

# Lake County Illinois

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



## Minutes Report - Draft

Thursday, June 6, 2024

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 at 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/85332179473>

**Meeting ID: 853 3217 9473**

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

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**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 SMC meeting was called to order by Chairman Schmit at 6:01 p.m.*

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

*Others present: Paula Randall, Diana O'Kelly, Chris Swanson, Grant Benjamin, Susan Pribyl, RuthAnne Hall, Amy Wagner, Jesus Alquicira, Clyde Kofman, Joseph Gannon (V), Erika Frable (V) and SMC Staff: Kurt Woolford, Kelcey Traynoff, Mike Prusila, Anna Niedzinski, Brian Frank, Bill Santelik, Dijana Silber, Jacob Jozefowski, Sharon Østerby, Sharene Gould Dulabaum (V)*

**Present** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**4. PUBLIC COMMENT**

*Mr. Chris Swanson expressed his concern about the discussion held at the May 2nd SMC meeting for the Four Corners Basin (Wilson Road and Route 120). Mr. Swanson's concern was in regards to the Four Corners Basin project potentially not being able to be completed due to the project not having a local sponsor. Mr. Swanson asked the Commission to support SMC in completing the project and not push it off for future funding.*

*Mr. Joe Gannon (virtual attendee) spoke about SMC's website having suggestions on what homeowners and businesses can do to help with stormwater management. Mr. Gannon pointed out that the website does not address the aspects of cost and education that go into implementing these stormwater management practices and that other organizations throughout the Country provide information on grant funding opportunities. Mr. Gannon suggested that SMC adopt this practice as well. House Bill 5296 was referenced in regard to homeowner's native landscaping.*

**5. 24-0742**

Approval of May 2, 2024 meeting minutes

*Approval was requested for the May 2, 2024 meeting minutes.*

**A motion was made by Commissioner Hewitt, seconded by Commissioner - Alternate Weidenfeld. Motion passed by unanimous voice vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**6. COMMISSION REPORTS**

**6.1 Director's Report**

*Mr. Kurt Woolford provided updates on the following.*

- The target date to return the application for DCEO Round 2 funding is mid-July. DCEO has requested our application include executed pre-award Intergovernmental Agreements (IGAs). SMC has met with a majority of the project partners that have shovel-ready construction projects that will be bid in 2024. Not all of the IGAs have been finalized, however these will be completed at the July 11th SMC meeting. Mr. Woolford noted that the Four Corners Basin project will stay on the list of projects even though it*

does not have a local sponsor yet.

- A policy waiver for Township Project Expense Match (PEM) will be recommended at the next SMC meeting. Townships are typically not funded as well as municipalities and cannot absorb this administrative expense in their budgets. This waiver will help Townships complete projects with their limited budgetary funding.
- On June 10th there will be a ribbon cutting event for the Park City project.
- On June 18th there will be a groundbreaking ceremony for the Sylvan Lake Dam project.
- SMC staff received five proposals for the update to the Comprehensive Stormwater Management Plan. Staff are reviewing the proposals and will bring a recommendation to the next SMC meeting.
- Bill Santelik started as SMC's new Wetland Specialist on June 3rd.

## 6.2 Chairman's Report

Chairman Schmit thanked SMC staff for their work and effort with the DCEO program.

## 6.3 Commissioner's Report

## 7. ACTION ITEMS

### 7.1 24-0744

Approval of May 2024 Treasurer's Report

Ms. Kelcey Traynoff presented and requested approval of the May 2024 Treasurer's Reports.

**A motion was made by Commissioner Hunter, seconded by Commissioner Rockingham. Motion passed by a unanimous roll call vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

### 7.2 24-0754

Preliminary Discussion of Draft Fiscal Year 2025 Budget and New Program

Mr. Woolford discussed the draft budget and new program for FY 2025. The draft budget is generally status quo. There are several items that will be submitted within budget targets including a replacement vehicle (electric) with trailer, replacement of computer equipment, and engineering equipment. The draft line item budget will be brought to the Commission for approval after the submittal due date of June 28th. This was an informational item only.

**7.3 24-0751**

Approval of an Intergovernmental Agreement between SMC and the Fremont Township for Fiscal Year 2024 SIRF Erhart Road Tile Replacement in Fremont Township (contract value \$10,800)  
*Mr. Jacob Jozefowski presented and requested approval of the IGA between SMC and the Fremont Township for Fiscal Year 2024 SIRF Erhart Road Tile Replacement in Fremont Township with a contract value of \$10,800.*

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

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.4 24-0752**

Approval of an Intergovernmental Agreement between SMC and the Village of Hawthorn Woods for Fiscal Year 2024 SIRF Indian Creek Bank Stabilization (contract value \$64,325)  
*Mr. Jozefowski presented and requested approval of the IGA between SMC and the Village of Hawthorn Woods for Fiscal Year 2024 SIRF Indian Creek Bank Stabilization with a contract value of \$64,325.*

**A motion was made by Commissioner Pedersen, seconded by Commissioner Rockingham. Motion passed by a unanimous roll call vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.5 24-0745**

Approval of an Intergovernmental Agreement second amendment between the SMC and Warren Township Highway Department for Wildwood Area Stormwater Infrastructure Improvements Project(DCEO Round 1) with a PEM value of \$278,269.00.

*Mr. Ernesto Huaracha presented and requested approval of the IGA second amendment between the SMC and Warren Township Highway Department for the Wildwood Area Stormwater Infrastructure Improvements Project with a PEM value of \$278,269.00.*

**A motion was made by Commissioner Hewitt, seconded by Commissioner Pedersen. Motion passed by a unanimous roll call vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.6 24-0746**

Approval of contract second amendment with Christopher B. Burke Engineering, Ltd. for DCEO Round 2 Engineering and Design Services Seavey Master Plan Phase 3 - Vernon Hills channel improvements and shoreline stabilization Vernon Hills, Illinois in the not-to-exceed amount of \$571,577.00.

*Mr. Huaracha presented and requested approval of the contract second amendment with Christopher B. Burke Engineering, Ltd. for DCEO Round 2 Engineering and Design Services for the Seavey Master Plan Phase 3, Vernon Hills Channel Improvements and Shoreline Stabilization in the not-to-exceed amount of \$571,577.00.*

**A motion was made by Commissioner Hunter, seconded by Commissioner Hood.**

**Motion passed by a unanimous roll call vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.7 24-0755**

Approval of contract first amendment with Christopher B. Burke Engineering, Ltd. for Engineering and Design Services DCEO Round 2 Engineering And Design Services 20th Street Stormwater Improvements Project Phase 1 Zion, Illinois in the not-to-exceed amount of \$305,781.00.

*Mr. Huaracha presented and requested approval of the contract first amendment with Christopher B. Burke Engineering Ltd. for DCEO Round 2 Engineering and Design Services for the 20th Street Stormwater Improvements Project Phase 1, Zion in the not-to-exceed amount of \$305,781.00.*

**A motion was made by Commissioner Hewitt, seconded by Commissioner Hunter.**

**Motion passed by a unanimous roll call vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.8 24-0749**

Approval of DCEO Round 2 Pre-Award Intergovernmental Agreement with the Village of Lincolnshire for Windsor Drive Drainage Improvements

*Mr. Mike Prusila presented and requested approval of the DCEO Round 2 pre-award IGA with the Village of Lincolnshire for Windsor Drive Drainage Improvements.*

**A motion was made by Commissioner Rockingham, seconded by Commissioner Hunter. Motion passed by a unanimous roll call vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.9 24-0750**

Approval of DCEO Round 2 Pre-Award Intergovernmental Agreement with the City of North Chicago for the Lewis Avenue Detention Basin Project Phases 1 and 2

*Mr. Prusila presented and requested approval of the DCEO Round 2 pre-award IGA with the City of North Chicago for the Lewis Avenue Detention Basin Project phases 1 & 2.*

**A motion was made by Commissioner Rockingham, seconded by Commissioner Hunter. Motion passed by a unanimous roll call vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.10 24-0766**

Approval of DCEO Round 2 Pre-Award Intergovernmental Agreement with the City of Zion for the 20th Street Stormwater Improvements Project Phase 1

*Mr. Prusila presented and requested approval of the DCEO Round 2 pre-award IGA with the City of Zion for the 20th Street Stormwater Improvements Project phase 1.*

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

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.11 24-0767**

Approval of DCEO Round 2 Pre-Award Intergovernmental Agreement with the Village of Vernon Hills for the Seavey Master Plan Project Phase 3

*Mr. Prusila presented and requested approval of the DCEO Round 2 pre-award IGA with the Village of Vernon Hills for the Seavey Master Plan Project phase 3.*

**A motion was made by Commissioner Pedersen, seconded by Commissioner Hood. Motion passed by a unanimous roll call vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.12 24-0763**

Approval Request for Grant Agreement with Illinois Emergency Management Agency (IEMA) and Emergency Appropriations for the Nippersink Creek Project

