

# FILE

**BOARD OF TRUSTEES  
McHENRY COUNTY CONSERVATION DISTRICT  
Minutes of May 21, 2009**

## **1.0 CALL TO ORDER**

The regular monthly meeting of the Board of Trustees of the McHenry County Conservation District was called to order at 7:03 p.m. by Vice President LaGue on the evening of May 21, 2009 at the Brookdale Administrative Office, 18410 US Highway 14, Woodstock, Illinois.

## **2.0 ROLL CALL**

Trustees Present: Kimberly Hankins, President (arrived at 7:25 p.m.)  
David LaGue, Vice President  
John Green, Treasurer  
Nancy Williamson, Secretary  
Martha Carver, Trustee  
Kevin Ivers, Trustee  
Tom O'Donnell, Trustee

Counsel & Staff Present: Pete Merkel, County Board Liaison  
Jeanne Goshgarian, Legal Counsel  
Scott Puma, Legal Counsel (arrived during Executive Session I)  
Elizabeth S. Kessler, Executive Director  
Anne Basten, Executive Assistant  
John Kremer, Director of Operations  
Andy Dylak, Director of Finance  
Ed Collins, Natural Resource Manager  
Valdon Siler, Land Preservation Manager  
Jeff Diedrick, Police Chief  
Amy Peters, Planning & Development Manager  
Wendy Kummerer, Communications Manager  
Glen Von Bergen, Special Program Coordinator  
Kim Caldwell, Education Program Coordinator  
Patricia Sebastian, Education Administrative Assistant

Others Present: Ralph Burnett, Former Land Acquisition Coordinator  
Dale Shriver, Marengo  
Dr. Cindy Skrukrud, Richmond  
Dave Brandt, Natural Resource Conservation Service

## **3.0 PLEDGE OF ALLEGIANCE**

#### 4.0 ADJOURN TO PUBLIC HEARING

##### 4.1 Motion to recess to Public Hearing for FY 2010 Budget

*A motion was made by Trustee Williamson, seconded by Trustee Carver, to recess to Public Hearing for the purposes of the FY 2010 Budget.* A roll call vote gave the following results: Carver-yes, Williamson-yes, Ivers-yes, LaGue-yes, O'Donnell-yes, Green-yes.  
Motion passed unanimously.

##### 4.2 Roll Call

Trustees Present: David LaGue, Vice President  
John Green, Treasurer  
Nancy Williamson, Secretary  
Martha Carver, Trustee  
Kevin Ivers, Trustee  
Tom O'Donnell, Trustee

##### 4.3 Reading of the Public Notice

Treasurer Green read the public notice as published in the Northwest Herald indicating the date of the Public Hearing and the availability of the approved tentative budget.

##### 4.4 Presentation by Staff

Director of Finance Dylak offered copies of the proposed budget. He then presented the FY 2010 budget beginning with the fund accounts. He briefly covered the major items on the Insurance Fund, the Debt Service Fund, the Special Revenue Fund (Dedicated Accounts), and the Bond Proceeds Funds. There were no changes between the Tentative Budget and the Final Budget proposal for these funds except the Special Revenue Fund.

Director of Finance Dylak then reviewed the variances affecting the Tentative and Final Budgets proposed for the General Fund. There was an increase in the Revenue from property taxes of \$58,579 for a FY 2010 total budgeted revenue of \$8,228,021. There was a change in wages with an increase of \$8,643 to cover expanded hours for the part-time Accounting Technician from 3 to 4 days. Total proposed wages increases included 2% for all employees not on probation and a merit pool of .7%. Including the specific adjustments for all approved position changes and insurance rate changes totaled 4.7%. He noted that the salary ranges for 2009-2010 have been frozen at the 2008-2009 rates.

Director of Finance Dylak went on to state that the total outlay for capital expenditures out of the General Fund is \$350,530 with a shift of two items to operating revenue from unrestricted monies due to the increased property tax revenue expected.

Director of Finance Dylak then briefly reviewed interesting facts and trends through graphs.

4.5 Public Comment on Proposed FY 2010 Budget

There was no public comment at this time on the proposed budget.

4.6 Motion to close Public Hearing and Reconvene Regular Meeting

*A motion was made by Trustee Green, seconded by Trustee Ivers, to close the Public Hearing on the FY 2010 Budget proposal. A roll call vote gave the following results: Ivers-yes, Green-yes, LaGue-yes, Carver-yes, O'Donnell-yes, Williamson-yes.*

Motion passed unanimously.

**5.0 RECONVENE I**

The regular monthly meeting of the Board of Trustees of the McHenry County Conservation District was reconvened at 7:20 p.m. by Vice President LaGue on the evening of May 21, 2009 at the Brookdale Administrative Office, 18410 US Highway 14, Woodstock, Illinois.

No additional people were present or absent from the original Roll Call.

**6.0 PUBLIC COMMENTS**

There were no public comments at this time.

**7.0 PRESENTATIONS/INTRODUCTIONS**

7.1 Special Recognition - Trish Sebastian, National Association of Interpreters

Education Program Coordinator Kim Caldwell explained the Director's Award for Region V of the National Association of Interpreters and that the Director of Region V had awarded this recognition for Ms. Sebastian's work as registration chair for three years and the creation and maintenance of the Region V website. Vice President LaGue presented Trish Sebastian with a plaque and congratulations.

7.2 Special Recognition - Ralph Burnett, Land Acquisition Coordinator

Vice President LaGue read a nice overview written by Natural Resource Manager Collins on Mr. Burnett's history and his work on land acquisition with various agencies. Trustee LaGue then presented Mr. Burnett with a plaque. Mr. Burnett thanked the board and the staff for the experience.

President Hankins arrived during this presentation.

7.3 McHenry County Agricultural, Conservation, Easement and Farmland Protection Commission - "Protecting McHenry County Farmland"

Dave Brandt, ex-officio member of the Commission, gave a PowerPoint presentation about the benefits of farmland preservation to the county. The Commission has created the criteria for identifying farms that warrant preservation but has not received funding. The Trustees asked several questions about costs and appraisal values.

## 8.0 COMMITTEE REPORTS

### 8.1 Trustee Reports on Conferences & Meetings Attended

#### 8.1a Fox River Ecosystem and Kishwaukee River Ecosystem Partnerships

Trustee Williamson had no report.

#### 8.1b Groundwater

Trustee Hankins reported that there have been no recent meetings on which to report.

#### 8.1c Imagine McHenry County

Trustee Ivers reported that the last meeting had been on affordable housing and the group had toured a site which is successful although it was not within walking distance to shopping.

#### 8.1d Agricultural Conservation Easement and Farmland Protection Commission

Trustee LaGue had nothing additional to report.

#### 8.1e Chicago Wilderness

Trustee Ivers reported that a Leave No Child Inside strategic planning session was scheduled for June 1, 2009. Trustee Williamson noted that CMAP had 50 public meetings scheduled on their plans.

#### 8.1f IACD/IACFPD/IAPD

Trustee Carver had no report.

#### 8.1g McHenry County Conservation Foundation

Trustee Williamson encouraged everyone to attend the June 14, 2009 Pedal/Paddle through the Prairie Event at Glacial Park.

#### 8.1h Other

President Hankins stated that the Bike with the Mayor event in Crystal Lake was a success but did not have a large turnout.

### 8.2 Finance Committee

#### 8.2a Verbal report of meeting held on May 18, 2009

Treasurer Green reported that the committee had reviewed the changes to the budget as presented earlier and were recommending approval of the proposed budget for FY 2010.

### 8.3 Outreach & Advocacy Committee

#### 8.3a Verbal report of meeting held on April 29, 2009

President Hankins reported that the task force had held a brainstorming session. It was conveyed by the Outreach & Advocacy

committee members that they value the input of the advisory committee members. The Advisory Committee members have served as advocates for the District and are aware of things in their various networks. President Hankins encouraged the board to use the citizen's advisory committee members as they discover specific issues and possibilities.

8.3b Verbal Report of meeting held on May 21, 2009

This meeting was not scheduled due to a conflict.

8.4 Personnel Committee

8.4a Verbal report of meeting held on May 18, 2009

Trustee Williamson reported that the committee had collated and tabulated the Executive Director's Annual Review documents.

**9.0 COUNTY BOARD LIAISON REPORT**

County Board Liaison Merkel reported that the 2030 plan is in the final stages and that comments have been coming in. The plan will be taken around the county for review. County Board Liaison Merkel reported that the interviews for M CCD trustees have been completed and a recommendation for two trustees has been sent to the Chairman of the Board and approval is expected in June.

**10.0 BOARD BUSINESS - CONSENT AGENDA**

10.1 Approval of Minutes

10.1a April 16, 2009

10.2 Receive & Place in Confidential File Closed Session Minutes -  
Already Distributed

10.2a April 16, 2009

10.2b Personnel Committee Minutes of February 12, 2009

10.3 Board Committee Minutes to be Received and Placed on File

10.3a Finance Committee Minutes of April 13, 2009

10.3b Personnel Committee Minutes of February 12, 2009

10.4 Treasurer's Report

10.5 Staff Monthly Report for April

10.6 Motion to receive the 2008 Hunting Report and to pass Ordinance #09-773 adopting the 2009 Hunting Directive.

10.7 Motion to authorize the Board President and Executive Director to execute a professional service agreement with Obenauf Auction Services, Inc. of Round Lake, IL to conduct an on line auction to sell excess property from the lodge buildings at Glacial Park and other District locations.

10.8 Motion to authorize the Executive Director to execute a contract with A Best Movers of McHenry, IL for the transport and storage of property during the construction phase of the Lost Valley Visitor Center.

- 10.9 Motion to authorize the Executive Director to execute a contract with Alpine Storage of Ringwood, IL for the storage of property during the construction phase of the Lost Valley Visitor Center.
- 10.10 Motion to adopt Resolution #09-14 approving the Financial Assistance Agreement for the EPA 319 Non-point Source Water Pollution Grant in the amount of \$435,435 for the adaptive reuse of the Lost Valley Visitor Center.
- 10.11 Motion to adopt Resolution #09-15 approving a Grant Agreement with the Clean Energy Community Foundation in the amount of \$74,933 for the adaptive reuse of the Lost Valley Visitor Center.
- 10.12 Motion to approve a Temporary Construction Easement with Charter Communications for access along the HUM Trail.
- 10.13 Second Reading. Motion to pass Ordinance #09-770 adopting Land Acquisition Policy #600.07 entitled Conservation Easements.
- 10.14 Motion to ratify Change Order #1 in the amount of \$1,287.90 from Baxter Woodman of Crystal Lake, IL for re-staking the Woodstock to Crystal Lake Trail.
- 10.15 Motion to adopt Resolution #09-16 authorizing the District to submit an IDNR OSLAD Development Grant Application for the Winding Creek Conservation Area Improvements Project.
- 10.16 Motion to approve the submission of grant applications for any grants related to the renovation of the Lost Valley Visitor Center.
- 10.17 Motion to authorize staff to prepare specifications and let bids for road and parking asphalt projects at five (5) sites: Keystone Road Canoe Launch, Wildlife Resource Center, Fel-Pro/RRR, Hillside and Brookdale.
- 10.18 Motion to approve the agreement with US Cellular for District-wide cell phone use.

Item 10.16 was pulled for further discussion.

*A motion was made by Trustee Green, seconded by Trustee Ivers, to approve Board Business-Consent Agenda items 10.1 through 10.15, 10.17 and 10.18 as presented. A roll call vote gave the following results: Williamson-yes, O'Donnell-yes, Carver-yes, Ivers-yes, Green-yes, LaGue-yes, Hankins-yes.*

*Motion passed unanimously.*

*A motion was made by Trustee Carver, seconded by Trustee Ivers, to approve Board Business-Consent Agenda item 10.16 as presented.*

The discussion centered around the types of grants we expect to see and if there are Federal Stimulus Funds available. It was noted that the parameters for the funding have not yet been set. There is concern that we are ready ahead of the funding. It was noted that the funds earmarked for McHenry County are being used by the County itself and will not be given out in block grants. Executive Director Kessler then reviewed the timeline for the Lost Valley Visitor Center with the bids being let in early June followed by presentation to the Board for approval in July, 2009.

A roll call vote gave the following results: Green-yes, Carver-yes, O'Donnell-yes, Williamson-yes, LaGue-yes, Ivers-yes, Hankins-yes.  
Motion passed unanimously.

## **11.0 OTHER BOARD BUSINESS**

### **11.1 Approval of Bills Payable for the Month of April 2009**

*A motion was made by Trustee Green, seconded by Trustee Carver, to approve the payment of bills, as indicated on the Submission of Bills Pending Report for the month ending 4/30/09 as presented.* A roll call vote gave the following results: O'Donnell-yes, LaGue-recused, Green-yes, Williamson-yes, Ivers-yes, Carver-yes, Hankins-yes.

Motion passed 6 to 0 with 1 recusal by Trustee LaGue.

### **11.2 FY 2010 Combined Annual Budget and Appropriation Ordinance**

*A motion was made by Trustee Green, seconded by Trustee LaGue, to pass Ordinance #09-834 adopting the Combined Annual Budget and Appropriation Ordinance for the Fiscal Year beginning April 1, 2009 and Ending March 31, 2010 as presented.* A roll call vote gave the following results: LaGue-yes, Ivers-yes, Williamson-yes, Green-yes, Carver-yes, O'Donnell-yes, Hankins-yes.

Motion passed unanimously.

### **11.3 HUM Railroad Prairie - Illinois Nature Preserve Commission**

President Hankins informed the board members that a pre-meeting between the County, Village of Huntley and the City of Marengo would be held prior to the Stakeholders Meeting called by the District for June 1, 2009. President Hankins, Vice-President LaGue and Executive Director Kessler would be present. The June 1, 2009 meeting will include staff from the municipalities, the County Highway Department, the state environmental agencies and the District to review the facts associated with the natural resources present along the HUM Railroad Prairie.

The Board then discussed a resolution that is intended to show our interest in working cooperatively with all stakeholders as well as clearly stating the District mission. Trustee Green stated his support for the resolution but would have preferred a full recall of the application before the Nature Preserves Commission. Other trustees supported Trustee Green's comments and made comments on the number of days to defer dedication. The majority consensus was to use 90 days.

President Hankins allowed Dr. Cynthia Skrukrud to make a public comment in support of the proceeding with the application for the HUM Railroad Prairies Nature Preserve as the District is the Trustee and caretaker of the land on behalf of the citizens. She cited the long history citizens have had with this property.

*A motion was made by Trustee Carver, seconded by Trustee Ivers, to adopt Resolution #09-19 deferring the final application to dedicate the HUM*

*Railroad Prairie INAI East No. 1269 and INAI West No. 1270 as on Illinois Nature Preserve for 90 days as presented. A roll call vote gave the following results: Carver-yes, Williamson-yes, Ivers-yes, LaGue-yes, O'Donnell-no, Green-yes, Hankins-yes.*

Motion passed 6 to 1.

#### 11.4 Intergovernmental Agreement - Village of Union

Executive Director Kessler explained the situation and the flooding near the HUM trail near the Village of Union and the City of Marengo city limits. This agreement would allow for the Village of Union to allow their contractor on the District property to access the ditch for maintenance and debris removal. There was discussion about whether an IGA could be issued if the property was protected. This property is not part of the INAI inventory and would not be affected.

*A motion was made by Trustee Ivers, seconded by Trustee Williamson, to adopt Resolution #09-17 authorizing the District to enter into an Intergovernmental Agreement and Temporary Construction Easement with the Village of Union for the clearing of a ditch along the HUM trail. A roll call vote gave the following results: Ivers-yes, Green-yes, LaGue-yes, Carver-yes, O'Donnell-yes, Williamson-yes, Hankins-yes.*

Motion passed unanimously.

#### 11.5 Change Orders

##### 11.5a Chicagoland Paving Contractors

*A motion was made by Trustee Green, seconded by Trustee Ivers, to approve Change Order #1 in the amount of \$14,852.50 deduct from the contract with Chicagoland Paving Contractors, Inc. of Lake Zurich, IL for modifications to the scope of work for the Woodstock to Crystal Lake Trail. A roll call vote gave the following results: Williamson-yes, O'Donnell-yes, Carver-yes, Ivers-yes, Green-yes, LaGue-yes, Hankins-yes.*

Motion passed unanimously.

## 12.0 **PRESIDENT'S REPORT**

President Hankins thanked those staff members that were present for the bike with the mayor event and who have spent time on the hunting program administrative documents and for adapting to changing situations. She also commented on the absence of our contracted attorney.

President Hankins then had Director of Operations Kremer bring the board up to date on a diesel fuel leak by a Union Pacific diesel locomotive. Director of Operations Kremer reported that 90% of the fuel leak was contained on the Union Pacific Railroad property and that the EPA had been notified immediately and the hazardous material contractor had handled it very quickly. He reported that the District had been notified by a neighbor and that District staff had worked quickly to report to the site and determine the natural resource impact which was minimal.

### 13.0 TRUSTEES' REPORTS

There were no items to report at this time.

### 14.0 DIRECTOR'S REPORT

Executive Director Kessler noted that the new signage had been installed at Brookdale Conservation Area and inquired if the Trustees had noticed it on the way into the meeting this evening.

Executive Director Kessler reported that the McHenry County Council of Governments had decided to host the June 2009 meeting with the City of Marengo and requested to postpone the function at the conference center.

### 15.0 EXECUTIVE SESSION I

*A motion to go into Executive Session pursuant to Exception 2C1 (Personnel), 2C5 (Real Estate), 2C6 (Sale/Lease Real Estate), 2C11 (Litigation) and 2C21 (Review of Exec Session minutes) of the Open Meetings Act was made by Trustee Green, seconded by Trustee LaGue at 8:45 p.m. A roll call vote gave the following results: Green-yes, Carver-yes, O'Donnell-yes, Williamson-absent, LaGue-yes, Ivers-yes, Hankins-yes.*

Motion passed unanimously.

### 16.0 RECONVENE II

The regular session meeting was reconvened at 10:27 p.m. on the evening of May 21, 2009 by President Hankins.

### ROLL CALL

Trustees Present: Kimberly Hankins, President  
David LaGue, Vice President  
John Green, Treasurer  
Nancy Williamson, Secretary  
Martha Carver, Trustee  
Kevin Ivers, Trustee  
Tom O'Donnell, Trustee

Counsel & Staff Present: Pete Merkel, County Board Liaison  
Jeanne Goshgarian, Legal Counsel  
Scott Puma, Legal Counsel  
Elizabeth S. Kessler, Executive Director  
Anne Basten, Executive Assistant  
John Kremer, Director of Operations  
Andy Dylak, Director of Finance  
Ed Collins, Natural Resource Manager  
Valdon Siler, Land Preservation Manager

### 17.0 ACTION ON EXECUTIVE SESSION

17.1 Ordinance #09-772 authorizing the purchase of Real Property Commonly Known as the Old Kent/Voss/TMK Parcel

*A motion was made by Trustee Ivers, seconded by Trustee Carver, to pass Ordinance #09-772 authorizing the purchase of Real Property commonly known as the TMK/Voss/Old Kent Parcel as presented. A roll call vote gave the following results: Carver-yes, Williamson-yes, Ivers-yes, O'Donnell-yes, LaGue-yes, Green-yes, Hankins-yes.*

*Motion passed unanimously.*

**17.2 Ordinance #09-774 authorizing the purchase of Real Property Commonly Known as the Kling Parcel**

*A motion was made by Trustee LaGue, seconded by Trustee O'Donnell, to pass Ordinance #09-774 authorizing the purchase of Real Property commonly known as the Kling Parcel as presented. A roll call vote gave the following results: Ivers-yes, Green-yes, LaGue-yes, Carver-yes, O'Donnell-yes, Williamson-yes, Hankins-yes.*

**18.0 EXECUTIVE SESSION II**

*A motion to go into Executive Session pursuant to Exception 2C1 (Personnel) of the Open Meetings Act was made by Trustee Green, seconded by Trustee LaGue at 10:45 p.m. A roll call vote gave the following results: Green-yes, Carver-yes, O'Donnell-yes, Williamson-absent, LaGue-yes, Ivers-yes, Hankins-yes.*

*Motion passed unanimously.*

**19.0 RECONVENE III**

The regular session meeting was reconvened at 11.23 p.m. on the evening of May 21, 2009 by President Hankins.

**ROLL CALL**

Trustees Present: Kimberly Hankins, President  
David LaGue, Vice President  
John Green, Treasurer  
Nancy Williamson, Secretary  
Martha Carver, Trustee  
Kevin Ivers, Trustee  
Tom O'Donnell, Trustee

Counsel & Staff Present: Pete Merkel, County Board Liaison  
Elizabeth S. Kessler, Executive Director

**20.0 ACTION ON EXECUTIVE SESSION II**

**20.1 Executive Director Annual Review**

*A motion was made by Trustee Williamson, seconded by Trustee Green, to provide Executive Director Kessler with a merit increase of 3% not tied to the salary base above her 2008 compensation for reaching and exceeding performance goals this past year.*

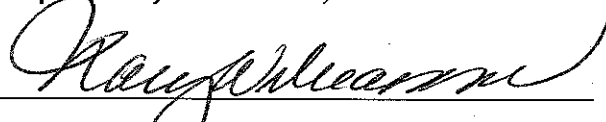
A roll call vote gave the following results: Ivers-yes, Green-yes, LaGue-yes, Carver-yes, O'Donnell-yes, Williamson-yes, Hankins-yes.

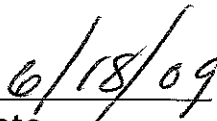
**21.0 ADJOURN**

There being no further business to come before the Board, *a motion was made by Trustee O'Donnell, seconded by Trustee Williamson, that the meeting be adjourned.*

Motion passed unanimously. Meeting adjourned at 11:30 p.m. May 21, 2009.

Respectfully submitted,

  
\_\_\_\_\_  
Nancy Williamson, Secretary

  
\_\_\_\_\_  
Date