

**FOREST PRESERVE DISTRICT COMMITTEE
MINUTES
JUNE 20, 2006**

The DeKalb County Forest Preserve District Committee met Tuesday, June 20, 2006 at the Russell Woods Natural Resource Center at 6:00 p.m. In attendance were committee members Ms. Fauci, Mr. Gudmunson, Mr. Anderson, Ms. Turner, Mr. Lyle and staff member Peggy Doty. Mr. Rosemier was absent. Guests included Greg Milburg and Craig Hubert.

APPROVAL OF MINUTES

Ms. Fauci asked if there were any additions or corrections to the minutes of May 16, 2006. Hearing none, Mr. Anderson moved to approve the minutes, seconded by Mr. Gudmunson and the motion passed unanimously.

APPROVAL OF AGENDA

Ms. Fauci noted that there might need to be some flexibility in the portion of the agenda related to the Forest Preserve monthly reports and general discussion due to the fact that Superintendent Hannan could not be with the committee this evening due to a hospitalization. She noted that she would do her best to fill in as she could. Mr. Lyle moved to approve the agenda, seconded by Ms. Turner and the motion passed unanimously.

CDH CORPORATION – GUEST SPEAKER

Ms. Fauci introduced Craig Hubert of the CDH Corporation who is the committee's second speaker on land acquisition negotiations. Mr. Hubert passed out his cards to the committee members and then began a brief overview of his past history and experiences.

He noted that he had graduated in the 1970's from the University of Illinois with an interest in Parks and Recreation. To this end, he took a position as the first director of a newly formed Park District in West Chicago. He commented that when he arrived the District had no programming, no staff and no experience with land acquisition and had only been functioning for one year. From this experience he learned quickly how to seek grants and loans and how to build a successful acquisition program. Following his graduate work at Western Illinois University, he then went on to work with the Forest Preserve District of DuPage County. At this time, the FP there was experiencing great difficulties with flooding and determined that the preservation and control of lands would be vital to ameliorate the flooding situations. At this time, the District was able to attain \$100,000,000.00 in non-referendum bonds to begin to address the situation and he, as assistant to the Executive Director, was tapped to coordinate their acquisition program. Since their Finance committee also served as their land acquisition committee, he took the chairman's position and the committee and staff developed an evaluation system to determine the value of lands to be acquired. Mr. Hubert commented that many of the criteria they utilized were the same criteria he had seen in the document from DeKalb County. He noted that it is critical to have an objective tool, such as apriority list, to be able to perform a basically subjective process successfully.

After 8 years with DuPage County, he then moved to head the McHenry County Conservation District. Again, due to rapid growth, he was thrust into land acquisition duties. After leaving McHenry, he founded his own land acquisition consultation firm.

He noted that he had recently been given the opportunity to be one of three companies working with Will County on a large acquisition project. He believes he was selected due to his record with DuPage and McHenry. At DuPage, 5000 acres were added during his time and 10,000 to 20,000 to McHenry during his 9 years there.

Mr. Hubert noted that in all of his previous positions, one of his most critical duties was to be the liaison with elected officials. He believes this could be very useful to DeKalb at this time. He commented that in his work, he has been involved in every aspect of the process, from title searches, to survey work to the closings themselves.

His current work with Will County casts him in the role solely as a negotiation specialist with other Will County staff handling the majority of the research and paperwork.

Mr. Hubert then asked to see the ballot language used for the recently successful referendum, and after reviewing it commented that if he were correct, there would be approximately \$500,000.00 per year over a 10-year period available for the project rather than any large amounts of cash immediately available. He noted that from a preliminary standpoint, that would likely mean that the District would be seeking OSLAD grants or other matching funds. He commented that working with local legislators to acquire funding from the State and Federal levels would also be critical.

Ms. Fauci noted that the Committee was adamant that they wished to sunset the referendum in 10 years and so as much as they could with the funds generated during that time. Mr. Hubert asked if saving farmland was a critical point for the committee. Ms. Fauci replied that while it was not their sole nor original intention, there was certainly willingness to do as much preservation as possible within the other stated District goals.

