



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

Forest Preserve District Commission Meeting Minutes

Tuesday, May 13, 2025

8:30 AM

County Board Room

I. Call to Order

The Forest Preserve District Full Commission meeting was held Tuesday, May 13, 2025 at the Kane County Government Center located at 719 S. Batavia Ave., Geneva, IL 60134. President Lenert called the meeting to order at 8:30 AM.

II. Roll Call

Remote Attendance Approval

Commissioners: Daugherty, Molina

PRESENT

President Forest Preserve District Bill Lenert
Secretary Forest Preserve District Mo Iqbal
Commissioner Deborah Allan (Arrived in person at 8:41AM)
Commissioner Alex Arroyo (Arrived in person at 8:48AM)
Commissioner Mavis Bates (Arrived in person at 8:32AM)
Commissioner Dale Berman
Commissioner Jon Gripe
Commissioner Michelle Gumz
Commissioner Leslie Juby
Commissioner Chris Kious
Commissioner Anita Lewis (Arrived in person at 8:41AM)
Commissioner Michael Linder
Commissioner Ted Penesis
Commissioner Bill Roth
Commissioner Jarett Sanchez
Commissioner Cheryl Strathmann
Commissioner Clifford Surges (Arrived in person at 8:38AM)
Commissioner Bill Tarver
Commissioner Vern Tepe
Commissioner Rick Williams
Commissioner David Young

REMOTE:

Commissioner Gary Daugherty
Commissioner Myrna Molina

ABSENT:

Commissioner Sonia Garcia

Also Present: Exec. Dir. Haberthur, Dir. of Finance Petschke; Dir. of Planning and Land Protection Rooks-Lopez; HR Dir. Clough; NRM Dir. Chess & staff Blackburn; Ops. Dir. Jensen & staff Darby; Dir. of Comm. Engagement Metanchuk & Staff Kovach; Chief of Police Burger; Attorney Hodge; Exec. Assist. Figliozzi, KCIT staff Peters and members of the public.

III. Pledge of Allegiance

President Lenert asked Commissioner Iqbal to lead the pledge.

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

None. (Commissioner Bates arrived in person at 8:32AM)

V. Presentation and Approval of the Minutes of April 8, 2025

RESULT: APPROVED BY UNANIMOUS CONSENT

MOVER: Chris Kious

AYE: Mavis Bates, Dale Berman, Gary Daugherty, Jon Gripe, Michelle Gumz, Mo Iqbal, Leslie Juby, Chris Kious, Bill Lenert, Michael Linder, Myrna Molina, Ted Penesis, Bill Roth, Cheryl Strathmann, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Deborah Allan, Alex Arroyo, Sonia Garcia, Anita Lewis, Jarett Sanchez, Clifford Surges

VI. Presentation and Approval of the Bills and Commissioners' Per Diem from April 2025

RESULT: ADOPTED BY ROLL CALL VOTE

MOVER: Rick Williams

SECONDER: Mo Iqbal

AYE: Deborah Allan, Alex Arroyo, Mavis Bates, Dale Berman, Gary Daugherty, Sonia Garcia, Jon Gripe, Michelle Gumz, Mo Iqbal, Leslie Juby, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Ted Penesis, Bill Roth, Jarett Sanchez, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Deborah Allan, Alex Arroyo, Sonia Garcia, Anita Lewis, Jarett Sanchez, Clifford Surges

VII. Presentations

None.

VIII. Finance and Administration

FP-O-25-05-0615 Ordinance for the Annual Budget Appropriation Fiscal Year 2025-2026 (*Commissioner Surges arrived in person at 8:38AM*) *Dir. of Finance Petschke presented the highlights of the proposed balanced budget for fiscal year 2025/2026.* The proposed budget represents a consolidated effort of all staff in maintaining very tight controls on expenditures within the District. Prior year trends were reviewed and a priority analysis of new initiatives/purchases was conducted to determine the best uses of the funds available. The General Fund's revenues are expected to increase, going from \$12,036,082 in the current year to \$14,051,163 for FY25-26. The property tax increase of \$2,385,456 was due to the operating referendum that was approved by the voters of Kane County in November 2024. This increase will be offset by a budgeted transfer of \$1,000,000 from the General Fund to the Land Acquisition Fund, increasing land protection through further acquisition. (*Commissioners Lewis and Commissioner Allan arrived in person at 8:41AM*) One of the concerns the District identified following the results of the compensation and classification study was that the PPO plan employer contributions were not competitive compared to other local agencies. As a result of this information, the District is seeking to improve the employer covered portion of health insurance by offering an 83% employer payment for PPO plan and a 90% employer payment for the HMO plans. This will realign the District with other competitive agencies as well as Kane County employer paid benefits. This is incorporated into the budget with an increase from the prior year budgeted health insurance costs of \$72,248, or a 7.3% increase based on current elections for coverage. Further Highlights include vehicles, machinery and equipment, and carry-over capital requests from the prior year.

DISCUSSION: *President Lenert commented that the additional revenues coming in, will equate to an approximate 5% increase. This amount is calculated after the transfer of the revenues from the operating referendum to the land acquisition fund. The goal is to buy more land and to sustain the employees by compensating fairly with pay and benefits. (Commissioner Arroyo*

arrived in person at 8:45AM). Commissioner Gumz thanked the Board and President Lenert for the hard work and the appropriate business model demonstrated by the District. (Commissioner Sanchez arrived in person at 8:46AM).

RESULT: ADOPTED BY ROLL CALL VOTE

MOVER: Rick Williams

SECONDER: Ted Penesis

AYE: Deborah Allan, Alex Arroyo, Mavis Bates, Dale Berman, Gary Daugherty, Jon Gripe, Michelle Gumz, Mo Iqbal, Leslie Juby, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Ted Penesis, Bill Roth, Jarett Sanchez, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Sonia Garcia

IX. Land Acquisition

FP-R-25-05-3155 Resolution Approving a Storm Water Easement Agreement at Hannaford Woods Forest Preserve with Crown Development

Exec. Dir. Haberthur presented the storm water easement agreement with Crown Development at Hannaford Woods Forest Preserve, in Sugar Grove.

Hannaford Woods/Nickels Farm Forest Preserve is comprised of 400 acres that surround Waubensee Community College in Sugar Grove. The majority of the northern boundary of the preserve is defined by Merrill Road. Crown Community Development (Crown) is beginning construction on Phase 1 of its 760-acre mixed-use development known as "The Grove", this summer. Phase 1 of the project is primarily residential units on the northside of Merrill Road and bounded by Illinois 47 to the west. The land on which this project is to be built drains to the south via culvert onto Hannaford Woods. The current land use is agricultural. Crown's development project will decrease the amount of permeable surface across their project area and thereby increase the amount of stormwater to be managed north of Merrill Rd.

In early 2025, the Village of Sugar Grove and Crown Development contacted the District to obtain a stormwater easement. Illinois drainage law requires the District, as a downstream neighbor, to natural volumes of water from upstream neighbors (to permit drainage), but has provisions to ensure water velocity does not increase on downstream neighbors, which could result in soil erosion.

Staff met with Crown and their engineers in March to evaluate changes in stormwater volume and velocities and how they might affect Hannaford Woods. Staff specified changes in the stormwater discharge point that will ensure the stormwater that discharges under Merrill Road and onto Forest Preserve property will be properly managed. These requirements primarily consist of a new level spreader, which is a device that converts the high energy level in high-velocity flow into sheet flow, thereby dispersing the energy in the discharged water, so that it may infiltrate into the soil.

The proposed easement is necessary to provide stormwater discharge for Crown's Phase 1 development and to allow access for discharge point improvements and perpetual maintenance, post construction. Crown Community Development also does business as Sugar Grove LLC.

