

Lake County Illinois

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



Meeting Minutes - Draft

Thursday, August 4, 2022

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/83905939790>

Meeting ID: 839 0593 9790

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 6:03 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present 7 - Member Casbon, Alternate Gust, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

4. PUBLIC COMMENT

Others present; Lisle Stalter, Paula Randall, Eric Steffen (V), Amy Wagner, Jimmy Canning and SMC staff: Kurt Woolford, Dijana Silber, Arnold Donato, Kelcey Traynoff, Mike Prusila, Mia Gerace, Susan Novak, Brian Frank, Jeff Laramy, Glenn Westman, Ernesto Huaracha, Michelle Pope (V)

5. APPROVAL OF MINUTES

[22-1095](#)

Attachments: [SMC Board Meeting July 7, 2022 minutes draft](#)
[FY23 Draft Budget](#)
[FY23 Draft New Program Request Presentation](#)
[2002 SMC Future Program Costs](#)

The July 7, 2022 minutes were presented, there were no questions. At the July 2022 meeting, the Commission selected New Program Request staffing option 1, to include a qualitative statement in the FY23 budget book that matches the verbatim language approved by County Board Ordinance (June 11, 1990).

A motion to approve July 7, 2022 meeting minutes was made by Member Maine, seconded by Member Casbon. Motion passed by unanimous roll call vote.

Aye: 7 - Member Casbon, Alternate Gust, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

6. COMMISSION REPORTS

6.1 Director's Report

Kurt Woolford recognized and congratulated SMC staff member, Jeff Laramy, on his 20-year anniversary with SMC.

6.2 Chairman's Report

Chairman Schmit stated that he did not have a report at this time but would provide his input on several items later in the agenda.

6.3 Commissioner's Report

**6.3. Potential SMC ByLaws amendment discussion regarding remote
a meeting attendance of Members**

[22-1108](#)

Attachments: [Potential SMC ByLaws Amendment Discussion](#)

Mr. Woolford received a request from Commissioner Parekh to adopt remote attendance rules similar to the County Board rules. Mr. Woolford presented the request and stated a bylaw amendment would be necessary and requested the Commission's direction. Commissioner Hunter stated that this policy does work for the County Board meetings and is adequate to hold the meetings and have a quorum. Commissioner Maine raised concern that there may be some abuse of the policy and will need to be monitored if put into effect. Chairman Schmit stated that if members want to be on the Commission, they should attend the meetings; however, he does understand there are instances when members cannot attend in person and therefore supported the amendment to the bylaws allowing remote attendance. Chairman Schmit voiced his concern regarding members attending remotely and not having a physical quorum present. The direction to Mr. Woolford from the Commission was to draft the language for the amendment to the bylaws and bring it back to the next meeting. Mr. Woolford stated that a super majority (8 members) would be needed to approve the amendment to the bylaws.

Present 8 - Member Casbon, Alternate Gust, Member Hewitt, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

7. ACTION ITEMS

7.1 Treasurer's Report

[22-1096](#)

Attachments: [RSMP July 2022 Treasurer's Report](#)
[SMC July 2022 Treasurer's Report](#)
[DRWW July 2022 Treasurer's Report](#)
[NBWW July 2022 Treasurer's Report](#)

Arnold Donato presented the Treasurer's Reports for July 2022.

A motion to approve July 2022 Treasure's Reports was made by Alternate Gust, seconded by Member Hewitt . Motion passed by unanimous roll call vote.

Aye: 8 - Member Casbon, Alternate Gust, Member Hewitt, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

**7.2 Ratification of Contract Agreement between NBWW and Geosyntec for
NARP Development at \$368,700 (Outcome A) or \$598,300 (Outcome B)**

[22-1073](#)

Attachments: [Geosyntec-NBWW Memo](#)

Mia Gerace explained that the dollar amounts listed on the agenda were incorrect and requested ratification of the contract agreement between NBWW and Geosyntec for the NARP development at \$360,605 (Outcome A) or \$590,205 (Outcome B). She stated that SMC staff should know by the end of the fiscal year which outcome the NBWW will go with.

**A motion to ratify was made by Member Casbon, seconded by Alternate Talbett.
Motion passed by a unanimous roll call vote.**

Aye: 8 - Member Casbon, Alternate Gust, Member Hewitt, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

7.3 July 23 2022 Flood Event Summary

22-1109

Attachments: [SMC facebook post 7.27.22.](#)
[NOAA July 23, 2022 Flash Flood Event](#)

Brian Frank provided a summary of the July 23, 2022 flood event. The County saw 6.4 inches of rain over a time period of 6 hours, primarily in the municipalities along the Lake Michigan shoreline. Mr. Frank explained that this event was just under a 100-year event using the updated Bulletin 75 rainfall data. This was an informational item only.