Mr. Hubert noted that in cases where a District wishes to acquire land that is currently being farmed, many times they will acquire the land and then lease it back to the original owner in either a life estate or other defined way. He noted that in this case there is not only the benefit of acquiring the land at a competitive rate, but there is revenue potential as well.

Mr. Anderson asked Mr. Hubert what his rates would be for his services. Mr. Hubert replied that he generally charges \$120 per hour. His current work with Will County is running approximately 8 to 10 hours per week, but noted that this was primarily due to how much of the work was being performed by other County staff. He noted that the work currently has him working on only 4 projects and negotiating with approximately 20 to 22 owners.

Mr. Anderson noted that DeKalb would not have anywhere near the beginning operating capital that Will County has. Mr. Hubert noted that the costs often rely on how much of the work can be performed by other professional staff. If they can handle the majority of the grant paperwork and processes, he could concentrate on working with legislators and on helping the District avoid pitfalls regarding contributions, legalities, etc.

Ms. Fauci noted that there could be some money available through Wetland Bank activities. She noted that these funds were recently used to assist in paying back the County loan for Potawatomi Woods.

Mr. Hubert commented that they could also issue 2.3% of the County assessed value in debt. Contracts would then be utilized to stretch out the payments. However, he noted that a great deal depended on the seller's willingness to wait for full payments.

Ms. Fauci commented that the last speaker on this topic had touched on the principle of life estate. Mr. Hubert noted that these can be very useful if negotiated at the onset. Ms. Fauci noted that Mr. Hannan could be very helpful on several of the necessary fronts, but that it would probably not be possible for him to balance all the staffing needs and maximize each deal to its full potential in addition to maintaining his regular duties.

Mr. Hubert noted that the Committee had some time to consider this as there would not be a first inflow of cash until the next tax year (as the referendum was written). Ms. Fauci asked what the rate for available land would have to get to before acquisition would be harmed.

Mr. Hubert commented that in DuPage, they really came into the process playing catch-up due to the rapid growth and inflation in the land prices. He noted that Kane County found themselves in a similar position. He commented that a County must have a clear goal regarding what it wants to accomplish with these activities. For instance, he noted that while at McHenry, they wanted to keep the acres per capita levels they began with as growth occurred. DuPage began by recognizing that their 25 acres of preserved land per 1000 residents was critically low. Mr. Hubert noted that DeKalb was currently running at about 10 acres per 1000.

Mr. Anderson asked how many acres were set aside for Park Districts in the various communities. Mr. Hubert replied that DuPage has several districts set up to effectively receive land, while McHenry has very few. Therefore, McHenry could not maximize on their land/cash donations. He further commented that it was only in the 1980's that DuPage passed a land/cash provision for the Forest Preserve. He noted that several Counties have this provision allowing land/cash for subdivisions built in unincorporated areas to flow to the Forest Preserves. He recommended that DeKalb consider such a provision. Mr. Fauci noted that it has been the long-standing policy and practice of the County Board to discourage the building of commercial developments in unincorporated areas, therefore the provision might well be moot.

Ms. Doty commented that Sycamore Park District has a land/cash provision, even if the City of Sycamore does not.

Mr. Hubert noted that despite the long standing practice there would likely come a time when the County would have to allow development in unincorporated areas.

Mr. Anderson asked if it were true that when seeking grants from the State the District could not receive matching funds for lands it had outright purchased. Mr. Hubert said that was frequently correct and noted that OSLAD does prohibit purchase before grant approval. He noted that one could work with a community foundation or land preservation foundation to hold the land for the District. In the past, he had worked with the Land Conservation Foundation in DuPage, but had also set up foundations for this purpose. He noted that another advantage of a Foundation is that it could often be used to broker off land that the District did not wish to retain. He noted that while there were some grants who did not prohibit ownership prior to granting, they were quite rare and few in number.

Mr. Gudmunson asked if this was usually a 1:1 match on the part of the granting agency. Mr. Hubert noted that was the most common and that several would run 60 to 90 days to provide the grant funds. Though he commented that such delays could be lessened if the district could utilize the political clout of its area legislators and others.

Ms. Fauci noted that it was the Committee's understanding that most foundations would charge some small fee for holding the land. Mr. Hubert noted that the fee is generally used to cover the administrative fees of the organization, and they would always have to be certain beforehand that the fees were low enough to keep the process viable. He further noted that to keep a foundation that one had created solvent, one would have to provide support through such fees or develop other ways of keeping funding flowing in. In the case of the Foundation he had assisted in creating, they began with a \$10,000,000.00 bequest. However, he commented that funding could also be obtained by flipping less desirable land.

Mr. Hubert noted that Nancy Williamson, now with the Illinois Department of Natural Resources was the president of his foundation. He noted that these sorts of past relationships could be very beneficial to the County.

Ms. Fauci asked if it were common practice to have consultants sit with and advise the Committee if they were to go into Executive Session to discuss an acquisition. Mr. Hubert noted that any staff can be present as long as the proper notification has been provided to the public.

Ms. Fauci and the Committee then thanked Mr. Hubert for his very thorough presentation.

TRUCK BID OPENING

Ms. Fauci noted that a bid had recently been posted for the acquisition of a new truck. However, as of the meeting time, no bids had been received from local vendors. The speculation was that since the County participates in a pool bid process supported by the State's Central Management Services (CMS) that many local individuals know they cannot compete with the State and become discouraged from bidding.

Ms. Fauci noted that the existing truck, a 2001 GMC with over 100,000 miles, would be placed for auction by the County through the Highway Department.

Ms. Turner moved to approve the lowest bid received pending review and agreement by the Superintendent, seconded by Mr. Anderson.

Following extensive discussion regarding the need for the truck, the level of the available budget as well as the CMS bid process, Ms. Turner withdrew her original motion and Mr. Anderson withdrew his second.

Ms. Turner then moved to table the issue until the next regular meeting of the Forest Preserve District, seconded by Mr. Lyle, and the motion passed unanimously.

GENERAL DISCUSSION

Ms. Fauci reported that the District had recently received a Wetlands Mitigation check for $\frac{3}{4}$ of an acre of wetland. She would have the actual dollar figure at the next meeting.

She then apprised the Committee of the current health situation of the Superintendent and the members expressed their sincere wishes for a speedy and full recovery.

Ms. Fauci then reported that there had been a recent problem with bats at the MacQueen cabins. The bats had been spotted at the cabins by a group of local boy scouts during a stay. Because of the issue of rabies in the bat community, the County Health Department, Animal Control and the District staff moved swiftly and cooperatively to address the problem. Staff and Animal Control worked together to seal the cabins against any future entry and the Health Department worked with the effected campers.

Ms. Fauci also reported that the staff has the concrete poured at Potawatomi Woods for the new shelters and work continues on schedule for a late summer, early fall dedication.

A pit bull was recently dropped off at the Wilkinson Marsh Preserve and the staff and Animal Control handled that situation as well.

Ms. Fauci then noted to the Committee that she had been approached by the local press regarding what the County would be doing about the problem of the Emerald Ash Borer, a pest located recently just 13 miles east of the County line. She provided the Committee a quick overview of the dangers presented by this recently arrived, but destructive species and following extensive discussion, the Committee opted to place a ban on any out of area firewood being brought into the preserves.

Mr. Anderson moved to formally adopt the prohibition against outside firewood in the preserves, seconded by Mr. Lyle and the motion passed unanimously. Ms. Fauci noted that she would direct staff to place appropriate signage at the preserves entrances and she would work with the press to get the word out.

Ms. Doty reported that she had recently been the very grateful recipient of a \$4000 grant from the DeKalb Community Foundation and noted that the funds would be used to improve the facilities at the Natural Resource Center to expand teaching space, programs for the campers and available office space for the small staff.

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

Respectfully submitted,

Julia Fauci, Chairperson
Forest Preserve District Committee

JF:kjr