I. Call to Order

President Wehrli called the meeting to order at 6:17 p.m. in the Kendall County Board Room.

II. Roll Call

Commissioners Davidson, Gilmour, Koukol, Prochaska, Shaw, and Wehri all were present.

III. Approval of Agenda

Commissioner Gilmour made a motion to approve the agenda as presented. Seconded by Commissioner Koukol. All, aye. Opposed, none. Motion passed unanimously.

IV. Citizens to be Heard

No public comments were offered.

V. Director’s Report

Director Guritz reported that quotes have been requested for additional tree removal work needed at the Shuh Shuh Gah canoe launch and Subat Forest Preserve.

The ACTHA competitive riding event is scheduled for the coming weekend, but registrations are lower than anticipated. Many of the registrants are for youth enrollments, which carry a lower registration fee. Lower enrollment is anticipated due to storm predictions for the weekend, and recent outbreak of potentially lethal equine virus strain that has resulted in cancellation of other regional equestrian events.

Farm license agreements have been mailed to secure signatures and certificates of insurance for the 2015 license year.

The Fox River Bluffs closing date has been set for May 20, and all is in order in preparation for the closing. The District has submitted the paperwork for securing the $600,000 grant from the Illinois Clean Energy Community Foundation.
The 2015 refunding bond closing has been completed, with all paperwork in order. Resulting savings was higher than projected, with the final refunding results included within the meeting packets.

Program budget reviews are underway, with presentation of the Environmental Education program budget scheduled for presentation to the Finance Committee.

The rail safety crossing grant from IDOT will require an intergovernmental agreement with Yorkville to establish the entryway into Hoover Forest Preserve as a public road with the District responsible for long-term maintenance. Yorkville has expressed that they will work with the District to assist with completion of the project.

The summer 2015 electronic newsletter is under development, and should be sent out by the end of the week.

A follow-up inspection of the NRCS easement at Millbrook North Forest Preserve is scheduled to develop a management plan for the area.

Director Guritz reported on three preserve incidents including damage to the garage storage building at Baker Woods Forest Preserve, destruction of a bunkhouse stove at Hoover Woods Forest Preserve, and an encroachment at the McDaniel’s property off of Holt Road involving construction of an electric fence and grazing cows.

Commissioner Koukol inquired into the scope of use of Hoover facilities by the live-action role play group. Director Guritz stated that group reservation totals $1100 per weekend with 5 -6 weekends scheduled in this year.

Commissioner Gilmour asked about the stove damage. Director Guritz stated that a fire extinguisher had been discharged to put out a reported grease fire, and that a burned artifact was recovered from the oven that did not support the cause of the fire presented.

Commissioner Koukol stated that the issue of wear and tear on the preserves is one issue, but the destruction of property warrants barring group from preserve use.

Commissioner Davidson requested that staff present its findings and recommendation for Commission consideration.

Director Guritz indicated that there are only four openings remaining for the 2015-2016 Natural Beginnings preschool season, and that 100% enrollment is anticipated. Commissioner Shaw stated that donor funding support for the program has been pledged for the upcoming year.
President Wehrli commended staff support of the CASA-SKY 5K run recently held at Hoover Forest Preserve.

Director Guritz stated that staff is working to present a differentiated price schedule for District facility rentals for Meadowhawk and Ellis House.


Rich Ryan presented an overview packet of the District’s liability coverage. Director Guritz stated that part of this presentation is connected to reviewing District requirements for securing outside exhibitors and presenters for special events and programs. Director Guritz also stated that Wine Sergi provided a quote for gap insurance for Ellis Equestrian Center programs. The new insurance would provide coverage after a $1,000 per claim deductible, up to the current $10,000 deductible in place for general liability. Other current deductible limits discussed included the Worker’s Compensation policy where the District is responsible for covering the first $100,000 for each claim presented.

Commissioner Koukol commented that for Kendall County, the significant savings generated for Worker’s Compensation coverage justifies the high deductible, but acknowledged that this has significantly impacted the forest preserve district’s finances.

Deductibles for property insurance and automobile also start at $10,000.

Mr. Ryan presented the proposal from Gerber Life Insurance for accidental insurance coverage for the District’s equestrian programs. The company carries an A+ rating, and includes additional coverages for death or dismemberment. Each claim filed would be defended by the firm, with total costs, including volunteer coverage, at $2,165 annually.

President Wehrli suggested that equestrian program fees could be adjusted to offset insurance premiums, and that this proposal should be presented for approval by Commission.

Director Guritz requested whether the current general liability provisions cover District events, including invited or paid exhibitors and vendors that participate within the event.

Mr. Ryan stated that all of the activities are covered under the policy, but in terms of best practice for risk management, when an exhibitor or vendor can extend insurance coverage, it reduces the District’s liability exposure. This is strictly a board decision, but the board
may want to consider securing certificates where practical. Some agencies adopt a tier system which requires extension of different insurance coverage amounts depending on the nature of the work or activity being performed. Other agencies, for larger events, secure coverage for particular events. Large event coverage typically costs $500 or less, and provides a $1 million general liability umbrella.

Commission discussed different activities taking place in preserves and during events, acknowledging that the District should not require insurance in many instances where the individuals the District is working with would not be able to, or be willing to extend coverage. Coverage should be secured where the District has paid contractors working on District property, but depending on the nature of the work performed, different coverage amounts could be required.

Commissioner Davidson inquired into whether the District receives a premium discount when risk is transferred to another policy. Mr. Ryan stated that the extension of coverage prevents claims to the District’s policy, and saves the District from paying the deductible should an accident occur.

President Wehrli requested that examples of the proposed tier system be provided for review.

Director Guritz stated that for events like the Forest Foundation’s Fall Fest, paying a premium for special event insurance provides the needed coverage, and saves time.

Commissioner Davidson inquired into whether the deductible limits could be adjusted, or policy written where the insurance carrier pays the initial cost, the agency pays after the initial deductible is paid, and the carrier pays after a certain amount. Mr. Ryan stated that quoting any combination of coverages like this is possible. Commissioner Davidson stated that his concern is that insurance companies will often settle rather than fighting claims when the amount of the settlement does not carry a financial impact to the carrier due to a high deductible.

Commission discussed establishing a loss fund using a portion of the insurance premium saved with the establishment of higher deductibles.

Director Guritz requested Commission direction for determining when, and when not to request insurance coverage extensions. Commissioner Wehrli requested that Mr. Ryan provide an example of a tiered system approach that the District can refine to provide policy guidance to staff.
VII. Kendall County Forest Preserve District Land Acquisition Grant Agreements Overview and Status (Laura Stuart, Charles H. Schrader & Associates)

Laura Stuart provided an overview and history of District land acquisition and development agreements, and remaining work to be completed by the District under these agreements.

Ms. Stuart highlighted the District’s accomplishments, particularly for a small agency, with securing outside funding from a variety of sources for first acquiring, and then developing forest preserve areas. Grant funding has supported the acquisition of Maramech, Baker/Ellis, Harris, Richard Young, Shu Shu Gah, Subat, Hoover, Jay Woods, Millbrook South, Henneberry, and Fox River Bluffs Forest Preserves.

Millbrook South will need some consideration for further development, but initial preserve access and development has been completed.

Fox River Bluffs will need to be developed, but the District has up to three years to begin this work once reimbursement is received from the OSLAD program.

Henneberry Forest Preserve is the top priority for development. Initial efforts have focused on completing habitat assessments in order to help inform the development plan. This has included documentation of bird species present in partnership with the Bird Conservation Network, and completion of a survey of plant species.

Ms. Stuart provided an overview of the initial development plan for Henneberry Forest Preserve presented as part of the OSLAD acquisition grant application. Generally, these plans show how the agency intends to develop the site, elements that the community needs, and that also highlights what is best for the site in terms of resource-based recreation.

Ms. Stuart also provided development exhibits for Millbrook South, Baker Woods, and Fox River Bluffs Forest Preserves.

At Millbrook South, the District has completed a parking area, initial trail systems, and initial restoration work. The IDNR does not expect that the area will be fully restored in the first three years, but does anticipate that the restoration work will begin within this timeframe. Future consideration for site development includes construction of additional trails, interpretive signage, a picnic shelter, and river access.

Henneberry Forest Preserve is the top priority for development. Because the District has most of the grant application documents already prepared and ready to go forward, if the
District is able to prepare and receive public input on an updated site development plan, a proposal can be submitted by the July 1 deadline using matching funds already committed for restoration and development of this site. While the State has not announced the 2015 application cycle, no one has stated that the OSLAD program would be discontinued for the year. Completion of an updated site development plan is needed, regardless of whether 2015 OSLAD funding is available. This is the established practice for the District. Following acquisition, development is completed by securing matching funds to complete the proposed development projects.

As part of this process, the Commission will have an opportunity to review the plans, and decide whether or not to approve a resolution to submit the application.

Because of the uncertainty created in the Governor’s Office, many agencies are sitting back and waiting before taking steps to apply to the program. This may provide competitive advantage to the District if fewer applications are submitted this year.

The initial site development concept plan included installation of a water pump, council ring parking, hiking trails, interpretive kiosks, shrubland management, and viewing blinds. While we may not be able to afford all of these improvements, we will not know until the site development plan is completed.

President Wehrli stated that we need to get moving on completing the application, which includes determining the route for public access.

Ms. Stuart stated that public access from Cherry Road through the Henneberry subdivision was anticipated within the first application. Public access to the site is required.

Commissioner Davidson stated that there is a platted road easement. All we need to do is provide a gravel access drive to the preserve boundary in order to begin development of the site. President Wehrli stated he would contact the Nau-Au-Say Township Highway Commissioner to discuss the need for providing access to the site.

Commission discussed the issue for potential reconfiguration of the Henneberry subdivision and Cherry Road easement. While this will likely happen in the future, the easement is currently in place, and if the public road is reconfigured in the future, access to the forest preserve will need to be included as part of any future plans.

Director Guritz asked what steps would need to be taken other than development of the site plan. Ms. Stuart stated that the Commission will need to approve a resolution authorizing the District to submit the grant application. Ms. Stuart also stated that the District can rescind its application at any time through October of this year.
Commissioner Gilmour asked how soon the preserve needs to be open to the public. Ms. Stuart stated that the State has been cooperative and supportive of District’s efforts to complete its initial habitat assessments, but the District should already be working to open the preserve.

Commission reached consensus, and provided direction to move forward with development of the application, and development of the grant application resolution for approval at the second Commission meeting in June.

Commission thanked Ms. Stuart for her presentation and sharing her insights.

Commission invited public comment on the subject. Kendall County resident Craig Johnson suggested that public access may be available along the preserve’s northwestern property line.

President Wehrli stated that this is the right-of-way extension of Chippewa Drive, but this is not an ideal access point due to terrain and habitat impact concerns.

VIII. Millbrook Bridge Engineering Results Discussion

Commission discussed the possibility or securing grant funding for the restoration of Millbrook Bridge. Ms. Stuart suggested that there may be grant program funding if the bridge can be connected into a trail system at Millbrook South forest preserve along the Dobson Road right-of-way. President Wehrli stated that discussion for potential connectivity will be discussed with the Village of Millbrook. Director Guritz stated that in discussions with David Jensen, former Fox Township Highway Commissioner, the Dobson Road right-of-way has not been vacated.

President Wehrli stated that the purpose for posting this item to the agenda was to dispel media-generated rumors that the Commission had provided direction for demolishing the bridge. Commission confirmed this was not the direction, and that efforts are underway to examine opportunities for funding the bridge’s restoration.

IX. Kendall County Forest Preserve District – Board of Commissioners Rules of Order Updates.

Commissioner Prochaska is completing a draft of the Rules of Order that will be forwarded for review by the State’s Attorney’s Office. Once the review is completed, the drafted rules will be presented to Commission for discussion and approval.
X. **S&P Bond Rating Report and 2015 Refunding Bond Series Results.**

Director Guritz stated that the S&P Bond Rating report included with the Commission packets has been discussed at past meetings, but direction was received to post the report to the meeting agenda for discussion.

Director Guritz stated that Moody’s is also conducting a bond rating review. The District’s current rating though Moody’s is A1, but this would likely be downgraded based on the District’s current financial outlook.

The 2015 refunding bond series final report was included for review, with a total savings of $633,841.50 representing a present value cash flow savings of $527,540.48. This savings was significantly higher than the initial projection of just over $421,000.00.

XI. **Kendall County Forest Preserve District Finance Committee Meeting Date Changes and Proposed Committee Reassignments.**

President Wehrli stated that he had discussed changing committee assignments with Commissioner Prochaska because of the need to have the District’s President serve on the Finance Committee in order to support the District’s efforts to address its financial limitations and obligations moving forward.

Commissioner Davidson expressed concerns over the timing of Finance and Commission meetings, expressing interest with insuring that finance issues are vetted through the committee prior to presentation to the full board.

Representatives of the Finance Committee expressed concerns with the change, including Commissioner Prochaska’s strengths, and insuring that current committee directions continue.

Commissioner Prochaska stated that while he did not wish to leave the committee, and sought a procedural solution to allow for continued service on the committee, there is not a solution under the Open Meeting Act.

XII. **Waiver of Facility Rental and Event Permit Fees Policy Discussion.**

Director Guritz stated that the purpose of this policy is to provide a formal application process and sufficient timeframe to consider community group reduced or waived fee requests for use of District facilities. Under the new policy, applications would need to be submitted 45 days in advance of the event, with indication of a specific percentage discount
submitted as part of the requests. Current practice is to bring these requests forward to the Programming and Events Committee for discussion and formal approval.

Board direction was provided to move forward with presentation of the proposed policy to Commission for approval.

**XIII. Potential Hoover Forest Preserve Development Impacts Discussion.**

Director Guritz provided an overview of potential impacts to Hoover Forest Preserve from the proposed community center development under consideration by the City of Yorkville. Two concerns were presented. The first concern related to storm water conveyance onto District property. Currently, a maintenance road drainage culvert at Hoover acts as a levy and bottleneck during large storm events, with water backing-up and flooding into lower lying areas of the preserve. The concern is that additional storm water runoff from the proposed community center could intensify flooding problems, and impact the maintenance road culvert.

The second concern related to parking overflow from the proposed community center into Hoover Forest Preserve, which could impact parking availability for preserve visitors and District events, and operations for closing the preserve at dusk.

President Wehrli stated that he had submitted a personal letter to Yorkville to highlight these concerns for consideration as Yorkville moves forward with its planning efforts.

Commissioner Davidson stated that Yorkville’s storm water ordinances require 2.5% more retention than the County’s ordinance.

Commissioner Gilmour added that large storm water events have eroded the culverts under Fox River Drive and the railroad tracks within and adjacent to the Fox River Glen subdivision.

**XIV. Executive Session**

Commissioner Wehrli made a motion to enter into executive session under 2(c)5 and 2(c)11 of the Open Meetings Act to discuss the purchase or lease of real property for the use of the public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired; and to discuss litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.
Roll call: Commissioners Davidson, Gilmour, Koukol, Prochaska, Shaw, and Wehrli, aye. Opposed, none. Executive Session called to order at 7:56 pm.

Commissioner Gilmour made a motion to reconvene the regular meeting. Seconded by Commissioner Prochaska. Regular meeting reconvened at 8:12 pm.

XV. Other Items of Business

None.

XVI. Adjournment

Commissioner Koukol made a motion to adjourn. Seconded by Commissioner Shaw. Aye, all. Opposed, none. Meeting adjourned at 8:13 pm.

Respectfully submitted,

David Guritz
Director,
Kendall County Forest Preserve District