

**FOREST PRESERVE DISTRICT COMMITTEE
MINUTES
APRIL 18, 2006**

The DeKalb County Forest Preserve District Committee met Tuesday, April 18, 2005 at the Conference Room East at 6:00 p.m. In attendance were committee members, Ms. Fauci, Mr. Anderson, Mr. Lyle, Mr. Gudmunson, Mr. Rosemier. Committee member Ms. Turner arrived after the call to order. Also in attendance were Mr. Hannan, Forest Preserve Superintendent, County Board Member Michael Haines and guests Greg Milburg, and Diane Strand.

APPROVAL OF MINUTES

Ms. Fauci asked if there were any corrections or additions to the February 21, 2006 minutes. Hearing none, Mr. Rosemier moved to approve the minutes, seconded by Mr. Anderson, and the motion passed unanimously.

APPROVAL OF AGENDA

Mr. Lyle moved to approve the Agenda as submitted, seconded by Mr. Gudmunson, and the motion passed unanimously.

REFERENDUM DISCUSSION AND LAND ACQUISITION PRIORITY DISCUSSION

Ms. Fauci opened the discussion by noting that the recent referendum did pass and that it was now the time to begin discussing priorities and plans for land acquisition. Mr. Hannan then handed out a preliminary guidelines document he had drafted for the Committee's use outlining some priority considerations and criteria. He commented that past land acquisition had been either by generous donation, selling at less than fair market value, or grant assistance. One recommendation would be to consider forming a citizens advisory committee to obtain maximum transparency in the process. He further noted that some Districts employed a private counsel to handle the purchase negotiations. Mr. Rosemier asked how such an individual would be better equipped than the Committee members to handle these discussions. Mr. Hannan replied that they would have an increased familiarity for the legal aspects of the process as well as an increased knowledge of grant availability. These people usually have the experience and expertise in land negotiations that could be helpful. Mr. Rosemier then asked what sort of cost would be associated with this type of service. Mr. Hannan replied that he had heard figures in the \$75 per hour range. He went on to ask if the Committee would want to meet some of these individuals generally to determine their value to the process. Mr. Anderson asked if these individuals would be writing grant documents. Mr. Hannan replied that their scope of work would be beyond the grant writing, he had sufficient experience and success in grant writing and would continue to do that work. He commented that their focus would be on the negotiation stages of the acquisition, especially in the case of below market negotiations, leveraging donations and would utilize grants when it could help to maximize the County's position. Mr. Rosemier asked if these individuals would all have legal backgrounds. Mr. Hannan replied that was not always the case. Mr. Rosemier then noted that the State's Attorney had been utilized for legal advice in the past. Ms. Fauci noted that the State's Attorney's office does function as a legal advisor to the Board Committee's, but that such duties are in addition to a great number of other functions the office performs. Mr. Rosemier commented that the broad range of time demands on that office may not render them the best choice to handle complex negotiations of this type.

Mr. Hannan then began a review of the document he had prepared, noting that the top priority had consistently been stressed by the Committee during the referendum process; that the land be acquired from willing sellers. SEE ATTACHMENT. He further commented that a good document to keep in mind would be the Illinois Department of Natural Resources Grant Preferences listing which outlines priorities the IDNR felt were critical in grant determinations. He also noted that the IDNR requires a Certification of Voluntary Transaction, demonstrating that the negotiation for the acquisition had been done fairly. Mr. Anderson asked if the Committee could see a copy of that document. Mr. Hannan replied that he would obtain a copy for the Committee's review. He then passed out a copy of the Certification sheet and commented that the District had a very strong track record with the IDNR grant process.

Mr. Hannan then reviewed other criteria on the draft guidelines. Items were discussed such as the ability of the district to use acquired farmland for farmland preservation, that the land acquired should, ideally, be adjacent to existing preserves and that larger sites are preferable.

He then asked the Committee to take the next two months or so to review the document and add or adjust the priorities as necessary. He commented that one item that would be helpful to retain would be third-party involvement in all transactions to avoid any appearance of collusion or impropriety in land purchases.

Mr. Rosemeier asked if there were any ways the District could enhance its income through wetland mitigation, rather than focusing solely on restoration. Mr. Hannan replied that income from the Wetlands Mitigation Bank would be a continuing situation and that future wetland bank land acquisition could be some thing to consider in the future.,

Ms. Fauci thanked Mr. Hannan for his work and asked the Committee to begin to work with the draft as soon as they could.

Mr. Rosemier then asked to review several financing options through loans from the County or other entities. Mr. Hannan replied that they had utilized such loans in the past and would again if necessary to secure a purchase before the revenue streams approved in the referendum were established. He did caution the Committee however, that land purchased outright by the District would not be eligible for supplemental grant assistance. This is why the District might utilize other entities to secure land and "pre-acquire" while grants were being obtained.

Mr. Gudmunson asked if a seller wanted to sell, but also do a portion as a gift, would it be tax deductible. Would they be able to minimize their capital gains in this way? Mr. Hannan replied that it would be prudent to seek competent legal advice on that type of issue. In other Forest Preserve acquisitions, sellers had "gifted" all or some of their land.