7.4 2022 USGS Stream and Precipitation Gauge Agreement 22NEJFA014

22-1072

Attachments: [2022 USGS Stream and Precipitation Gauge Agreement 22NEJFA014](#)
[23NEJFA014 Lake County Stormwater Management Commission](#)

Kurt Woolford requested approval of the 2022 USGS Stream and Precipitation Gauge Agreement. He also explained that the funding for these gauges has been included in the current FY22 budget and the proposed FY23 budget.

**A motion to approve was made by Member Casbon, seconded by Alternate Talbett.
Motion passed by a unanimous roll call vote**

Aye: 8 - Member Casbon, Alternate Gust, Member Hewitt, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

7.5 Contract authorization with Maneval Construction Company Inc. for DCEO Round 1 Construction Contract Knollwood Subdivision Flood Mitigation and Road Improvements Project, Fox Lake, IL in the amount of \$2,304,239.05

22-1098

Attachments: [Knollwood Construction memo 2022.08.04](#)
[Knollwood Construction contract 2022.08.04](#)

Susan Novak requested approval of the contract authorization with Maneval Construction Company, Inc. for DCEO Round 1 construction contract for Knollwood Subdivision Flood Mitigation and Road Improvements Project in Fox Lake, IL in the amount of \$2,304,239.05.

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

Aye: 8 - Member Casbon, Alternate Gust, Member Hewitt, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

**7.6 Approval of Intergovernmental Agreement with the City of Lake Forest
for the Burr Oak Stormwater Detention/Storm Sewer Project (DCEO
Round 1)
[22-1074](#)**

Attachments: [IGA-City of Lake Forest-Burr Oak](#)

Mr. Prusila requested approval of the IGA with the East Skokie Drainage District (ESDD) for the Skokie River Channel Improvements Phase 2 Project (DCEO Round 1). Commissioner Maine asked who was in charge of public outreach for the ESDD. Mr. Prusila explained that the outreach falls under the responsibility of the ESDD.

**A motion to approve was made by Member Maine, seconded by Alternate Gust.
Motion passed by a unanimous roll call vote.**

Aye: 8 - Member Casbon, Alternate Gust, Member Hewitt, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

**7.7 Approval of Intergovernmental Agreement with the East Skokie Drainage
District for the Skokie River Channel Improvements Phase 2 Project
(DCEO Round 1)
[22-1076](#)**

Attachments: [IGA-East Skokie Drainage District-Skokie River Phase 2](#)

Mr. Prusila requested approval of the IGA with the East Skokie Drainage District (ESDD) for the Skokie River Channel Improvements Phase 2 Project (DCEO Round 1). Commissioner Maine asked who was in charge of public outreach for the ESDD. Mr. Prusila explained that the outreach falls under the responsibility of the ESDD.

**A motion to approve was made by Alternate Talbett, seconded by Alternate Gust.
Motion passed by a unanimous roll call vote.**

Aye: 8 - Member Casbon, Alternate Gust, Member Hewitt, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

7.8 Proposed Revisions to Wetland Restoration Fund (WRF) Implementation Guidance Document

22-1092

Attachments: [SMC Memo for WRF-IGD 2022](#)

[TAC approved -Full WRF Impl Guidance_Revision #2_7-21-2022](#)

[SMC memo 2022 WRF fees](#)

Mr. Frank presented the revisions to the WRF Implementation Guidance Document and requested approval. Mr. Frank also presented the updates to the WRF fee schedule. Commissioner Maine pointed out that the dollar amount per watershed varies and asked if staff preferred to use an average or tie the amount to the average for each specific watershed. Commissioner Maine also asked about the use of the word shall versus the word may when initiating the process for the WRF. Commissioner Maine was in favor of using the word may. Glenn Westman stated that per TAC review, discussion, and approval, it was decided that having the fixed fee for each watershed in the guidance document was more straightforward.

A motion to approve the proposed revisions to the WRF Implementation Guidance Document was made by Member Hewitt, seconded by Alternate Talbett. Motion passed by a roll call vote.

Aye: 7 - Member Casbon, Alternate Gust, Member Hewitt, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

Nay: 1 - Member Maine

A motion to approve the new WRF fees in the amounts of \$181,500 for the North Branch – Chicago River Watershed, \$175,500 for the Lake Michigan Watershed, \$121,000 for the Des Plaines River Watershed, and \$114,000 for the Fox River Watershed was made by Member Hunter, seconded by Member Talbett. Motion passed by a unanimous roll call vote.

Aye: 8 - Member Casbon, Alternate Gust, Member Hewitt, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

7.9 Approval of Intergovernmental Agreement between the Lake County Stormwater Management Commission and the County of McHenry

22-1077

Attachments: [McHenry - Lake County IGA 2022](#)

Kelcey Traynoff requested approval of the IGA between the Lake County Stormwater

Management Commission and the County of McHenry. The IGA covers bordering communities that have adopted the Watershed Development Ordinance and is currently in effect but expires in October 2022.

