background information of the building project for the Natural Resource Department that was completed in 2018. The last remaining item was a fence and gate to house the building. He noted a small contingency was set aside as this was a simple project.

DISCUSSION: None.

RESULT: **ADOPTED BY ROLL CALL VOTE**
MOVER: Jarett Sanchez
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, Mike Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Cliff Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young

FP-R-22-11-2994 Resolution Approving Bids for Herbicide Control of Woody Resprouts at Various Preserve

Dir. of Natural Resources Chess presented the resolution to approve herbicide control to various preserves. Chess indicated the spot treatment for the various invasive species that sprout seedlings after brush removal. The sites were listed, included in the agenda packet. He noted the single vendor has been utilized before. Staff contacted the various vendors; the responses included previously committed contracts and not enough staff to complete projects.

DISCUSSION: None.

RESULT: **ADOPTED BY ROLL CALL VOTE**
MOVER: Jarett Sanchez
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, Mike Linder, Myrna Molina, Bill Roth, Jarett Sanchez, Monica Silva, Cheryl Strathmann, Cliff Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young

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

None.

XIII. Communications

Dir. of Comm. Affairs Metanchuk, promoted the Open House for Monica Meyers and Ben Haberthur on Wednesday, December 14, 2022 from 3-6 p.m. at Creek Bend Nature Center, within LeRoy Oakes Forest Preserve, 37W700 Dean Street, St. Charles, IL.

XIV. President's Comments

President Kious thanked the Board members and all the staff for their continued efforts throughout the year. He congratulated Ben Haberthur for his new role as Executive Director and Pat Chess on his new role as Dir. of Natural Resources.

XV. Department Reports

A. Department Reports November 2022

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

XVI. Adjournment

The meeting adjourned at 10:15 AM.

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