Ms. Fauci then commented that such advice might be one of the duties of the supplemental counsel mentioned earlier and asked the Committee if meeting and asking questions of some of these individuals would be beneficial. Mr. Rosemier strongly encouraged the Committee to consider inviting these individuals to the Committee for presentations.

Ms. Fauci then recognized Mr. Haines from the audience who wished to make a comment. He noted that in response to Mr. Gudmonson's question, it seemed to him that most farmers would want to sell on long-term contracts to spread their capital gains out, rather than handle it as a one-time transaction.

Following additional discussion regarding the history of the acquisition of the Potawatomi Woods land, Mr. Hannan noted that he would arrange presentations by some of the supplemental counsels for the Committee in the coming months.

VOLUNTARY STEWARDSHIP PROGRAM

Mr. Hannan reported to the Committee on the formation of a Voluntary Stewardship Program that had begun in the District. He noted that while the District has always enjoyed a strong base of volunteers, that this program takes a more long-term approach. Rather than a focus solely on particular projects or evasive species removal, this program would match qualified land managers with areas where their long-term management could enhance restoration processes. He noted that the first individual is an ecologist who works currently for the Kane County Forest Preserve, but who had agreed to take the lead in a restoration process at Nehring Forest Preserve. Mr. Fauci noted that she had participated in the last two workdays at Nehring and was extremely impressed with Chris Hauser, the Steward for that Preserve. She noted that in addition to the work done that day, Mr. Houser was extremely adept at making the time a learning experience as well as sharing his vision for the project overall. Mr. Hannan commented that the work Mr. Houser was accomplishing in the area should lead to an increased diversity of plant and wildlife species inhabiting the Preserve. Mr. Rosemier commented that the strength of the District's volunteer programs was a testament to Mr. Hannan's leadership.

SUNRISE ROTARY 8K RUN

Ms. Fauci opened by asking Mr. Hannan for a report on the readiness of the new Potawatomi Woods Preserve for the dedication ceremonies. Mr. Hannan replied that while it was the original intention to have the formal dedication of the shelters done the same day as the run, and while the shelters are almost completed, it would be better to push the dedication toward August when the overall look of the Preserve would be much better. Mr. Rosemier asked who had funded the shelters primarily. Mr. Hannan replied that the District was given a \$25,000.00 donation from the Sunrise Rotary for the shelters, other donors totaled about \$59,000 and a \$70,000 grant and about \$10,000 in Forest Preserve funds will complete the project. Mr. Hannan then passed photos and information of forest preserve staff working to complete the shelters, and observation deck at the Preserve. He noted that they have completed the prairies, woodland and

wetland burns in the area and were finishing up the observation deck as well as the handicapped canoe launch. He noted that he had received very positive comments about the attention to having handicapped accessibility in the Preserve. He had also received a letter from the Prairie State Canoeists thanking Mr. Hannan and the District for the canoe launch area. Ms. Fauci asked if any part of the dedication could be done the day of the Race. Mr. Hannan replied that it was his intention to dedicate the shelters and to thank the Rotary that day, but again noted that the full dedication of the Preserve overall would occur in August. Mr. Rosemier asked if anyone had the exact date for the Rotary Run and Ms. Fauci replied that it would be Saturday, May 20th.

GENERAL DISCUSSION, MONTHLY REPORTS

Mr. Hannan reported to the Committee that this years volunteer work days had been very productive. On one day alone, the Sycamore Lions had conducted a cleanup of the Great Western Trail and several cub scout and boy scout troops had worked at other areas on the spring cleanup efforts and the Kirkland Voluntary Fire Department assisted in the roof decking on one of the shelters. He further noted that there had already been use of the Potawatomie canoe launch and that Camp Russell and Russell Woods was up and running for 2006.

Mr. Hannan then went on to note that he had received emails from several local birders who were out in force for the spring migration and noted that Afton Preserve recently hosted a German Shepard Search and Rescue group who used the Preserve for training purposes. He assured the Committee that the group presented appropriate insurance coverage for the event and will be returning to use the Preserve again in the fall.

He then closed his reports by noting that the DeKalb County Community Foundation had received funds from the Sycamore Grand Victorian senior living center which could be used for conservation land use, child care or workforce training. Mr. Hannan felt these funds might be available as a source of matching funds for the District at a future point given that the Foundations' recent series of town meetings across the County had shown the Forest Preserve District ranking very high with the attendees.

COMMITTEE MEMBER DISCUSSION

Ms. Fauci began by asking for clarification regarding District policy on target shooting at the Preserve locations. She recounted an incident that had occurred at Nehring Preserve when a gentleman had walked by a volunteer group with his young son and an air rifle and when questioned, said that he was going to let the boy do some target shooting. Ms. Fauci had intervened and told the gentleman that target shooting was not an appropriate activity at the Preserve. However, we wanted Mr. Hannan to clarify if that was the correct direction to have given. Mr. Hannan replied that it is the policy of the District to prohibit unrestricted use of firearms at all the Preserve sites. Ms. Fauci asked if smoking was prohibited in any way and Mr. Hannan replied that smoking was allowed, with the caveat that there can be no litter or debris left behind.

Mr. Anderson moved to adjourn, seconded by Mr. Lyle and the motion passed unanimously.

Attached are monthly reports and Forest Preserve activities.

Respectfully submitted,

Julia Fauci, Chairperson
Forest Preserve District Committee

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