*Ms. Sharon Østerby presented and requested approval for the grant agreement with Illinois Emergency Management Agency (IEMA) and emergency appropriations for the Nippersink Creek project. This project was identified in the Fox River Flood Study and identified Nippersink Creek area as having the most significant damage from flooding. Commissioner Hunter asked what McHenry County would be contributing for their portion of the project? Ms. Østerby explained that McHenry County has their own agreement and their own cost share with FEMA.*

**A motion was made by Commissioner Hunter, seconded by Commissioner Pedersen. Motion passed by a unanimous roll call vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.13 24-0748**

Approval of Watershed Development Ordinance (WDO) Community Recertifications

- Village of Barrington Hills (Standard)
- Village of Buffalo Grove (Standard)
- Village of Hawthorn Woods (Standard and Isolated Wetland)
- Village of Island Lake (Standard and Isolated Wetland)
- Village of Lake Bluff (Standard)
- Village of North Barrington (Standard and Isolated Wetland)
- City of North Chicago (Standard)

*Mr. Brian Frank presented and requested approval of WDO Community Recertification for the following communities.*

- *Village of Barrington Hills (Standard)*
- *Village of Buffalo Grove (Standard)*
- *Village of Hawthorn Woods (Standard and Isolated Wetland)*
- *Village of Island Lake (Standard and Isolated Wetland)*
- *Village of Lake Bluff (Standard)*
- *Village of North Barrington (Standard and Isolated Wetland)*
- *City of North Chicago (Standard)*

**A motion was made by Commissioner Hewitt, seconded by Commissioner Rockingham. Motion passed by a unanimous voice vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.14 24-0759**

Conditional Approval of Watershed Development Ordinance (WDO) Community Recertification

- Village of Hainesville (Standard and Isolated Wetland)

*Mr. Frank presented and requested conditional approval of WDO Community Recertification, with a condition, for the following community.*

- *Village of Hainesville (Standard and Isolated Wetland)*

*Staff recommended condition: SMC and the Village will continue coordination to resolve the non-compliant development, located southwest of W. Belvidere Road and S. Hainesville Road (PIN: 0633300008). WDO compliance is required to assure the development does not increase flood and drainage hazards to others, or create unstable conditions susceptible to erosion [WDO Purpose 102.03].*

*Ms. Susan Pribyl, with the Manitou Creek Watershed Alliance, provided a public comment on the wetland violation at the Northbrook Sports Club in Hainesville. As part of her public comment, Ms. Pribyl explained that the Village did not issue any fines for the violation even though there is a section in the WDO specifically discussing fines and violations. Ms. Pribyl voiced her support for the proposed condition.*

*Mr. Frank discussed SMC's coordination with the Village of Hainesville and explained that SMC staff have been in contact with both the Village's Enforcement Officer (EO) and Certified Wetland Specialist. SMC also met on site with the Army Corps of Engineers to discuss the violation. Mr. Frank explained that the Village's EO has been responsive regarding the violation, however, the process of getting wetland jurisdiction has stalled*



*the process.*

*Commissioner Weidenfeld asked if the process with the Army Corps prevents the enforcement of any violation? Mr. Frank explained that no, that is typically not the process and many communities, including SMC, will issue a violation followed by a fine however, this process is at the discretion of the certified community. Mr. Woolford added that the WDO has a provision stating that a community can be de-certified if they adopt an ordinance that is less restrictive than the WDO. A community can also be de-certified if there are recurring violations.*

*Commissioner Hunter asked when the Village would be able to reapply for community certification? Mr. Frank discussed the condition and Mr. Woolford explained that this was a site-specific condition, not a Village-wide condition, and that SMC would need to be involved with that site under the proposed condition.*

*Chairman Schmit asked if there was an end date on the condition or if it was open-ended? Mr. Frank explained that this condition was open-ended, and the Village would need to make progress and make an appropriate effort in correcting the violation. Chairman Schmit also asked if Mr. Frank if he expected any action or progress before the next SMC meeting? Mr. Frank explained that with the Army Corps currently not performing stand-alone JDs, he did not expect there to be much progress ahead of the next meeting. Mr. Frank also explained that the Village has a proposed plan to fix the violation however, per the WDO, they need a JD before they can move forward with the plan.*

*Commissioner Weidenfeld asked what the impact would be if SMC does not recertify the Village? Mr. Woolford explained that SMC would become the EO for the Village.*

