I. Call to Order

Vice-chair Cullick called the meeting to order at 9:00 a.m. in the Kendall County Board Room.

II. Pledge of Allegiance

All present recited the Pledge of Allegiance.

III. Invocation

Commissioner Prochaska offered an invocation for the meeting.

IV. Roll Call

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

V. Citizens to be Heard

No public comments were offered.

VI. Approval of Agenda

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

VII. Approval of Minutes for the April 1, 2015 Programming and Events Committee Meeting; April 1, 2015 Special Commission meeting, and April 1, 2015 Finance Committee Meeting

Commissioner Koukol made a motion to approve the meeting minutes for the Programming and Events Committee meeting minutes held on April 1, 2015; the Special Commission meeting held on April 1, 2015, and the Finance Committee meeting held on April 1, 2015. Seconded by Commissioner Prochaska. All, aye. Opposed, none. Motion passed unanimously.

Commissioner Purcell joined the meeting at 9:02 a.m.
VIII. Approval of Claims in an amount not-to-exceed $12,680.09

Commissioner Gilmour made a motion to approve the claims list in the amount of $12,680.09. Seconded by Commissioner Davidson.

Roll call: Commissioners Davidson, Gilmour, Gryder, Koukol, Prochaska, Shaw, and Cullick, aye. Opposed, none. Commissioner Purcell abstained.

IX. Motion approving farm license agreement #15-04-001 with Dan Roberts and Don Roberts in the amount of $170 per acre for 41 acres, plus a calculated market-based yield payment.

Commissioner Davidson made a motion to approve farm license agreement #15-04-001. Seconded by Commissioner Prochaska.

Director Guritz reported that the 2015 farm license agreements had been reviewed by both the Finance Committee and Committee of the Whole, with direction to renew agreements under the existing contract terms.

Commissioner Gryder inquired into whether there were any contract changes. Director Guritz stated that within the agreement with Don and Beth Young, yield calculation will be based on the calibrated combine transect data. The acreage within the agreement with Majestic Nursery been reduced, and that acreage assigned to Mark and Tom Mathre’s license agreement.

Commissioner Purcell inquired into whether the base rent was in line with the market. Commissioner Davidson and Commissioner Shaw confirmed that the rates are fair.

Commissioner Purcell inquired into the deadline and possibility of bidding the farm license agreements for 2016. Commissioner Davidson stated that this would need to be completed prior to September so that existing lease holders were properly informed of the changes.

Roll call: Commissioners Gilmour, Gryder, Koukol, Prochaska, Purcell, Shaw, Cullick and Davidson, aye. Opposed, none.

Commissioner Flowers joined the meeting at 9:08 am.
X.  **Motion approving farm license agreement #15-04-002 with Eugene Homerding in the amount of $165 per acre for 61 acres, plus a calculated market-based yield payment.**

Commissioner Gryder made a motion to approve farm license agreement #15-04-002. Seconded by Commissioner Davidson.

Roll call: Commissioners Koukol, Prochaska, Purcell, Shaw, Davidson, Gilmour, Gryder, Cullick, and Flowers, aye. Opposed, none.

XI.  **Motion approving farm license agreement #15-04-003 with Mark Mathre and Tom Mathre in the amount of $200 per acre for 154.91 acres, $215 per acre for 118.58 acres, and $180 per acre for 127.41 acres, plus a calculated market-based yield payment.**

Commissioner Purcell made a motion to approve farm license agreement #15-04-003. Seconded by Commissioner Flowers.

Roll call: Commissioners Prochaska, Purcell, Shaw, Davidson, Gilmour, Gryder, Flowers, Koukol, and Cullick, aye. Opposed, none.

XII. **Motion approving farm license agreement #15-04-004 with Majestic Nursery in the amount of $230 per acre for 2.4 acres, plus a calculated market-based yield payment.**

Commissioner Shaw made a motion to approve farm license agreement #15-04-004. Seconded by Commissioner Flowers. Aye, all. Opposed, none.

Roll call: Commissioners Shaw, Davidson, Gilmour, Gryder, Flowers, Koukol, Prochaska, Purcell, and Cullick, aye. Opposed, none

XIII. **Motion approving farm license agreement #15-04-005 with Albert Collins, Jr. in the amount of $195 per acre for 95 acres, plus a calculated market-based yield payment.**

Commissioner Davidson made a motion to approve farm license agreement #15-04-005. Seconded by Commissioner Gryder. Aye, all. Opposed, none.
XIV. **Motion approving farm license agreement #15-04-006 with Don and Beth Young for $180 per acre for 12 acres, plus a calculated market-based yield payment.**

Commissioner Gryder made a motion to approve farm license agreement #15-04-006. Seconded by Commissioner Davidson. Aye, all. Opposed, none.

Roll call: Commissioners, Flowers, Gilmour, Gryder, Koukol, Prochaska, Purcell, Shaw, Davidson, and Cullick, aye. Opposed, none.

XV. **Motion approving an anti-harassment policy for the District**

Commissioner Flowers made a motion to approve an anti-harassment policy for the District. Seconded by Commissioner Prochaska.

