

# FILE

## BOARD OF TRUSTEES McHENRY COUNTY CONSERVATION DISTRICT Minutes of July 30, 2009

### 1.0 CALL TO ORDER

The Special Call meeting of the Board of Trustees of the McHenry County Conservation District was called to order at 6:06 p.m. by President LaGue on the evening of July 30, 2009, at the Brookdale Administrative Office, 18410 US Highway 14, Woodstock, Illinois.

### 2.0 ROLL CALL

Trustees Present: David LaGue, President  
Nancy Williamson, Vice President  
Tom O'Donnell, Treasurer (Present by cell phone on speaker\*)  
Kevin Ivers, Secretary  
Martha Carver, Trustee  
Bonnie Leahy, Trustee  
Matthew Ewertowski, Trustee

\* In accordance with the Open Meetings Act (5 ILCS 120/7) and per Administrative Policy #200.03.02, Trustee O'Donnell had requested in advance to participate remotely in the meeting through electronic participation. The basis for missing the meeting was due to a work related commitment. There was no power at the facility for the start of the meeting so the participation was by cell phone set on speaker.

Counsel & Staff Present: Scott Puma, Legal Counsel  
Elizabeth S. Kessler, Executive Director  
John Kremer, Director of Operations  
Andy Dylak, Director of Finance  
Anne Basten, Executive Assistant  
Ed Collins, Natural Resource Manager

Others Present: Anna May Miller, County Board  
Bob Miller, Algonquin Township  
Tom Zanck, Zanck, Coen & Wright, PC  
Peter Austin, County Administrator  
Josh Blakemore, City of Marengo  
Randy Schietzelt, Crystal Lake  
John Darger, Crystal Lake  
Jane L. Collins, Woodstock

### 3.0 PLEDGE OF ALLEGIANCE

#### **4.0 PUBLIC COMMENTS**

Jane Collins, 13610 Kishwaukee Valley Road, Woodstock spoke as a former steward to the HUM Railroad Prairie and urged the board to protect the Prairie through the Illinois Nature Preserve Commission system.

John Darger, 629 Green Oaks, Crystal Lake first noted that in the Board's May minutes, it was mentioned that the 2030 Plan Commission was including trail plans for the report and that Tina Hill has announced that those trail plans will not be included and would encourage the District to ask that they be included.

Mr. Darger then stated that he had reviewed the Rapid Transit Authority's website and the plans for the transit oriented development and was not in support of developing the prairie.

Tom Zanck, 540 Brink St, Crystal Lake representing American Community Bank and a property owner East of Coyne Station Road urged the board members again to withdraw the preliminary application for Illinois Nature Preserve Status for the HUM Railroad Prairie or amend the application to eliminate the portion east of Coyne Station Road.

Randy Schietzelt, 4419 Walkup Road, Crystal Lake encouraged the board to protect the HUM Railroad Prairie so as not to imply that MCCD sites are available for development.

#### **5.0 BOARD BUSINESS**

##### **5.1 HUM Railroad Prairie Discussion**

Executive Director Kessler gave a brief history of natural areas preserved by the District and the long range plan by previous boards to get additional natural areas protected under the Illinois Nature Preserve Commission (INPC) process. She then stated that the District had begun preparation of a preliminary application to determine whether the HUM Railroad Prairie would meet the INPC criteria for dedication. The preliminary application was approved by the Board of Trustees in April 2009 and then forwarded to INPC in May 2009. Since the preliminary approval, a great deal of communication has been transacted by the District between the municipalities of Huntley, Marengo and Union and the County in an effort to work collaboratively. In June 2009, the Board of Trustees adopted a resolution placing a 90 day hold on taking any action to dedicate any portion of the HUM Railroad Prairie as an Illinois Nature Preserve in order to allow time to gather more information and communicate the findings.

President LaGue emphasized that the District is still trying to communicate the process itself to all stakeholders.

Natural Resource Manager Collins explained the data collection process to date beginning with the original Illinois Natural Areas Inventory conducted in

the early 1970's, updated in the 1990's and currently undergoing another update that should be completed within the next couple of years.

Natural Resource Manager Collins explained the Illinois Natural Areas Inventory (INAI) methodology which sets square meter study areas at specific positions along the property which are then resurveyed for the updates to identify changes in status. The District staff was more thorough and did continuous surveys using the utility poles and GPS to map the communities for the entire distance. When asked about degradation, Natural Resource Manager Collins stated that single flood events would normally only affect a specific year but what the INAI surveys do is show changes over time and that he would not expect significant degradation except in the event of a herbicide spill, diesel spill or soil removal.

Natural Resource Manager Collins explained that the INAI methodology identifies the community types present and if they are of an appropriately high ranking, they go on a list. Sites can also get on the list for the presence of Endangered or Threatened species. If the site becomes degraded over time, it can be removed from the list but if E & T species are found, it would still stay on the list. He also noted that the area west of the City of Marengo is from an older landform and better developed than the portion east of the Marengo Ridge which is from the Wisconsin glaciated era.

Executive Director Kessler stated that staff had put together a study protocol and are proposing the District solicit a Request for Proposal (RFP) seeking an independent assessment on the HUM Railroad Prairie's natural communities to provide additional data and confirm other study findings. An additional study would collect data from later time in the season. The proposal includes qualifications that meet or exceed those of existing staff, and continuous data sampling while making own community assessment ratings based on state protocol. The consultant will provide data in various compatible formats that will be shared with the local municipalities and the staff of the local municipalities will be encouraged to go into the field with the consultant to watch and understand the process.

When asked about the rarity of this community type, Natural Resource Manager Collins stated that it is the rarest of the communities found on District property and is in the top 1% of what the District owns. When compared to the Amazon rainforest which is considered internationally threatened, there is even less of this community type proportionately. There are only 600 acres of this type of habitat left in the entire state. What makes it unique is that the soil has not been disturbed and includes all of the original soil profiles and macro and micro invertebrates and fungi.

When asked about the value of an independent study, Natural Resource Manager Collins stated that more data is better and that an additional set of data will confirm the findings of previous surveys. He noted that this step has not been taken in the past but could validate the data already on hand.

A question was asked about mitigation or moving of prairies or prairie communities which are being done by others. Natural Resource Manager Collins confirmed that other types of communities such as wetlands, have had

successes but are not perfect but that prairies which include the soil inhabitants have not been as successful since no one has all the data to put them back together as a whole and there is still not enough research on the interrelationships between soil flora and fauna and the species that live on the surface. Natural Resources Manager Collins knew of one attempt to move a prairie that had mixed results but was not the same.

The board was polled on moving forward with the RFP as proposed. The consensus was to move forward with the independent assessment of the HUM Railroad Prairie through the solicitation of an RFP with data to be shared with others.

Further comments from board members expressed their confidence that District staff and the staff of the municipalities involved will work together with everyone fulfilling their missions and duties. It was made clear that the District is not against development or mass transit but that the true legacy is the natural areas and that there are such small amounts of rare areas that, ethically, we have to all do our homework and work through the process.

Trustee Ivers stated that he did not feel comfortable moving forward with formal dedication at this time and the need to educate himself on the municipal standpoint and this will take more time.

President LaGue has faith that something good will be worked out if everyone maintains integrity.

There was further discussion about the need to talk to other people besides the municipalities and adjacent neighbors and for communication to be two way before it reaches the public notice stage. It was noted that the District should take the public view and that it needs to be wary of listening to only those that are the loudest but to consider all the facts and balance the values and characteristics of the organization.

Executive Director Kessler explained that while the preliminary application step of the dedication process has been completed, there is no time period set to adopt a resolution to submit final dedication to the INPC. She re-emphasized the importance of taking the time to work through this process in order to determine what portions of the HUM Railroad Prairie should be proposed for dedication, if any. This is important as the District does not know what the municipalities need in order to accomplish their goals and it is certain that more information is required before any decision can be made.

The board then discussed having a spokesperson on this issue and the consensus was that President LaGue will serve as the point person on this issue and he will communicate with the rest of the board on any progress or status change on a regular basis.

## **6.0 EXECUTIVE SESSION**

There was no motion to go into executive session at this time.

## **7.0 RECONVENE**

## **8.0 ACTION ON EXECUTIVE SESSION**


There was no executive session.

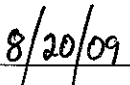
**9.0 ADJOURN**

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

Motion passed unanimously. Meeting adjourned at 7:15 p.m. July 30, 2009.

Respectfully submitted,

  
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Kevin Ivers, Secretary

  
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Date