*Mr. Woolford explained that an option could be to recertify the Village for standard certification and remove their wetland certification. Commissioner Hewitt asked what consequences there would be for the Village if the certifications are split? Mr. Woolford explained that the Village would no longer have the authority to review wetland submittals and issue wetland permits.*

*Motion to conditionally approve made by Hunter, second by Hewitt. Motion did not pass. Roll call vote 2-5-0 (Yes: Rockingham, Hood No: Pedersen, Hewitt, Hunter, Schmit, Weidenfeld)*

**A motion to conditionally approve was made by Commissioner Hunter, seconded by Commissioner Hewitt. Motion did not pass.**

**Aye:** 2 - Commissioner Hood and Commissioner Rockingham  
**Nay:** 5 - Commissioner Hewitt, Commissioner Hunter, Commissioner Pedersen, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.15 24-0760**

Approval of Watershed Development Ordinance (WDO) Community Recertifications with Conditions

- City of Waukegan (Standard)

*Mr. Frank presented and requested conditional approval of WDO Community Recertification, with a condition, for the following community.*

- City of Waukegan (Standard)

*Staff recommended condition: SMC and the City will continue coordination to resolve the non-compliant development, located at Nemesis Avenue (unimproved right-of-way), Bayonne Avenue (unimproved right-of-way), and Vermont Avenue (unimproved right-of-way) along with these PINS: 0712216007, 0712216009, 0712216010, and 0712217019. WDO compliance is required to assure the development does not increase flood and drainage hazards to others, or create unstable conditions susceptible to erosion [WDO Purpose 102.03].*

*Commissioner Rockingham asked what the permitting process is for the property owner. Mr. Frank explained that his understanding was that the site would be permitted as-is and that mitigation may be required for the wetland impacts.*

*Commissioner Hunter asked about Waukegan's history with wetland-related issues. Mr. Frank explained that the City is only standard certified and they work with SMC's Wetland Specialist, Juli Crane, on any wetland items.*

**A motion was made by Commissioner Rockingham, seconded by Commissioner Hunter. Motion passed by a roll call vote.**

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

**Nay:** 1 - Commissioner Hewitt

**7.16 24-0753**

Technical Advisory Committee (TAC) Appointments

*Ms. Traynoff presented and requested ratification of the Technical Advisory Committee (TAC) membership renewal for the Village of Gurnee.*

**A motion was made by Commissioner - Alternate Weidenfeld, seconded by Commissioner Hood. Motion passed by a unanimous voice vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.17 24-0765**

Ratification of Technical Advisory Committee Member

*Ms. Traynoff requested ratification Andrew Heuser as an alternate member for SMC's Technical Advisory Committee (TAC).*

**A motion was made by Commissioner Hewitt, seconded by Commissioner Hunter. Motion passed by a unanimous voice vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**7.18 24-0747**

Municipal Advisory Committee (MAC) Chair and Vice-Chair Ratification

*Ms. Anna Niedzinski presented and requested ratification of the Municipal Advisory Committee (MAC) Chair and Vice Chair. Erika Frable will continue to serve as the Chair and Chris Bouchard will continue to serve as the Vice Chair.*

**A motion was made by Commissioner Hewitt, seconded by Commissioner Pedersen. Motion passed by a unanimous voice vote.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld

**INFORMATION SECTION**

**8.1 24-0743**

May 2024 Regulatory Reports

*Ms. Traynoff presented the Regulatory Reports and Wetland Restoration Fund (WRF) Status for May 2024.*

**Correspondence**

**Community Relations/Public Info**

**8.3. 24-0768**

**a**

DCEO-STOCIP Fiscal Year 2024 Projects

*Ms. Traynoff explained that the location map for the DCEO-STOCIP FY2024 projects, which presented during the May SMC meeting, was included in the meeting packet.*

**8.3. 24-0758**

**b**

Juli Crane Principal Wetland Specialist Kudos

*Ms. Traynoff shared an email for SMC Principal Wetland Specialist, Juli Crane, thanking her for her expedited work on a wetland review.*

**8.3. 24-0756**

**c**

Daily Herald Wetland Wanderer

*Ms. Traynoff briefly discussed the Daily Herald article on the Little Blue Heron and how rare they are in Lake County.*

**9. EXECUTIVE SESSION**

**10. ADJOURNMENT**

**A motion to adjourn was made by Member Hewitt, seconded by Member Hunter.**

**Motion passed by a unanimous voice vote. Meeting adjourned at 7:20pm.**

**Aye:** 7 - Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schmit and Commissioner - Alternate Weidenfeld