Director Guritz stated that approval of this policy will begin the formal process of establishing a separate personnel policy manual for the District. This will include separate training sessions for District personnel provided by the State’s Attorney’s Office.

Commissioner Purcell inquired into whether the first step for lodging a harassment complaint should be approaching the Director of the District.

Director Guritz stated that there are situations which would warrant staff reaching out to the President or Vice-Chair of the District. Specifically, in the absence of the Director, vacation or otherwise in order to immediately address a report, or if staff feel more comfortable approaching the Commission representatives, or if the complaint includes concerns with the District’s Director.

Commissioner Davidson inquired into how a Commissioner should address a complaint or issue presented to them. State’s Attorney Weis stated that Commissioners should refer the employees to the policy handbook to provide guidance for addressing the situation.

Roll call: Commissioners Gilmour, Gryder, Koukol, Prochaka, Purcell, Shaw, Davidson, Flowers, and Cullick, aye. Opposed, none.
XVI. **Motion approving annual anti-harassment policy training for all District personnel conducted through the Kendall County State’s Attorney’s Office.**

Commissioner Flowers made a motion approving annual anti-harassment policy training for all District personnel conducted through the Kendall County State’s Attorney’s Office. Seconded by Commissioner Gilmour. All, aye. Opposed, none.

XVII. **Motion approving an exhibitor and vendor agreement template for District events.**

Commissioner Prochaska made a motion to approve an exhibitor and vendor agreement template for District events. Seconded by Commissioner Flowers.

Director Guritz stated that the purpose of the exhibitor and vendor agreement is to provide a template for development of agreements with individuals and businesses participating in District programs and events. Depending on the nature of the exhibit or demonstration, the template allows for flexibility in determining the appropriate amount of insurance coverage, including waiving or adjusting coverage amounts. The agreement template also provides flexibility for establishing charges or payments with individual exhibitors.

Commissioner Davidson stated that extending this coverage can carry a cost for individuals and businesses, if they have insurance, to participate in District events. This may reduce the number of individuals and businesses willing to participate in District events. Commissioner Davidson stated that we need our insurance carrier to tell us what we need, and don’t need before moving forward with this type of agreement.

Commissioner Purcell expressed concerns that the length and provisions of the template would limit vendors from participation.

Commissioner Gilmour expressed concerns with granting signature authority to the Director position to enter into these agreements.

Commissioner Gryder stated that approving an unduly burdensome form is not in the best interests of the District, and suggested that the discussion be continued with the Committee of the Whole and insurance carrier.

Commissioner Davidson made a motion of substitution to refer consideration of the template, conveyance of signature authority, and further discussion on related insurance coverage questions to the Committee of the Whole. Seconded by Commissioner Gryder. Aye, all. Opposed, none.
XVIII. Motion approving conveyance of signature authority to the Director of the District to execute exhibitor and vendor agreements, including discretion to waive or adjust insurance extension requirements for limited-risk activities within District programs and events.

Commissioner Gryder made a motion to refer the motion to approve conveyance of signature authority to the Director of the District to execute exhibitor and vendor agreements to the Committee of the Whole for further discussion. Seconded by Commissioner Flowers. Aye, all. Opposed, none.

XIX. Executive Session

None.

XX. Other Items of Business

Commissioner Purcell expressed concern regarding the recent assignment of an A- bond rating, with negative outlook, from S&P as part of the bond refunding project.

Commission discussed the bond rating, and outlook for the current fiscal year.

Director Guritz stated that it was likely that the District would run a deficit for this year for issues discussed in past meetings including overstated farm license revenues and program revenue shortfalls.

Director Guritz further stated that audit adjustments placed the starting balance of the operating fund in a deficit. The S&P report identified two main issues; the declining operating fund balance, and reliance on transfer of interest earnings from the 2007 capital bond fund.

Director Guritz stated that the District should not carry a deficit in its operating fund. Resources are available to fix this issue, but if the Commission approves a final transfer, the mechanics of the budget need to be addressed to insure that the budget is sound in moving forward in the next fiscal year.

Beyond these issues, in order to improve the District’s bond rating, a fund balance policy needs to be approved, and the District needs to retain a fund balance to insure that operations are covered for the first six-months of the fiscal year to cover operational costs until tax proceeds and farm license revenues are received. Otherwise, the District is placing
an unfair burden on Kendall County to float costs incurred at the beginning of the fiscal year.

Commissioner Koukol expressed concerns about transfer of interest earnings, and addressing the remaining capital obligations of the District.

Commissioner Purcell asked what the recommendation will be regarding the transfer of interest earnings. Director Guritz stated that a six-month fund balance would be ideal, but the Commission will need to deliberate this as part of discussions towards establishing a fund balance policy for the District.

Commissioner Purcell stated he would not be in favor of securing additional capital resources for the District, or pursuing a referendum.

Commissioner Gilmour thanked the District staff for their support of the Juvenile Justice Council’s SKY 5K run.

XXI. Adjournment

Commissioner Davidson made a motion to adjourn. Seconded by Commissioner Prochaska. All, aye. Meeting adjourned at 9:52 am.

Respectfully submitted,

David Guritz
Director, Kendall County Forest Preserve District