DISCUSSION: *Commissioner Bates asked if staff had discussions of requiring guardrails for potential future run-off issues. Exec. Dir. Haberthur responded that staff would seed the area and the vegetation will act as a natural filter. Commissioner Sanchez commented that this development was somewhat controversial, this project was not in favor of most of the residents. He asked if the District had included a clause in the agreement in the case the Developer, Crown does not fulfill the obligation. Attorney Hodge responded that the obligation on the developer is in place, the contractual obligation is the means of enforcement, however, the HOA of the development will be responsible for the maintenance. He noted that under the drainage*

code, the District needs to agree to mitigate the water legally, however, the infrastructure is the Developers responsibility. Commissioner Sanchez noted that he was not in favor of this type of development. President Lenert stated that he was in agreement, however, the District is liable and needs to move forward with the stormwater mitigation. Commissioner Surges asked about the bonding requirements. Exec. Dir. Haberthur responded that the District has performance bonds requirements.

RESULT: ADOPTED BY ROLL CALL VOTE
MOVER: Jon Gripe
SECONDER: Leslie Juby
AYE: Deborah Allan, Alex Arroyo, Dale Berman, Gary Daugherty, Jon Gripe, Michelle Gumz, Mo Iqbal, Leslie Juby, Chris Kiou, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Ted Penesis, Bill Roth, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young
PRESENT: Mavis Bates, Jarett Sanchez
ABSENT: Sonia Garcia

FP-R-25-05-3156 Resolution Authorizing the Acceptance of Lands by Gift in the Village of Sugar Grove

Dir. of Planning and Land Protection Rooks-Lopez presented a donation of land agreement with the Village of Sugar Grove. Lennar Homes is in the process of receiving final approval from the Village of Sugar Grove for a 322-unit residential development (174 single-family home; 148 townhome) at the intersection of Galena Rd and Illinois Route 56. Known as Brighton Ridge, this development is adjacent to the District's 235-acre Bliss Woods Forest Preserve.

In early 2025, the District was contacted by Lennar Homes at the behest of Sugar Grove Park District. Lennar is seeking to dedicate approximately 42 acres of land to the District, as the incorporation of open space into the development will enhance the desirability of living at Brighton Ridge. Staffs' evaluation of the natural area value of the donation parcel, show it to be comprised primarily of non-native species and in need of restoration; however, this parcel will link the District's Aurora West (715 acres) and Bliss Woods Forest Preserves. Protection of this parcel will assist with maintenance of the Virgil Gilman Trail as well as provide a transportation corridor and habitat for our native wildlife.

Staff and legal counsel have worked with Lennar to ensure that the proposed property boundaries will not create any undue encroachment burden, and clarified that the Fox Metro Water Reclamation District maintenance path onsite remains the maintenance responsibility of that District. Additionally, Lennar Homes will be donating \$20,000 to the District to begin the ecological restoration on the donated parcel. There is no financial cost to the District.

DISCUSSION: *Commissioner Tepe asked if the District would have a relationship with the Development company regarding maintenance expenses. Dir. Rooks-Lopez responded that the responsibility would be 100% on the District, as the land would be owned by the District. However, the company will be paying the District \$20,000 to aid in restoration. Commissioner Tepe commented that typical agreements would include the company to maintain the land. Dir. Rooks-Lopez responded that with stormwater management agreements, this would be the case, however this land would become Forest Preserve land and the 20-foot buffer of the developed site will aid in reducing encroachment complains. The agreement is a 42acre gift of land with some funding for restoration. Commissioner Gripe commented that he appreciates how the District works with developers and residents of private lands to engage and ultimately take care of the land and improve the county. President Lenert noted that as a Sugar Grove resident, this particular development strategy is a good boost economically with less impact to the land. Commissioner Bates asked about the existing bike trail. Dir. Rooks-Lopez responded that the*

Sugar Grove Park District plans to connect the bike trail and create access to Aurora West and Bliss Woods, which is a great connection for the District as well.

RESULT: ADOPTED BY ROLL CALL VOTE

MOVER: Mike Linder

SECONDER: Bill Tarver

AYE: Deborah Allan, Alex Arroyo, Mavis Bates, Dale Berman, Gary Daugherty, Jon Gripe, Michelle Gumz, Mo Iqbal, Leslie Juby, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Ted Penesis, Bill Roth, Jarett Sanchez, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Sonia Garcia

X. Planning and Utilization

FP-R-25-05-3157 Resolution Approving a Bid for the Fabyan South Residence Exterior Renovation.

Dir. of Operations Jensen presented the bid for the Fabyan resident house. The South Residence at Fabyan Forest preserve was built between 1915 and 1920; known as “The Superintendent’s House” it was ordinally used as staff quarters on the Fabyan Estate. The residence is currently part of the District’s employee housing program and in need of minor cedar-shake siding replacement due to prolonged exposure to direct sunlight. The historic significance of this residence makes it a high priority for maintenance funds. In-kind replacement materials were specified as part of this project to ensure historical accuracy. The color pallet will also remain consistent to site for staining and painting to maintain preserve aesthetics and provide UV protection to the structure. Only damaged areas of the siding (totaling approximately 50% of the house) are to be replaced at this time in addition to minor repairs to sheathing, decking and trim.

The District publicly advertised the bid and released it on the District’s online bidding platform. Seven responses were received. American Painting, Incorporated (St. Charles, IL) was selected with a base bid in the amount of \$37,450. District staff recommend an additional contingency in the amount of \$2,550 to cover any unanticipated expenses of this project. Funds totaling \$120,000 were budgeted in Fiscal Year 2024/2025 for Rental Properties Maintenance. Sufficient funds totaling \$83,751.96 are available for this expense totaling \$40,000.

DISCUSSION: None.

RESULT: ADOPTED BY ROLL CALL VOTE

MOVER: Bill Roth

SECONDER: Mavis Bates

AYE: Deborah Allan, Alex Arroyo, Mavis Bates, Dale Berman, Gary Daugherty, Jon Gripe, Michelle Gumz, Mo Iqbal, Leslie Juby, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Ted Penesis, Bill Roth, Jarett Sanchez, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Sonia Garcia

FP-R-25-05-3158 Resolution Authorizing a License Renewal and Third Amendment with All Grass Farms, at the Brunner Family Forest Preserve

Dir. of NRM Chess presented the third amendment and renewal of the license agreement with All Grass Farms. In February 2015, the District entered into a license agreement with All Grass Farms (formerly Barrington Natural Farms). The original license stipulates that the primary purpose of the operation will be for an organic farm operation, including livestock, dairy operation, vegetable and fruit crops, and a farmer’s market. This license was amended in 2016 to include specified organic vegetable production areas and again in 2020 to extend the term an additional five (5) years to December 31, 2024. The original terms called for the potential of four (4), five-year renewals for a total term period of 25 years. The proposed amended renewal

provides for a term extension of another three (3) years and records additional requirements for the licensee to remain in compliance with District's standards and expectations. The additional requirements are detailed in the attached license, summarized as follows:

- Additional base rent of \$25,340/year for use of the buildings for a total annual rent of \$57,340.
- Reduction in the District's share of received gross revenue from 5% to 1%; with the District contributing that 1% toward capital improvements into the preserve in an amount equivalent to the 1% revenue share received.
- Revenue share payments due on a monthly basis.
- Any late payments will cause a reversion to the previously amended contract terms (pre-2025).
- Addition of insurance requirements for sub-licensees.
- Additional requirements for permit/sale of raw milk.
- Defined buffers for land use surrounding wells and creeks.

The financial terms of this second renewal changed significantly from the original 2015 license agreement. The base rent includes the same \$200 per acre fee for land rent, but now includes an additional \$25,340 per year fee for use of the buildings. This will increase District rent revenue from \$32,000 each year to \$57,340. The original license also included a 5% fee on the gross sales of the farm market. That percentage has been reduced to 1% in this renewal. This 1% gross revenue fee, all gross revenue reports from prior months, and the first installment of the land rent will be due by June 15, 2025 payment deadline.

***DISCUSSION:** Commissioner Strathmann asked what the 1% revenue share would amount to. Dir. Chess responded that it would be an estimated \$25,000 per year. President Lenert explained that the District changed the rental amount, however reduced the revenue share from 5% to 1% to be fair on both sides. Commissioner Penesis noted his enthusiasm, he is a supporter of regenerative farming and what All Grass Farms has done for the community. He asked about the flowers and if that was a new implementation. Dir. Chess responded that the owner has added the flowers over time. Commissioner Linder asked about the tenant and payments. President Lenert responded that payments were not always on time, however staff has addressed the issue and implemented a three-year agreement term is to keep the tenant on track. If they do not comply, then the original agreement terms are reinstated. Commissioner Kious commented that the tenant has done a great job in selecting the sublease farmers, they are very knowledgeable in their specified field such as the organic vegetables and the flowers.*

RESULT: **ADOPTED BY ROLL CALL VOTE**

MOVER: Cheryl Strathmann

SECONDER: Jarett Sanchez

AYE: Deborah Allan, Alex Arroyo, Mavis Bates, Dale Berman, Gary Daugherty, Jon Gripe, Michelle Gumz, Mo Iqbal, Leslie Juby, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Ted Penesis, Bill Roth, Jarett Sanchez, Cherryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Sonia Garcia

XI. Executive

None.

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

None.

XIII. New or Unfinished Business

None.

XIV. Communications

Dir. of Community Engagement Metanchuk reported on the recent District events. The Kane Forest Foundation held their annual native plant sale, noting it was a success and thanked all the volunteers and board members who attended. Earth Day tree planting was another successful day as well with a number of staff, volunteers, and state representative Don DeWitt. Lastly, the upcoming Centennial Celebration will be held on June 8, 2025. Exec. Dir. Haberthur provided a memorial coin to each Board member as a symbol to mark the first 100 years of land protection and restoration.

XV. President's Comments

President Lenert thanked District staff for their continued hard work in balancing the budget for the next fiscal year.

XVI. Department Reports

RESULT: ACCEPTED AND PLACED ON FILE

MOVER: Mo Iqbal

SECONDER: Deborah Allan

AYE: Deborah Allan, Alex Arroyo, Mavis Bates, Dale Berman, Gary Daugherty, Jon Gripe, Michelle Gumz, Mo Iqbal, Leslie Juby, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Ted Penesis, Bill Roth, Jarett Sanchez, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Sonia Garcia

Commissioner Allan noted that the Kane Forest Foundation will be holding the second annual golf outing in September. She explained that the District's former Executive Director Monica Meyers has taken the lead in the event. Commissioner Allan promoted and encouraged all the commissioners to attend the event.

XVII. Adjournment

The meeting adjourned at 9:20AM

RESULT: APPROVED BY VOICE VOTE

MOVER: Alex Arroyo

SECONDER: Jarett Sanchez

AYE: Deborah Allan, Alex Arroyo, Mavis Bates, Dale Berman, Gary Daugherty, Jon Gripe, Michelle Gumz, Mo Iqbal, Leslie Juby, Chris Kious, Bill Lenert, Anita Lewis, Michael Linder, Myrna Molina, Ted Penesis, Bill Roth, Jarett Sanchez, Cheryl Strathmann, Clifford Surges, Bill Tarver, Vern Tepe, Rick Williams, David Young

ABSENT: Sonia Garcia

Bill Lenert, President
Forest Preserve District Commission
Forest Preserve District of Kane County

Respectfully Submitted,

Gabriella Figliozzi

Gabriella Figliozzi
Recording Secretary

Mohammad Iqbal
Board Secretary