

Lake County Illinois

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



Minutes Report - Draft

Thursday, May 2, 2024

6:00 PM

600 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 Lake County Division of Transportation building 600 W. Winchester Road, Libertyville, Illinois, or (2) remote / virtual attendance through the link:

<https://us02web.zoom.us/j/84649284121>

Meeting ID: 846 4928 4121

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

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Others Present: Paula Randall, Chris Swanson, Grant Benjamin, Susan Pribyl, RuthAnne Hall, Mike Brown, Clyde Kofman, State Rep. Bob Morgan (V) and SMC Staff: Kurt Woolford, Kelcey Traynoff, Mike Prusila, Juli Crane, Ernesto Huaracha, Glenn Westman (V), Sharene Gould Dulabaum (V)

Present 11 - Commissioner - Alternate Casbon, Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hood, Commissioner Maine, Commissioner - Alternate Roberts, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

4. **PUBLIC COMMENT**

Susan Pribyl spoke on the recent flood event at the Four Corners Basin (Wilson Road and Route 120) and a memo written by former Chief Engineer, Kurt Woolford in 2017. The memo noted that the Four Corners Basin is the largest closed depressional basin in Lake County that is solely drained by farm drain tiles. This memo requested that Enforcement Officers of Certified Communities require that the outflow from all development projects be directed away from the Four Corners Basin. Ms. Pribyl also spoke about the Round Lake CHDS fill site and how this development has changed the topography of the 57-acre parcel and may be having an impact on the Four Corners area. Ms. Pribyl also shared her concern that Designated Erosion Control Inspector (DECI) reports are no longer required for the CHDS fill site (permitted by the Village of Round Lake) since it has been determined to be permanently stabilized.

5. **24-0562**

Approval of April 4, 2024 meeting minutes

Approval was requested for the April 4, 2024 meeting minutes.

A motion to approve was made by Commissioner - Alternate Gust, seconded by Commissioner Sode. Motion passed by unanimous voice vote

Aye: 10 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hood, Commissioner Maine, Commissioner - Alternate Roberts, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

Not Present: 1 - Commissioner - Alternate Casbon

6. COMMISSION REPORTS

6.1 Director's Report

Mr. Kurt Woolford shared that the \$30M DCEO funding for the second round of regional stormwater mitigation projects had been released by Governor Pritzker's office. Later in the agenda, Mr. Woolford would be recommending 15 shovel-ready projects for funding this year, as part of SMC's annual work program. A project location map was passed out to the Commission. These projects have local sponsors and SMC will be working on preparing the agreements for these sponsors. Mr. Woolford also introduced RuthAnn Hall, the Assistant County Administrator, who will be working with SMC on the Planning, Building, Zoning, and Environment Committee. Mr. Woolford stated that the public meeting in Wauconda that was planned for June 6th will be postponed due to SMC bringing a consultant on board to assist with the Comprehensive Stormwater Management Plan update. Mr. Woolford introduced State Representative Bob Morgan and thanked him and the entire State Delegation for assisting in helping SMC receive the DCEO funding for the round two projects. Representative Morgan thanked the SMC team for getting projects lined up for the funding. Chairman Schmit stated that the funding of projects has made a difference in people's lives and thanked Representative Morgan. Commissioner Frank expressed appreciation for the efforts of Representative Morgan and the Lake County State Delegation and shared that every watershed throughout Lake County is represented on the project location map and the funding is being dispersed throughout the entire County.

6.2 Chairman's Report

6.3 Commissioner's Report

7. ACTION ITEMS

7.1 24-0563

Approval of April 2024 Treasurer's Report

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

A motion was made by Commissioner - Alternate Gust, seconded by Commissioner Schlick. The motion carried by the following roll call vote:

Aye: 10 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hood, Commissioner Maine, Commissioner - Alternate Roberts, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

Not Present: 1 - Commissioner - Alternate Casbon

7.2 24-0574

Resolution of Support of the Chain O' Lakes Watershed-Based Plan

Mr. Mike Prusila presented and requested approval of the Resolution of Support of the Chain O'Lakes Watershed-based Plan, prepared by Fox Waterway Agency. Mr. Woolford added that a majority of the boundary for the watershed-based plan falls within Lake County. Chairman Schmit asked if the Plan has been accepted by the State? Mr. Prusila stated that yes, the Plan has been accepted by the Illinois EPA as meeting the guidelines for watershed-based plans.

A motion to approve was made by Commissioner Maine, seconded by Commissioner Sode. The motion carried by the following voice vote:

Aye: 10 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hood, Commissioner Maine, Commissioner - Alternate Roberts, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

Not Present: 1 - Commissioner - Alternate Casbon

7.3 24-0568

Approval of Contract amendment #3 with Bleck Engineering Company Inc. for General Engineering Services in the amount of \$875,295.55.

Mr. Ernesto Huaracha presented and requested approval of contract amendment #3 with Bleck Engineering Company, Inc. for general engineering services in the amount of \$875,295.55. Commissioner Rockingham asked what caused the significant change in the dollar value. Mr. Huaracha stated that this was due to the construction engineering support services and the project management for the Sylvan Lake Dam project.

A motion to approve was made by Commissioner Schlick, seconded by Commissioner Frank. Motion passed by a unanimous roll call vote.

Aye: 11 - Commissioner - Alternate Casbon, Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hood, Commissioner Maine, Commissioner - Alternate Roberts, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.4 24-0569

Approval of SIRF Eligibility Authorization for Erhart Road Tile Replacement in Fremont Township (Project Agreement cost-share value: \$10,800)

Mr. Woolford presented and requested approval of the SIRF Eligibility Authorization for Erhart Road Tile Replacement in Fremont Township

A motion to approve was made by Commissioner Sode, seconded by Commissioner Schlick. Motion passed by a unanimous roll call vote.

Aye: 11 - Commissioner - Alternate Casbon, Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hood, Commissioner Maine, Commissioner - Alternate Roberts, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.5 24-0588

Approval of an Intergovernmental Agreement second amendment between the SMC and Village of Libertyville for Rockland Road corridor and Highlands subdivision phase 1 & 2 flood reduction projects (DCEO Round 1) with a PEM value of \$875,098.00.

Mr. Huaracha presented and requested approval of the Intergovernmental Agreement second amendment between the SMC and Village of Libertyville for the Rockland Road Corridor and Highlands Subdivision Phase 1 & 2 Flood Reduction Projects (DCEO Round 1) with a PEM value of \$875,098.00. Commissioner Maine stated that including a map for projects would be helpful to understand where the projects are located.

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

Aye: 11 - Commissioner - Alternate Casbon, Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hood, Commissioner Maine, Commissioner - Alternate Roberts, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.6 24-0565

Approval of Watershed Development Ordinance (WDO) Community Recertifications

- Village of Deerfield (Standard)
- Village of Riverwoods (Standard and Isolated Wetland)

Ms. Kelcey Traynoff presented and requested approval of WDO Community Recertification for the following communities.

- *Village of Deerfield (Standard)*
- *City of Highwood (Standard and Isolated Wetland)*
- *Village of Riverwoods (Standard and Isolated Wetland)*

Ms. Traynoff also noted that SMC received requests from the following communities to continue as non-certified communities.

- *Village of Beach Park*
- *Village of Lincolnshire*
- *Village of Tower Lakes*
- *Village of Wadsworth*
- *City of Zion*

A motion to approve was made by Commissioner - Alternate Gust, seconded by Commissioner Rockingham. Motion passed by a unanimous voice vote.

Aye: 11 - Commissioner - Alternate Casbon, Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hood, Commissioner Maine, Commissioner - Alternate Roberts, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.7 24-0567

Technical Advisory Committee (TAC) Membership Reinstatement

Ms. Traynoff presented and requested ratification of the Technical Advisory Committee (TAC) membership renewals.

A motion to approve was made by Commissioner - Alternate Gust, seconded by Commissioner Sode. Motion passed by a unanimous voice vote.

Aye: 11 - Commissioner - Alternate Casbon, Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hood, Commissioner Maine, Commissioner - Alternate Roberts, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.8 24-0566

Approval of 2024-2025 Work Program

Mr. Woolford presented SMC's 2024-2025 Work Program. Mr. Woolford went through each main section of the Work Program and explained the changes and new additions for each section. Mr. Woolford also went through each of the Round 2 DCEO-STOCIP (15 shovel-ready and 13 ready for design). Commissioner Schlick asked if Mr. Woolford was confident that local sponsors would be found for the two projects that did not yet have them? Mr. Woolford stated that these two projects are needed, and he will continue to search for an appropriate local sponsor. Commissioner Sode asked what would happen if a sponsor was not found? Mr. Woolford stated that the projects would be identified as "not started" and remain on a drainage problem list, but funds may be allocated to shovel-ready projects.

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

Aye: 11 - Commissioner - Alternate Casbon, Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hood, Commissioner Maine, Commissioner - Alternate Roberts, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

INFORMATION SECTION

8.1 24-0564

April 2024 Regulatory Reports

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

8.2 Correspondence

8.3 Community Relations/Public Info

8.3.a 24-0571

March 22, 2024 Memorandum: Department of the Army Civil Works Actions to Sustain and Advance the Nation's Waters and Wetlands After the Sackett Decision

Mr. Woolford began the discussion on the memo for the Department of the Army Civil Works Actions to Sustain and Advance the Nation's Waters and Wetlands After the Sackett Decision. Mr. Woolford stated that the letter explains the impact of the U.S. Supreme Court's decision over the Sackett vs. EPA case. This letter also gives direction to the Corps districts and discusses the importance of wetlands. This letter also promotes transparency and consistency in interpretation.

8.3. 24-0573

b

April 22, 2024 Update from the U.S. Army Corps of Engineers Chicago District, Regulatory Branch

Ms. Crane discussed the update from the U.S. Army Corps of Engineers Chicago District, Regulatory Branch. This update discusses a shift in the workload priorities for the Chicago District of the Corps. The workload shift includes putting a pause on stand-alone Jurisdictional Determinations. Ms. Crane stated that Kurt Woolford (Executive Director) and Brian Frank (Chief Engineer) would be working on setting up a meeting with staff from the Corps' Chicago District to discuss the implications of their workload shift.

8.3.c 24-0589

April 2, 2024 National Association of Wetland Managers (NAWM) Case Studies of Local Coastal Wetland Protections Report

Ms. Crane discussed the report from the Association of Wetland Managers on Case Studies of Local Coastal Wetland Protections, which looked at coastal wetland protection examples. SMC's wetland program was nationally recognized and highlighted as Case Study #3. The report acknowledged the value of SMC's Watershed Development Ordinance, the regulations for stormwater and flood management, and wetland protection.

9. EXECUTIVE SESSION

10. ADJOURNMENT

A motion to adjourn was made by Member Gust, seconded by Member Sode. Motion passed by a unanimous voice vote. Meeting adjourned at 7:20pm.

Aye: 11 - Commissioner - Alternate Casbon, Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hood, Commissioner Maine, Commissioner - Alternate Roberts, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld