

Lake County Illinois

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



Minutes Report - Draft

Thursday, November 7, 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/88594922251>

Meeting ID: 885 9492 2251

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 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

Others Present: Paula Randall, Chris Swanson, Amy Sarver, Patrick Bleck, Mike Warner, Allie Kaman, Joe Hmieleski (V) and SMC staff: Kurt Woolford, Kelcey Traynoff, Dijana Silber, Anna Niedzinski, Ernesto Huaracha, Michelle Pope

4. **PUBLIC COMMENT**

5. **24-1293**

Approval of September 5, 2024 meeting minutes

Approval was requested for the September 5, 2024 meeting minutes. Ms. Kelcey Traynoff noted a scrivener's error in the minutes. Agenda Item 7.12 was corrected to identify that "residents of Round Lake" also provided public comment.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

24-1572

Approval of October 3, 2024 meeting minutes

Approval was requested for the October 3, 2024 meeting minutes.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

6. COMMISSION REPORTS

6.1 Director's Report

Mr. Kurt Woolford provided updates on the following.

- *The SMC meeting agendas now include staff summary bullet points. The purpose of the bullet points is to provide more context for each approval item upfront.*
- *The final report for the DCEO Round 1 grant cycle was submitted on 11/07, Round 2 is underway, and staff are looking ahead to Round 3.*
- *Staff shared before and after drone videos for the Sequoit Creek daylighting project in Antioch. This project was part of the Round 1 DCEO grant cycle.*

Commissioner Frank asked if the videos or images from the Sequoit Creek project would be share publicly? Mr. Woolford shared that SMC could share the videos or images publicly.

6.2 Chairman's Report

Chairman Schmit congratulated Commissioners Hunter, Hewitt, and Schlick on winning the election for their districts. He also asked the Commission for feedback regarding the staff summary bullet points on the meeting agenda. Chairman Schmit again gave kudos to the SMC staff for all of the work they are doing.

6.3 Commissioner's Report

Commissioner Hunter suggested getting a testimonial from the mayor of Antioch for the Sequiot Creek daylighting project and working with SMC.

7. ACTION ITEMS

7.1 24-1294

Approval of September 2024 Treasurer's Report

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

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.2 24-1522

Approval of 2025 Stormwater Management Commission meeting schedule

Chairman Schmit requested approval of the 2025 SMC meeting schedule.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.3 24-1524

Approval of 2025 Technical Advisory Committee meeting schedule

Chairman Schmit requested approval of the 2025 TAC meeting schedule.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.4 24-1525

Approval of 2025 Municipal Advisory Committee meeting schedule

Chairman Schmit requested approval of the 2025 MAC meeting schedule.

A motion to approve was made by Commissioner Hunter, seconded by Commissioner Pedersen. Motion passed by a unanimous voice vote.

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.5 24-1557

Approval of the Stormwater Infrastructure Repair Fund (SIRF) Eligibility Authorization for the Grant Township Highway Department's South Shore Long Lake Drainage Improvements Project

- The project includes grading new swales and installing new storm sewers to improve stormwater conveyance in five residential locations south of Long Lake.
- The proposed project will reduce flooding throughout the community, ensuring safer access for local residents and emergency vehicles, eliminating building flooding and structural damage, and protecting downstream water quality.
- The estimated total project cost is \$503,621, including engineering design and construction. The project can be constructed as one project or broken out into phases depending on construction costs.
- Approval of the Eligibility Authorization does not obligate funds. Staff will work with the project applicant to develop a Project Agreement and recommended funding.

Ms. Michelle Pope presented and requested approval of the Stormwater Infrastructure Repair Fund (SIRF) Eligibility Authorization for the Grant Township Highway Department's South Shore Long Lake Drainage Improvements Project. The estimated total project cost is \$503,621.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.6 24-1570

Approval of the Stormwater Infrastructure Repair Fund (SIRF) Eligibility Authorization for Warren Township Highway Department's N. Grandwood Drive Drainage Improvements Project

- The proposed project would reduce roadway flooding at two township roads, a large undeveloped property, and 17 special hazard flood areas. The proposed project would also reduce flooding impacts on roadway access to over 100 residential properties.
- The proposed project would replace, upsize, and construct new storm sewers along N. Grandwood Drive and adjacent properties.
- The project may include enhancement to an existing swale on Lake County Public Works property as well as educational public information.
- The estimated total project cost is \$705,000. The project can be phased with an estimated Phase 1 Engineering and Design cost of approximately \$126,000.
- Approval of the Eligibility Authorization does not obligate funds. Staff will work with the project applicant to develop a Project Agreement and recommended funding.

Ms. Pope presented and requested Approval of Stormwater Infrastructure Repair Fund (SIRF) Eligibility Authorization for Warren Township Highway Department's N. Grandwood Drive Drainage Improvements Project. The estimated total project cost is \$705,000.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.7 24-1556

Approval of the Stormwater Infrastructure Repair Fund (SIRF) Eligibility Authorization for the Bradley Road Industrial Park Property Owners Association's Stormwater Improvements Project - Phase 1

- The project involves upsizing a relief sewer to the Bradley Road subdivision detention pond from the surrounding commercial properties and installing an upsized storm sewer at the north end of the detention pond to reduce short-circuiting within the

detention pond.

- The proposed project would reduce roadway flooding on a township road, several industrial/commercial properties (including parking lots) and nuisance flooding in the area.
- The estimated project cost for Phase 1 is \$394,335.
- Approval of the Eligibility Authorization does not obligate funds. Staff will work with the project applicant to develop a Project Agreement and recommended funding.

Ms. Pope presented and requested approval of the Stormwater Infrastructure Repair Fund (SIRF) Eligibility Authorization for the Bradley Road Industrial Park Property Owners Association's Stormwater Improvements Project – Phase 1. The estimated total project cost is \$394,335.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.8 24-1558

Contract authorization with Integrated Lakes Management, Inc., Waukegan, Illinois, for the Mill Creek Water Quality Enhancement Project in Unincorporated Third Lake, Illinois in the amount of \$681,019.72.

- The project will include construction of compensatory storage and restoration features for the purpose of habitat restoration, water quality improvement, and flood mitigation.
- On August 13, 2024, the Lake County Board approved a reallocation of Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) as part of the American Rescue Plan Act (ARPA). The approval included \$908,739 for the Mill Creek Water Quality Enhancement Project.
- SMC staff issued a Request for Proposals (RFP) for the construction of the Mill Creek Water Quality Enhancement Project on October 7, 2024.
- A total of six bids were received, base bid value ranged from \$681,019.72 to \$1,033,500.00, and the lowest responsible base bid is Integrated Lakes Management, Inc., Waukegan, Illinois, with a contract amount of \$681,019.72.

Ms. Pope presented and requested approval of the contract authorization with Integrated Lakes Management, Inc., Waukegan, Illinois, for the Mill Creek Water Quality Enhancement Project in Unincorporated Third Lake, Illinois in the amount of \$681,019.72.

Commissioner Frank asked if since the bid was lower than the amount of County ARPA funds that were allocated for the project, were the additional funds returned to the County?

Mr. Woolford explained that SMC would be including a 20% contingency into the project total and then any remaining funds would be returned to the County.

A motion to approve was made by Commissioner Hunter, seconded by

Commissioner - Alternate Weidenfeld. Motion passed by a unanimous roll call vote.

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.9 24-1300

Approval of Funding Limit Waiver for DCEO Round 1 Seavey Phase 2 Libertyville Storm Sewer Capacity Upgrades Project

- Project was awarded \$2,141,377 in DCEO Round 1 funding.
- Section 5.B of policy identifies the DCEO-STOCIP funding limit of \$2,750,000 (\$2,500,000 plus \$250,000 in contingency) per project and the procedure for waiving those limits.
- The Funding Limit Waiver provisions in the DCEO-STOCIP Capital Program Policies and Procedures require SMC staff to present to the Commission any waiver request.
- SMC staff recommends waiving the funding limit for Seavey Phase 2 - Libertyville Storm Sewer Capacity Upgrades Project.

Mr. Ernesto Huaracha presented and requested approval of funding limit waiver for DCEO Round 1 Seavey Phase 2 Libertyville Storm Sewer Capacity Upgrades Project.

Commissioner Maine asked if there was an earlier option where the communities would not have had to contribute as much money as they did? Mr. Huaracha explained that all the projects need to be under \$2.75M, Libertyville had two projects were at the cap, and Seavey Phase 2 was at the minimum and met the goal requirements. Mr. Woolford added that the Seavey Phase 2 project was the last project out of the 14, but SMC didn't know how much money would be left after completing other projects.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.10 24-1304

Approval of an Intergovernmental Agreement third 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 up to \$858,892.04.

- Originating IGA amount of grant contribution is \$7,641,377 and required project expense match value is \$616,992.
- First Amendment extended the agreement date.
- Second Amendment increased amount of grant contribution to \$8,250,000 and required project expense match \$837,553.
- Third Amendment increases amount of grant contribution to up to \$8,416,386.51 and the required project expense match up to \$858,892.04 based on final expenditures.

- SMC staff recommends amending the intergovernmental agreement with the Village of Libertyville for DCEO Round 1 funding.

Mr. Huaracha presented and requested approval of the Intergovernmental Agreement third 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 up to \$858,892.04.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.11 24-1530

Approval of DCEO Round 3 Eligibility Authorization and Intergovernmental Agreement with the Warren Township Highway Department for the Gages Lake Area Drainage Improvements Project

- The Gages Lake Area Drainage Improvements Project was received on October 7, 2022, for the Department of Commerce & Economic Opportunity Stormwater Capital Improvement Program (DCEO-STOCIP) for Regional Stormwater Infrastructure Request for Project Proposals.
- The Warren Township Highway Department intends to design a storm sewer system for a future shovel ready project. The project is expected to benefit local roads and structures.
- Section 5.D of policy identifies upon eligibility authorization by SMC, administrative costs incurred by SMC to advance through the DCEO-STOCIP pre-award process shall be divided equally (50/50) between SMC and the project partner.
- SMC will reimburse the LOCAL SPONSOR for up to 50% of eligible PROJECT expenditures or \$175,000, whichever is less.
- SMC staff recommends amending the intergovernmental agreement with the Warren Township Highway Department for future DCEO funding.

Mr. Huaracha presented and requested approval of DCEO Round 3 Eligibility Authorization and Intergovernmental Agreement with the Warren Township Highway Department for the Gages Lake Area Drainage Improvements Project.

Commissioner Hewitt asked about the location of the project. The location map was shared.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.12 24-1301

Approval of Contract with Gewalt Hamilton Associates, Inc. for General Engineering Services in the amount of \$120,000

- SMC staff needs additional consultant support to complete work program tasks.
- A Request for Proposals (RFP) for General Engineering Services on March 4, 2022, SMC received thirteen proposals including Gewalt Hamilton Associates, Inc.. Firms were evaluated in accordance with the criteria of the Local Government Professional Services Selection Act (50 ILCS 510).
- SMC staff recommends approval of the Professional Services Agreements for General Engineering Services Gewalt Hamilton Associates, Inc. Vernon Hills, IL with the following 'not to exceed' amount of \$120,000.

Mr. Huaracha presented and requested approval of the Contract with Gewalt Hamilton Associates, Inc. for General Engineering Services in the amount of \$120,000.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

7.13 24-1297

Technical Advisory Committee (TAC) Appointments

- Chairman Schmit has given his approval for two new TAC members (Joe Hmieleski as a primary member and Dan Krill as an alternate member).
- These new appointments will fill the vacant Environmental sector position for TAC.
- SMC staff request ratification from the Commission for Joe Hmieleski and Dan Krill to serve as new primary and alternate TAC members, respectively.

Ms. Traynoff presented and requested ratification of two new TAC members.

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

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

INFORMATION SECTION

8.1 24-1295

Regulatory Reports September and October 2024

Ms. Traynoff presented the Regulatory and Wetland Restoration Fund (WRF) Status Reports for September and October 2024. She also presented a revised version of the Inspection Status Report to include information on sites that were in violation or had fees assessed, in response to Commissioner feedback at the September SMC meeting. Staff requested feedback and Commissioner Weidenfeld commented that the information is helpful and good to know.

Correspondence

8.2.a 24-1560

Sharon Osterby Kudos for FEMA Skokie River North Chicago Project

Ms. Traynoff shared a kudos email for SMC staff member Sharon Østerby for her assistance with providing information related to the FEMA Skokie River North Chicago project.

Community Relations/Public Info

8.3.a 24-1527

Great Lakes Coastal Resiliency Study October 2024

Ms. Traynoff shared information on the Great Lakes Coastal Resiliency Study from October 2024.

8.3. 24-1574

b

National Association of Flood and Stormwater Management Agencies (NAFSMA) 2024 Annual Meeting Agenda

Ms. Traynoff shared information on the 2024 annual meeting agenda for the National Association of Flood and Stormwater Management Agencies.

9. EXECUTIVE SESSION

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

A motion to enter into executive session to review the executive session minutes and semi-annual review of closed session minutes pursuant to 5 ILCS 120/2 (c) (21) was made by Commissioner Hewitt, seconded by Commissioner Schlick. The Commissioners entered executive session at 6:43pm.

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

ACTION ITEMS

10.1 Approval of Executive Session Meeting Minutes

After returning from executive session at 6:51pm, a motion to approve the executive session meeting minutes from April 4th, 2024 was made by Commissioner Pedersen, seconded by Commissioner-Alternate Gust. Motion passed by a unanimous roll call vote.

A motion to approve the executive session meeting minutes from September 5th, 2024 made by Commissioner Rockingham, second by Commissioner Schlick. Motion passed by a unanimous roll call vote.

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld

10.2 Approval of released/opened to the public Executive Session Meeting Minutes

A Motion to not release the executive session meeting minutes from April 4th, 2024 and September 5th, 2024 was made by Commissioner Hunter, seconded by Commissioner Hewitt. Motion passed by a unanimous roll call vote.

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, 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 Commissioner-Alternate Gust, seconded by Commissioner Hood. Meeting adjourned at 6:53pm.

Aye: 12 - Commissioner Frank, Commissioner - Alternate Gust, Commissioner Hewitt, Commissioner Hood, Commissioner Hunter, Commissioner Maine, Commissioner Pedersen, Commissioner Rockingham, Commissioner Schlick, Commissioner Schmit, Commissioner Sode and Commissioner - Alternate Weidenfeld