

# Lake County Illinois

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



## Minutes Report - Final

Thursday, September 5, 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/84063525857>

Meeting ID: 840 6352 5857

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**

**Present** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

4. **PUBLIC COMMENT**

*Others present: Paula Randall, Bryan Winter, Grant Benjamin, Susan Pribyl, Jeri Saunier, Mary Handelsman, Linda Troester, Brandy Schroff, Kim Christesen, Kurt Baumann, Russ Kraly, Brian Brubaker (V), Dawn Barber (V) and SMC staff: Kurt Woolford, Kelcey Traynoff, Mike Prusila, Dijana Silber, Sharon Østerby, Anna Niedzinski, Anushka Hebbar, Sharene Gould Dulabaum (V)*

5. **24-1156**

Approval of July 11, 2024 meeting minutes

*Approval was requested for the July 11, 2024 meeting minutes.*

**A motion to approve was made by Commissioner Rockingham, seconded by Commissioner Sode. Motion passed by roll call vote:**

**Aye:** 9 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Sode and Commissioner - Alternate Weidenfeld

**Abstain:** 1 - Commissioner Schmit

6. **COMMISSION REPORTS**

6.1 **Director's Report**

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

*•During the July SMC meeting, authorization was given to the Executive Director to negotiate to enter into a contract for the Comprehensive Stormwater Management Plan update with Baxter and Woodman. The negotiation, scope of work, and approvals are executed, and SMC is now just waiting for final paperwork. The target completion date for the update is the end of 2025 and the update is expected to be substantially complete by next summer.*

*•The County is moving forward with a pre-dissolution ordinance for the Slocum Lake Drainage District. Mr. Woolford has been working with the County Administrator's Office and has meetings scheduled with Port Barrington and Lake Barrington to familiarize these municipalities and discuss concerns they may have if the Drainage District no longer exists.*

**6.2 Chairman's Report**

*Chairman Schmit gave kudos to the SMC staff for all of the work they are doing.*

**6.3 Commissioner's Report**

**7. ACTION ITEMS**

**7.1 [24-1157](#)**

Approval of July and August 2024 Treasurer's Report

*Ms. Kelcey Traynoff presented and requested approval of the July and August 2024 Treasurer's Reports.*

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

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**7.2 [24-1159](#)**

Approval of Contract amendment #1 with Campanella & Sons, Inc. for Construction Services for DCEO Round 1 Construction Contract for Park City Flood Mitigation Storm Sewer Project in Park City, IL in the not-to-exceed amount of \$3,014,053.43.

*Mr. Mike Prusila presented and requested approval of contract amendment #1 with Campanella and Sons, Inc. for the DCEO Round 1 construction contract for Park City Flood Mitigation Storm Sewer Project in the not-to-exceed amount of \$3,014,053.43.*

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

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**7.3 [24-1160](#)**

Approval of Contract amendment #1 with Campanella & Sons, Inc. for Construction Services for DCEO Round 1 for the Wildwood Area Stormwater Infrastructure Improvements in the (Unincorporated Grayslake) Warren Township, IL in the not-to-exceed amount of \$3,663,371.28.

*Mr. Prusila presented and requested approval of contract amendment #1 with Campanella & Sons, Inc. for the DCEO Round 1 construction services for the Wildwood Area Stormwater Infrastructure Improvements in Warren Township in the not-to-exceed amount of \$3,663,371.28. This amendment will fund additional improvements that were previously bid as an alternate item. The alternate bid item increases the contract value by \$487, 573.37 and will be funded by additional surplus from the DCEO Round 1 grant.*

*Commissioner Hunter asked if this alternate bid item had been included originally, would the lowest responsible bidder have changed? Mr. Prusila explained that no, this would not have changed who the lowest responsible bidder was and Campanella would have still been the lowest bidder.*

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

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**7.4 [24-1161](#)**

Approval of Contract amendment #3 with Campanella & Sons, Inc. for Construction Services for DCEO Round 1 Talbot Avenue Drainage Improvements in Shields Township, IL in the not-to-exceed amount of \$ 357,756.23.

