

# **Lake County Illinois**

*Central Permit Facility  
500 W. Winchester Rd  
Libertyville, Illinois 60048-1331*



## **Minutes Report - Final**

**Thursday, September 7, 2023**

**6:00 PM**

**500 W. Winchester Rd - Libertyville, Illinois**

**Lake County Stormwater Management Commission**

**PUBLIC ATTENDANCE:** There are two options for the public to attend the meeting: (1) in-person attendance on the 2nd floor Central Permit Facility building 500 W. Winchester Road, Libertyville, Illinois, or (2) remote / virtual attendance through the link:

<https://us02web.zoom.us/j/81617490603>

**Meeting ID:** 816 1749 0603

One tap mobile  
+13126266799,,85137896784# US (Chicago)

Dial by your location  
+1 312 626 6799 US (Chicago)

**RECORDING:** Meetings, including Public Comment, will be recorded.

**PUBLIC COMMENT:** The public will be afforded time to comment on matters related to the business of the Lake County Stormwater Management Commission. A total of 30 minutes will be permitted for Public Comment and no more than three minutes per Comment. In general, Public Comment on items not on the agenda will be presented near the beginning of the meeting. Public Comment on agenda items may be presented during consideration of that item.

**1. CALL TO ORDER**

*The meeting was called to order by Chairman Schmit at 6:00 p.m.*

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

*Others present: Lisle Stalter, Nick Leach (Village of Gurnee), Mayor Butch Buckley, Grant Benjamin (V), Paula Randall (V) and SMC staff: Kurt Woolford, Arnold Donato, Kelcey Traynoff, Mike Prusila, Sharon Østerby, Anna Niedzinski, Dijana Silber*

**Present** 9 - Commissioner - Alternate Altenberg, Commissioner Frank, Commissioner Hewitt, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**4. PUBLIC COMMENT**

*Chairman Schmit asked if there were any public comments. There were none.*

**5. [23-1278](#)**

Approval of July 6, 2023 meeting minutes

**A motion to approve the July 6, 2023 meeting minutes was made by Municipal Representative Rockingham, seconded by Commissioner Hunter. The motion carried by the following voice vote.**

**Aye:** 6 - Commissioner Frank, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**Abstain:** 1 - Commissioner Sode

**Not Present:** 2 - Commissioner - Alternate Altenberg and Commissioner Hewitt

**[23-1279](#)**

Approval of July 28, 2023 Special meeting minutes

**A motion to approve the July 28, 2023 Special Meeting minutes was made by Municipal Representative Sode, seconded by Municipal Representative - Alterante Weidenfeld. The motion carried by the following voice vote.**

**Aye:** 8 - Commissioner - Alternate Altenberg, Commissioner Frank, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**Not Present:** 1 - Commissioner Hewitt

## 6. COMMISSION REPORTS

### 6.1 Director's Report

#### 6.1.a [23-1291](#)

Waters of the United States (WOTUS) Conforming Rule, issued August 29, 2023

*Mr. Kurt Woolford provided an update on the Waters of the United States (WOTUS) Conforming Rule that was issued on August 29th, 2023. Mr. Woolford explained that under this new rule, the definition of WOTUS has been narrowed and while it is still unclear what this means for Lake County, there will be an increase in the number of isolated wetlands under SMC's Watershed Development Ordinance.*

#### 6.1. Fiscal Year 2024 Budget Update

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*Mr. Woolford provided an update on the FY2024 budget. Several SMC staff met with the County Administrator's Office and Finance and a desk review of the budget was done. The next action item for the budget will be at the Joint Committee (PBZ&E and F&A) Budget Meeting on October 18th.*

### 6.2 Chairman's Report

*Chairman Schmit expressed his thanks for the job postings of the full-time and part-time Wetland Specialist positions. Chairman Schmit addressed the delays in permitting SMC is experiencing due to not being fully staffed.*

### 6.3 Commissioner's Report

## 7. ACTION ITEMS

#### 7.1 [23-1280](#)

Approval of July and August 2023 Treasurer's Reports

*Mr. Arnold Donato presented the SMC, RSMP, DRWW, NBWW Treasurer's Reports for July and August 2023.*

**A motion to approve was made by Commissioner Pedersen, seconded by Municipal Representative Sode. Motion passed by unanimous roll call vote.**

**Aye:** 9 - Commissioner - Alternate Altenberg, Commissioner Frank, Commissioner Hewitt, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

#### 7.2 [23-1289](#)

Approval of DCEO-STOCIP Eligibility Authorization for Drainage Improvements in the City of Park City

*SMC received a \$2.6M Notice of State Award (NOSA) specifically for drainage improvements in the City of Park City. Per SMC policy, Mr. Mike Prusila requested approval of the DCEO-STOCIP eligibility authorization in order for SMC to accept the NOSA.*

**A motion to approve was made by Commissioner Frank, seconded by Municipal Representative - Alternate Weidenfeld. Motion passed by a unanimous roll call vote.**

**Aye:** 9 - Commissioner - Alternate Altenberg, Commissioner Frank, Commissioner Hewitt, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**7.3 23-1292**

Approval of Service Request #7 with Hey and Associates, Inc. for Mill Creek Water Quality Enhancement at Rollins Savanna Forest Preserve, in the amount of \$69,500.

*Mr. Kurt Woolford requested approval of Service Request #7 with Hey and Associates, Inc. for Mill Creek Water Quality Enhancement at Rollins Savanna Forest Preserve, in the amount of \$69,500. Mr. Woolford stated that this Service Request #7 exceeds the Executive Director's spending authority. Mr. Woolford presented a project area map and explained that the Avon Township Highway Department's Linden Ave. Mill Creek Drainage Improvements project requires compensatory mitigation. Mr. Woolford explained that he and Mayor Buckley from Third Lake have met with the Lake County Forest Preserve District to discuss and identify potential mitigation areas within Rollins Savanna Forest Preserve. Hey and Associates, Inc. has been selected and concept design is expected to begin later this year or early next year. This project will help to alleviate road flooding, improve wetlands, and help to control the amount of sediment being deposited into Third Lake.*

**A motion to approve was made by Municipal Representative Rockingham, seconded by Municipal Representative Sode. Motion passed by a unanimous roll call vote.**

**Aye:** 9 - Commissioner - Alternate Altenberg, Commissioner Frank, Commissioner Hewitt, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**7.4 23-1293**

Approval to Amend Contractual Services Agreement with Christopher B. Burke Engineering, Ltd. Increasing Agreement's Not-To-Exceed Amount by \$157,340 to \$627,437

*Ms. Sharon Østerby requested approval to amend Contractual Services Agreement with Christopher B. Burke Engineering, Ltd. Increasing the agreement's not-to-exceed amount by \$157,340 to \$627,437. This increase will be funded through the FY23 GOE Contingency for the Stormwater County Match for the FEMA Grant Stormwater Projects.*

**A motion to approve was made by Commissioner Hewitt, seconded by Commissioner - Alternate Altenberg. Motion passed by a unanimous roll call vote.**

**Aye:** 9 - Commissioner - Alternate Altenberg, Commissioner Frank, Commissioner Hewitt, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.5 [23-1284](#)

Ratification of the Illinois Emergency Management Agency (IEMA) Beach Park Landslide Project Grant Agreement Amendment.

*Ms. Sharon Østerby requested ratification of the Illinois Emergency Management agency (IEMA) Beach Park Landslide Project Grant Agreement Amendment.*

**A motion to approve was made by Commissioner Hewitt, seconded by Municipal Representative Sode. Motion passed by a unanimous roll call vote.**

**Aye:** 9 - Commissioner - Alternate Altenberg, Commissioner Frank, Commissioner Hewitt, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.6 [23-1286](#)

Approval of Intergovernmental Agreement (IGA) with the Village of Gurnee for the 2018 IDNR OWR #371 Flood Mitigation Project, in the amount of \$28,503

*Ms. Sharon Østerby requested approval of the Intergovernmental Agreement (IGA) with the Village of Gurnee for the 2018 IDNR OWR #371 Flood Mitigation Project, in the amount of \$28,503.*

**A motion to approve agenda items 7.6 and 7.7 was made by Commissioner Frank, seconded by Municipal Representative - Alternate Weidenfeld. Motion passed by a unanimous roll call vote.**

**Aye:** 9 - Commissioner - Alternate Altenberg, Commissioner Frank, Commissioner Hewitt, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.7 [23-1285](#)

Approval of Intergovernmental Agreement (IGA) with the Village of Gurnee for the 2019 IDNR OWR #379 Flood Mitigation Project, in the amount of \$16,928

*Ms. Sharon Østerby requested approval of the Intergovernmental Agreement (IGA) with the Village of Gurnee for the 2019 IDNR OWR #379 Flood Mitigation Project, in the amount of \$16,928.*

**A motion to approve agenda items 7.6 and 7.7 was made by Commissioner Frank, seconded by Municipal Representative - Alternate Weidenfeld. Motion passed by a unanimous roll call vote.**

**Aye:** 9 - Commissioner - Alternate Altenberg, Commissioner Frank, Commissioner Hewitt, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.8 [23-1281](#)

Recommendation for Watershed Development Ordinance (WDO) Community Recertification

*Ms. Kelcey Traynoff requested approval of the Village of Gurnee's recertification, with no conditions, for Standard Certification and FIL50 Certification. Mr. Woolford added that SMC staff will be bringing additional community recertifications (53 total) to future Commission meetings.*

**A motion to approve was made by Commissioner - Alternate Altenberg, seconded**

**by Municipal Representative Sode. Motion passed by a unanimous voice vote.**

**Aye:** 9 - Commissioner - Alternate Altenberg, Commissioner Frank, Commissioner Hewitt, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

## **INFORMATION SECTION**

### **8.1.a [23-1283](#)**

Approval of July and August 2023 Regulatory Reports

*Ms. Kelcey Traynoff presented the Regulatory Reports for July and August 2023. Ms. Traynoff noted that there were errors in the August Monthly Review Times report and the values shown for submittals in September were incorrect. SMC is working to correct this report before the October Commission meeting.*

### **8.1. [23-1282](#)**

**b**

September 13, 2023 Enforcement Officer and Certified Wetland Specialist Workshop

*Ms. Traynoff discussed the Enforcement Officer and Certified Wetland Specialist Workshop being held on September 13th. This will be a hybrid workshop with options for in-person and virtual attendance available. Two make-up days for the workshop will be available on Tuesday, September 19th and Friday, September 29th.*

### **8.1.c [23-1297](#)**

October 24, 2023 MS4 Inspection and Maintenance Workshop

*Ms. Anna Niedzinski discussed the MS4 Inspection and Maintenance Workshop being held on October 24th. This workshop will have a classroom and field component. Additional information will be shared prior to the date of the workshop.*

## **Correspondence**

## **Community Relations/Public Info**

## **9. EXECUTIVE SESSION**

## **10. ADJOURNMENT**

**A motion to adjourn was made by Municipal Representative Rockingham, seconded by Municipal Representative Sode. Motion passed by a unanimous voice vote. Meeting adjourned at 6:33pm.**

**Aye:** 9 - Commissioner - Alternate Altenberg, Commissioner Frank, Commissioner Hewitt, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld