



1996 S. Kirk Rd Ste 320  
Geneva, IL 60134

## Forest Preserve, Finance and Administration Committee Meeting Minutes

Chairman Dale Berman, President Christopher Kious, Treasurer Bill Lenert,  
Deborah Allan, Michelle Gumz, Leslie Juby, Jarett Sanchez, Vern Tepe, Rick Williams

**Tuesday, February 21, 2023**

**2:00 PM**

**3rd Floor Board Room**

### **I. Call to Order**

Chair Berman opened the meeting at 2:00PM.

<b>PRESENT</b>	Chairman Dale Berman President Chris Kious Commissioner Leslie Juby Commissioner Bill Lenert Commissioner Jarett Sanchez (In person @ 2:02PM) Commissioner Vern Tepe (In person @ 2:03 PM) Commissioner Rick Williams
<b>ABSENT</b>	Commissioner Deborah Allan Commissioner Michelle Gumz

**Also Present:** Commissioners: Roth, Strathmann\*; Exec. Dir. Haberthur, CFO Petschke & staff Carrano; Dir. of NRM Chess; Chief of Planning & Land Mgmt. Rooks-Lopez; Dir. of Ops. Pentecost; Dir. of Comm. Affairs Metanchuk & staff Kovach; Chief of Police Burger; Attorney Hodge; Admin Assist. Rafferty and Exec. Assist. Figliozzi

### **II. Approval of Minutes from January 24, 2023**

<b>RESULT:</b>	<b>APPROVED BY ROLL CALL VOTE</b>
<b>MOVER:</b>	Bill Lenert
<b>SECONDER:</b>	Rick Williams
<b>AYE:</b>	Chris Kious, Leslie Juby, Bill Lenert, Jarett Sanchez, Rick Williams and Dale Berman
<b>ABSENT:</b>	Deborah Allan and Michelle Gumz, Vern Tepe

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

None.

### **IV. Presentations**

*There was a change in the agenda order; the Golf Courses Quarterly Financial Report was presented prior to the Quarterly Investment Financial Report. The Quarterly Investment Report was made available to the Committee; Tom Sawyer of Sawyer Falduto was not in attendance,*

*Executive Director Haberthur indicated that the presentation would be held at a future meeting. (Commissioner Tepe arrived in person @ 2:03Pm)*

**A. Presentation of the Quarterly Investment Financial Report - Sawyer Falduto Asset Management**

**B. Presentation of the Golf Courses Quarterly Financial Report**

CFO Petschke presented the fourth quarter revenue report for the Hughes Creek Golf Course and Settler's Hill Golf Course. The District received \$46,250 for both Settler's Hill and Hughes Creek Golf Club. The management company, Golf Visions paid an additional \$53,561.08 due to exceeding the contracted cap amount of \$1M for Hughes Creek revenue shares.

**DISCUSSION:** *Commissioner Juby asked about a payment due from Golf Visions and if that had been paid. CFO Petschke explained there was an error in the original memo regarding the total amount due. That has since been corrected; the 15% revenue share is based on the \$1M revenue cap per golf course. Golf Visions has provided their payment. Commissioner Lenert asked about the length of contract term and the revenue share regarding the separate total cap. Petschke responded that the rates are locked in for three years. The District has completed the first year of the contract and have two more years.*

**V. Bids and Proposals**

**A. Resolution Approving the Muirhead Springs Forest Preserve Wetland and Stream Mitigation Bank Contract for Engineering and Permitting Services for Phase II and Phase III**

*Chief of Planning and Land Management Rooks-Lopez presented the memo for the Phase II and Phase III Muirhead mitigation bank project. In 2021, V3 Companies, LTD., Woodridge, Illinois was selected to provide preliminary engineering for the entire project, final engineering, and permitting services for Phase I. The proposal submitted for approval today will provide final engineering, permitting and bidding services for the final phases (2&3) of the project for a total of \$19,000.00.*