*Mr. Prusila presented and requested approval of contract amendment #3 with Campanella & Sons, Inc. for the DCEO Round 1 Talbot Avenue Drainage Improvements in Shields Township, IL in the not-to-exceed amount of \$357,756.23. The third amendment will increase the total contract value by \$39,304 and will also be funded by additional surplus from the DCEO Round 1 grant.*

*Commissioner Maine asked what the reason was for the amendment? Mr. Prusila explained that due to field conditions, there have been additional changes to improve the overall outcome of the project.*

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

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**7.5 [24-1175](#)**

Eligibility Authorization for DCEO-STOCIP Round 2 Projects

*Mr. Prusila presented and requested approval of the Eligibility Authorization for the DCEO-STOCIP Round 2 projects. Mr. Woolford also added that the list of projects has not changed since the approvals of the pre-award IGAs, and the request for Eligibility Authorization approval is procedural from SMC's own policies.*

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

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**7.6 [24-1178](#)**

Ownership Status of 0 Wilson Road parcels in the Village of Round Lake

*Ms. Dijana Silber presented the ownership status of the two 0 Wilson Road parcels in the Village of Round Lake. Ms. Silber explained that in April, the Commission approved spending authority for Mr. Woolford up to \$20,000 to purchase these two parcels. SMC received two deeds on July 10th for the parcels and continues to seek a local unit of government to transfer the ownership and maintenance responsibilities. This was an informational item only.*

**This matter was presented**

7.7 [24-1176](#)

Approval of an Intergovernmental Agreement (IGA) with the Skokie Consolidated Drainage District (SCDD) for the construction of the Skokie River Two-Stage Channel Drainage Improvements within SCDD's easement.

*Ms. Sharon Østerby presented and requested approval of an Intergovernmental Agreement with the Skokie Consolidated Drainage District (SCDD) for the construction of the Skokie River Two-Stage Channel Drainage Improvements within SCDD's easement. Ms. Østerby explained that the SCDD will need a court order to complete this project.*

*Mr. Bryan Winter, the attorney for the SCDD, added that the drainage districts are creations of the Illinois State Statute and there are several aspects that need court approval. For this project, FEMA identified that this funding could not go directly to the Navy, and they needed to have reassurances that this work was being performed within the 100-foot easement that the SCDD has.*

*Commissioner Frank asked what types of authorizations the drainage district needed to get judicial approval for? Mr. Winter explained that annexing a property into a drainage district and increasing the assessment are the main items that would require court approval.*

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

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.8 [24-1163](#)

Approval of Contract amendment #3 with Hey and Associates, Inc. for General Engineering Services in the not-to-exceed amount of \$919,613.86.

*Mr. Woolford presented and requested approval for amendment #3 with Hey and Associates, Inc. for general engineering services in the not-to-exceed amount of \$919,613.86. The work being added with this amendment includes the Dady Slough engineering, the Mill Creek Stormwater Basin engineering, and adding additional funds for future service requests.*

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

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.9 [24-1162](#)

Approval of Contract amendment #4 with Bleck Engineering Company Inc. for General Engineering Services not to exceed amount of \$1,109,295.55.

*Mr. Woolford presented and requested approval for amendment #4 with Bleck Engineering Company, Inc. for general engineering services in the not-to-exceed amount of \$1,109,295.55. The work being added with this amendment includes construction management for the DCEO Wildwood Area Stormwater Infrastructure Improvements project, the Del Mar Woods preliminary engineering, and adding additional funds for future service requests.*

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

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.10 [24-1173](#)

Approval of Contract with Geo-Logic Associates, Inc. for consulting services for the PCB & Mercury pollutant sampling program in the Lake Michigan watershed for the not-to-exceed amount of \$85,510.