A motion to approve was made by Member Casbon, seconded by Alternate Talbett.

Motion passed by a unanimous roll call vote.

Aye: 8 - Member Casbon, Alternate Gust, Member Hewitt, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

7.10 Approval of Intergovernmental Agreement between Lake County Planning Building and Development and Lake County Stormwater Management Commission for the FIL50 Program

[22-1079](#)

Attachments: [PBD FIL50 IGA](#)

Ms. Traynoff requested approval of the IGA between the Lake County Planning Building and Development (PBD) and the Lake County Stormwater Management Commission (SMC) for the FIL50 program. Commissioner Maine voiced her confidence in SMC to assist PBD in the administration of the FIL50 program.

A motion to approve was made by Alternate Gust, seconded by Member Hewitt.

Motion passed by a unanimous roll call vote.

Aye: 8 - Member Casbon, Alternate Gust, Member Hewitt, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood

8. INFORMATION SECTION

8.1. Regulatory Reports

a

[22-1097](#)

Attachments: [July 2022 Regulatory Reports](#)

Ms. Traynoff presented the reports for inspection status and monthly review times.

8.1. SMC Buyout & Flood Mitigation Project Property Access

b

[22-1106](#)

Attachments: [SMC Memo-Authorizing Access to Property](#)

Mr. Woolford explained that this item was tabled at the last meeting. No action is needed on this item yet, as coordination with the State's Attorney's Office, FEMA, and IDNR is still happening. This item will be brought back for approval at a future meeting.

8.1. MS4 Update: Lake Michigan (Nearshore) TMDL PCB & Hg Pollutant Load

c Assessments

[22-1078](#)

Attachments: [MS4 LM PCB Hg TMDL INFORMATION](#)

Ms. Gerace provided an update on the MS4 program regarding the Lake Michigan TMDL PCB and Hg Pollutant Load Assessments.

8.2 Correspondence

8.2. SMC Request to Lake Bluff Park District

a

[22-1091](#)

Attachments: [SMC Coordination Request to Lake Bluff Park District](#)
[SMC Request to Lake Bluff Park District](#)

Mr. Woolford discussed SMC's request to the Lake Bluff Park District to partner with SMC for its Skokie River Regional project by providing additional flood storage at the Lake Bluff Golf Course. Mr. Woolford explained that the Commission is not a land use authority and SMC would be amenable to any land use option the Park District would like in order to provide flood storage on the golf course property. Mr. Woolford stated that there have been land use discussions and the Park District has been considering many options however, SMC's position is neutral and would ultimately like to work with the Park District in the effort to provide flood storage.

8.2. Lake Bluff Park District Attorney Letter to SMC

b

[22-1101](#)

Attachments: [Lake Bluff Park District Attorney Letter to SMC](#)

Mr. Woolford discussed a letter to SMC from the Lake Bluff Park District Attorney requesting clarification on SMC mitigation banks in order to make informed decisions on the future of its golf course. SMC staff are working on a response and reiterated that SMC's request is not to construct a wetland project or a wetland mitigation bank, and clarified that SMC's project would be specifically for flood storage.

8.3 Community Relations/Public Info

8.3. FY23 Watershed Management Board RFP Packet

a

[22-1104](#)

Attachments: [FY23 WMB RFP](#)

Mr. Woolford discussed the WMB RFP Packet. He explained that SMC has a new submittal portal called Inflow and project proposals will be able to be submitted directly through the portal.

8.3. DCEO-STOCIP Round 3 RFP Packet

b

[22-1105](#)

Attachments: [DCEO-STOCIP Round 3 RFP](#)

Mr. Woolford discussed the RFP packet for Round 3 of the DCEO-STOCIP. These submittals can also be made through Inflow.

8.3. Upper Des Plaines Impact Study September 2019

c

[22-1102](#)

Attachments: [Upper Des Plaines Impact Study September 2019](#)

Mr. Woolford discussed the Upper Des Plaines Impact Study from September 2019. This was provided as an informational item for new Commissioners.

9. EXECUTIVE SESSION

10. ADJOURNMENT

Motion to adjourn made by Gust, second by Talbett. Motion passed by a unanimous roll call vote (8-0-0). Meeting adjourned at 7:00pm.

A motion to adjourn was made by Member Gust, seconded by Member Talbett.

Motion passed by a unanimous roll call vote. Meeting adjourned at 7:00pm.

Aye: 8 - Member Casbon, Alternate Gust, Member Hewitt, Member Maine, Chair Schmit, Alternate Talbett, Alternate Hunter and Member Hood