Additionally, \$2,000.00 shall be set aside as a contingency to cover unanticipated additional costs, that may arise during final engineering and permitting, for a total possible cost of \$21,000.00. In early 2022, the District completed the initial regulatory establishment of our first wetland mitigation bank. The formal agreement between the District and the U.S. Army Corps of Engineers (ACOE) that established the "Muirhead Springs" wetland mitigation bank is known as a Mitigation Bank Instrument (MBI). Our MBI permits 182.91 (acres) of wetland mitigation credits and 6,041 (linear feet) of stream mitigation credits. The MBI further stipulates the amount and type of credits that can be sold and are tied to strict performance standards. Prior to construction, the District has been permitted to sell 20% of the total amount of mitigation credits to fund initial construction. Additional credits will be authorized for sale once the site has successfully met the hydrology standard. The MBI's construction commencement requirement stipulates that we must begin the project within the growing season following the sale of pre-construction mitigation credits. Because we began selling stream mitigation credits in August of 2021, we must begin construction of the stream mitigation phase of the project in the 2023 growing season. In tandem with our design consultant, V3 Companies, LTD, the District developed a construction plan that meets all the requirements of the MBI. The resulting plan partitions the site into geographic portions based on the site's hydrologic goals and permitting requirements. The first phase of construction began in July 2022 for the western and central thirds of the site. The next steps, Phase II (growing season 2023) is contingent upon the issuance of an IDNR-OWR (Office of Water Resources) floodway construction permit, and will primarily be focused on the earthwork and stabilization of the eastern berm. Phase III, will focus on the eastern portion of the

constructed wetland and stream restoration (growing season 2023). A separate Bid for entire site seeding/planting will be required once site construction is complete and the hydrology standard has been met (date to be determined).

**DISCUSSION:** Commissioner Tepe asked about monies earned from selling credits thus far. Dir. Rooks-Lopez responded on the total received in actual payments to date and outstanding contracts waiting to get final payment. The District has maxed out on sellable wetland credits it can sell, but still has stream credits to sell; the allowed amount is 20% until the District hits hydrology. The earliest we may be permitted to sell additional credits could be spring of 2024 or 2025. The District needs to demonstrate water being held on site for a minimum of 1 year. Commissioner Juby noted a typo in the written amount in the memo. Rooks-Lopez responded that would be amended to reflect the right amount for the next committee meeting.

**RESULT: APPROVED BY ROLL CALL VOTE**  
**TO:** Forest Preserve District Executive Committee  
**MOVER:** Bill Lenert  
**SECONDER:** Vern Tepe  
**AYE:** Leslie Juby, Bill Lenert, Jarett Sanchez,  
Rick Williams, Dale Berman and Vern Tepe  
**ABSENT:** Deborah Allan and Michelle Gumz

#### **VI. New or Unfinished Business**

*Exec. Dir. Habberthur discussed the wetland mitigation project, noting that the District was behind schedule due to construction conditions. The plan was to meet hydrology in the fall; however, the breaking of tiles happened in January 2023. The plan is back on track and moving in the right direction.*

*Chair Berman noted that the presenter for Sawyer Falduto was not in attendance; however, the committee has the report available to review in the agenda packet.*

#### **VII. Closed Session to Discuss Land Acquisition, License Agreements, Potential Litigation and Personnel**

The Committee moved into Executive Closed Session at 2:17 PM to discuss license agreements and potential litigation.

**RESULT: APPROVED BY ROLL CALL VOTE**  
**TO:** Forest Preserve District Executive Committee  
**MOVER:** Rick Williams  
**SECONDER:** Vern Tepe  
**AYE:** Leslie Juby, Bill Lenert, Jarett Sanchez,  
Rick Williams, Dale Berman and Vern Tepe  
**ABSENT:** Deborah Allan and Michelle Gumz

The Committee returned to Open Session at 2:30 PM on a motion by Williams, second by Lenert. Roll call vote was taken, unanimous.

#### **VIII. Communications**

Comm. Affairs Dir. Metanchuk informed the Commissioners the nametags ordered have arrived; they are available for picked up.

#### **IX. Chairman's Comments**

None.

**X. Adjournment**

The meeting adjourned at 2:33 PM.

**RESULT:**           **APPROVED BY VOICE VOTE**  
**MOVER:**           Bill Lenert  
**SECONDER:**       Rick Williams  
**AYE:**             Leslie Juby, Bill Lenert, Jarett Sanchez,  
                          Rick Williams, Dale Berman and Vern Tepe  
**ABSENT:**         Deborah Allan and Michelle Gumz

Dale Berman, Chairman  
Forest Preserve District Finance and Administration Committee  
Forest Preserve District of Kane County

Respectfully Submitted,

*Gabriella Figliozzi*

Gabriella Figliozzi  
Recording Secretary