*Ms. Anna Niedzinski presented and requested approval of the contract with Geo-Logic Associates, Inc. for consulting services for the PCB & Mercury Pollutant Sampling Program in the Lake Michigan Watershed for the not-to-exceed amount of \$85,510, pending final approval and any revisions recommended after legal review.*

*Commissioner Frank asked where the samples are coming from and what exactly will be looked at? Ms. Niedzinski explained that sediment samples will be taken from Lake County's storm sewers because mercury and PCBs bind more tightly to sediment than to water and sediment ultimately ends up flowing into Lake Michigan. Ms. Niedzinski added that this sampling program would only look at the County of Lake's storm sewer infrastructure in the Lake Michigan watershed.*

*Commissioner Maine asked if SMC's watershed workgroups were looking at similar mercury and PCB samples within their watersheds (North Branch and Des Plaines) and how it may impact the Mississippi River and ultimately the Gulf of Mexico? Mr. Woolford clarified that the PCB & Mercury Pollutant Sampling Program is in response to the IEPA's TMDL requirement for the Lake Michigan watershed, and further clarified that scope of work for the consultant is focused on the County of Lake's MS4 permit jurisdiction.*

*Commissioner Maine inquired whether this program should be expanded and not limited only to the County's infrastructure in a single watershed. Further discussion may occur at a future meeting.*

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

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**7.11 24-1177**

Approval of Watershed Development Ordinance (WDO) Community Recertifications

- Village of Round Lake Heights (Standard)
- Village of Round Lake Park (Standard and Isolated Wetland)

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

- *Village of Round Lake Heights (Standard)*
- *Village of Round Lake Park (Standard and Isolated Wetland)*

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

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**7.12 24-1182**

Conditional Approval of Watershed Development Ordinance (WDO) Community Recertification

- Village of Round Lake (Standard and Isolated Wetland)

*Chairman Schmit introduced the item for conditional approval of WDO certification for the Village of Round Lake and read the staff recommended condition.*

*SMC and the Village will continue coordination regarding the drain tile replacement work and associated permit (WDP-18-242), located southwest of W. Belvidere Road and Wilson Road (PIN: 0536400015). 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].*

*Chairman Schmit asked for public comment related to this item. Members of the Manitou Creek Watershed Alliance and residents of the Village of Round Lake shared their public comments and concern about the CHDS site in the Village of Round Lake and how it relates to the flooding issues in the Four Corners Basin area. A request was made by the public to include an additional condition on the Village's recertification that would require a Watershed Development Permit (WDP) from SMC and change the regulatory body from the Village to SMC, specifically for the CHDS site. Mr. Kurt Baumann, the Village's Enforcement Officer, also spoke and explained why this site was permitted and the as-built plans approved.*

*Mr. Frank presented the item and explained that the condition for the drain tile replacement work that SMC issued a permit for is separate from the WDP that the Village issued for the CHDS site.*

*Commissioner Frank asked what the workload increase would be for SMC staff if the item*



*was to be amended so that SMC retained WDO enforcement and compliance authority for this site only? Mr. Woolford responded that SMC staff does have capacity but clarified that there is a difference between regulated development and certain land use activities and explained that if SMC were to have WDO authority over this site, SMC may come to the same conclusion that a WDP was no longer required.*

*Commissioner Maine asked if the Village has the legal authority to address any changes to the site if the sediment and erosion control features are not functioning as intended? Mr. Frank responded yes and explained that if SMC had the regulatory authority over the site, if there were any sediment coming off the site, it would be treated as a violation and the site owner would need to apply for a permit through SMC to get the site into compliance. Mr. Frank also added that in the Village's case, they may have additional requirements.*

*Commissioner Schlick asked if SMC monitors the site to ensure that sediment is not leaving the site, even if it's through review of aerial imagery? Mr. Frank explained that SMC is not actively doing this however, there are clear aerials available through Nearmap and SMC also has a site inspector that would be able to check in on the site if necessary. Commissioner Schlick also suggested that SMC may have to act as a moderator between the Village and the citizens to keep the lines of communication open.*

*The community notification procedure was discussed and Mr. Woolford added that this procedure focuses on recurring issues and the community's ability to enforce the WDO, and includes a due diligence process.*

*Commissioner Frank made the motion to amend the conditional recertification to exempt the specified parcel at the corner of Wilson Road and Route 120 so that SMC would retain WDO authority over it. Second by Weidenfeld. Mr. Woolford asked if Commissioner Frank could specify a time limit for the condition. Commissioner Frank clarified that this condition would be applicable until the next recertification period (5 years). Motion failed by a roll call vote 1-9-0 (Yes: Frank; No: Pedersen, Maine, Schlick, Hunter, Rockingham, Schmit, Hood, Sode, Weidenfeld).*

**A motion to approve was made by Commissioner Schlick, seconded by Commissioner Rockingham. Motion passed by a roll call vote:**

**Aye:** 9 - Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**Nay:** 1 - Commissioner Frank

## 8. INFORMATION SECTION

### 8.1 [24-1158](#)

July and August 2024 Regulatory Reports

*Ms. Traynoff presented the Regulatory and Wetland Restoration Fund (WRF) Status Reports for July and August 2024. Commissioner Maine asked that information on the non-complaint sites be provided so that the Commission can know and understand the severity of the sites not in compliance.*

### 8.2 Correspondence

#### 8.2. [24-1171](#)

a

Lake County News Sun DCEO Round 2

*Ms. Traynoff shared information on the Lake County News Sun article for SMC's DCEO Round 2 projects.*

#### 8.2. [24-1166](#)

b

Chicago Tribune Fox River dam removal

*Mr. Traynoff shared information on the Chicago Tribune article for the Fox River Dam Removal.*

#### 8.3. [24-1167](#)

c

Regulatory Staff Kudos

*Ms. Traynoff shared a kudos from the Village of Barrington's Enforcement Officer for a group of SMC's regulatory staff who reviewed and permitted a project in the Village.*

### 8.3 Community Relations/Public Info

#### 8.3. [24-1179](#)

a

2024 Homeowners Association (HOA) Workshop September 12, 2024

*Ms. Traynoff shared information on SMC's 2024 Homeowner's Association (HOA) Workshop being held on September 12, 2024.*

#### 8.3. [24-1180](#)

b

2024 Deicing Workshop

*Ms. Traynoff shared information on SMC's 2024 Deicing Workshop.*

## 9. EXECUTIVE SESSION

**A motion to go into executive session was made by Member Pedersen, seconded by Member Weidenfeld. Motion passed by a unanimous roll call vote. The Commissioners entered executive session at 7:53pm.**

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**9.1 Executive Session for semi-annual review of closed session minutes pursuant to 5 ILCS 120/2 (c) (21)**

**9.2 Executive Session to discuss the appointment, employment, compensation, discipline, performance, or dismissal of employees of the public body 5 ILCS 120/2(c) (1)**

*After returning to open session at approximately 8pm, a motion to enter into executive session to discuss the appointment, employment, compensation, discipline, performance, or dismissal of employees of the public body 5 ILCS 120/2(c) (1) .*

**A motion to go into executive session was made by Member Rockingham, seconded by Member Sode. Motion passed by a unanimous roll call vote.**

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**10. ACTION ITEMS**

*After semi-annual review of the closed session minutes and the discussion for the appointment, employment, compensation, discipline, performance, or dismissal of employees of the public body, the Commissioners returned to open session at 8:22pm.*

**10.1 Approval of Released/opened to the public Executive Session Meeting Minutes**

**A motion to table items 10.1 and 10.2 was made by Commissioner Maine, seconded by Commissioner - Alternate Weidenfeld. Motion passed by a unanimous voice vote.**

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**10.2 SMC determination of Executive Director annual salary increase for Fiscal Year 2025**

**A motion to table items 10.1 and 10.2 was made by Commissioner Maine, seconded by Commissioner - Alternate Weidenfeld. Motion passed by a unanimous voice vote.**

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

**11. ADJOURNMENT**

**A motion to adjourn was made by Member Rockingham, seconded by Member Schlick. Motion passed by a unanimous voice vote. Meeting adjourned at 8:23pm.**

**Aye:** 10 - Commissioner Frank, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld