

**FOREST PRESERVE DISTRICT COMMITTEE
MINUTES
October 18, 2011**

The DeKalb County Forest Preserve District Committee met Wednesday September 20, 2011 at 6:00 pm at the County Administration Building. In attendance were committee members: Ms. Fauci, Mr. Anderson, Ms. DeFauw, Ms. Turner and Mr. Augsburg, Mr. Deverell, Mr. Newport, Ms. Fullerton and Superintendent Hannan. Guests included Forest Preserve Natural Resource Manager, Al Roloff, County Animal Control staffers Dan Berres and Greg Maurice, NREC Director Peggy Doty and citizens Rebecca Von Drasek and Herb and Irene Rubin.

APPROVAL OF MINUTES

Ms. Fauci asked for a motion to approve the minutes of the September 20, 2011 meeting. Ms. DeFauw moved approval, seconded by Ms. Turner and the motion passed unanimously.

APPROVAL OF AGENDA

Ms. Fauci asked for an approval of the evening's agenda. Ms. Fullerton moved to approve the agenda, seconded by Mr. Anderson and the motion passed unanimously.

GENERAL DISCUSSION

Mr. Hannan noted that the usual monthly reports were included in the County Board packets. He then highlighted a grant received from the Illinois Small Mouth Bass Alliance for \$2,000 for stream bank erosion control at Potawatomi Woods and that a memorial tree and bench will be donated in Jordan Gallagher's name by his family and the Bar Association. The tree and bench will be located in the Afton Preserve.

The annual Somonauk Terror in the Timber will be held again this year at the Sannauk Preserve. The local girl scouts will also be holding an astronomy night at the Afton Preserve. The local boy scouts will also be at Afton camping and doing a volunteer seed collection project.

The Kishwaukee Sunrise Rotary are continuing their woodland restoration work at County Farm Woods and Kelly High School students from Chicago will be coming out for their annual education and volunteer project at Afton. Celia and Rene Guzman, former NIU students, lead this group of enthusiastic volunteers. Past projects have included seed collection and tree planting. This year will mark their 3rd or 4th visit and the Chicago Publi9c School system is allowing them to take the day to do this work and also providing the bus transportation for the day. (see monthly Natural Resource Report for more information)

Terese Dudek of Kishwaukee Community College is sponsoring a showing of the Green Fire movie on Aldo Leopold's life and work. The movie will be show at Kishwaukee College

FY2012 BUDGET- PUBLIC HEARING

Ms. Fauci began this portion of the agenda by noting the public hearing portion was officially open for public comment. No comments were forthcoming, so Ms. Fauci closed the hearing and asked if there were a motion to move the budget to the full Board of Commissioners. Mr. Newport moved to forward the Levy and budget to the Forest Preserve Commissioners November meeting, seconded by Ms. Turner and the motion passed unanimously.

OFF LEASH DOG DISCUSSION

Ms. Fauci began by noting that the discussion would begin with a reading of the current Forest preserve ordinance by Mr. Hannan. She will then open the floor for public comment, then comments from the Forest preserve staff and Animal Control, then the public once more, then Mr. Hannan to discuss what other Forest Preserve districts allow for off leash areas and then close with Committee member's comments.

Mr. Hannan began by reading the current Forest Preserve statute governing the mission of the Preserve and then noting that this issue had been brought forward by a group of individuals who wished to see an expansion of the off-leash areas in the Preserves. He commented that currently there are 16 Preserves with 3 off-leash areas – a 20 acre area at Merritt Prairie, a 3 acre space at Potawatomi Woods that expands to about 30 acres when the corn is harvested and 76 acres at Afton.

The current ordinance states that dogs must be leashed in all Forest Preserve areas except in areas posted as permitting off-leash. The Dekalb County Forest Preserve District offers far more off leash areas than other Districts in relation to total forest Preserve acreages.

Ms. Fauci then opened the floor for public comments. Mr. Herb Rubin of DeKalb began by noting that he would like to take the opportunity to thank Mr. Hannan and the Committee for the Forest Preserves that are available to the County residents. He noted they are a wonderful treasure and gift to the citizens of the County. It is his belief that the Preserves should be primarily used as nature preserves. He noted that unfortunately conflicts do arise with leashed and unleashed dogs and their impact on users of the walking paths as well as their effect on the local wildlife. He also noted that unleashed dogs can especially be a hazard to people walking, hiking or running in remote areas.

He thought that when the off-leash areas were opened in the 76 acre South Afton Addition, that the majority of dog walkers who wished to take their animals off-leash would move there. However, he notes that this does not appear to be true. He noted that while the majority of off-leash dogs may be somewhat friendly to humans they encounter – this is not always true for birds and small wildlife. Wet dogs pose their own sometimes anti-social problems. He closed by noting that while he was not sure how to gather sufficient public support for this, he felt that perhaps dogs should be banned completely from the Northern original acres at Afton Preserve to allow for safety of visitors and sanctuary for wildlife.

Ms. Irene Rubin spoke next noting that she has had less than pleasant encounters with dogs off-leash in the area. She commented that she has also seen how they have scared off birds and that this is not a good thing to be happening on protected lands.

Ms. Von Drasek commented that she regularly walks her dogs on leash at Afton and Merritt Prairie and this weekend she noted several dogs in the Preserves who all seemed to be on-leash. She noted that responsible dog owners are cautious to obey the restrictions and understand the reasoning behind them. However, irresponsible owners will likely be predisposed to disobey the rules and need more active supervision. She closed by commenting that she would like to see dog walking areas more into municipalities that have more security and supervision.

Mr. Hannan then read a letter from Mike Andrews of Genoa Illinois, who does quite a bit of bird watching and hiking in the Preserves. He commented that he believes the preserves should be primarily for the wildlife as there are multiple options for people to walk dogs, but limited sanctuaries for wildlife.

He closed by noting that in his opinion only service or working dogs should be allowed in the Preserves and off-leash areas should be abolished for the danger they present to wildlife as well as their potential to be aggressive to families with young children.

Ms. Fauci now opened the floor to staff. Ms. Peggy Doty began by noting that the people who are asking for this are at least asking. She commented that sadly, many do not ask. This has posed problems during her teaching environmental education field trips when smaller children are either exposed to the off-leash animals or to their droppings. It has been her observation that owners forced to walk their animals on-leash do seem to be better about picking up after them. She noted that a suggestion had been made at a previous meeting to have bag dispensers in the Preserves to encourage clean up.

She went on to comment that she is a dog owners, but does not allow her dogs off leash due to the potential dangers to themselves or others. She closed by saying that she felt it should be noted, again, that at least this group of owners is asking.

Mr. Al Roloff then noted that he had prepared a report for the Committee on the impact of off-leash dogs on the Preserves. He noted that while the majority of owners do seem to try to follow the rules, there just haven't been a lot of rules to follow in the past. Issues have been heating up recently due to an increased number of complaints that have led to an increased need for enforcement. He commented that the first priority should be safety. He noted that in his prior career as a postman, he had become very familiar with issues related to biting dogs. He also commented that he had been speaking with a retired barber from Hinckley who told him that he enjoyed hiking in the preserves, but had to increase his precautions due to the fear of loose, aggressive dogs. This seemed, he felt, to highlight his prior point that the first priority should be the safety of Preserve visitors.

He noted that the Forest Preserve is not a park. The Forest Preserves mission is to preserve, promote and protect the lands and wildlife. Protecting the safety of the avian residents of the Preserves is directly and negatively affected by the presence of off-leash dogs. One study he located showed a 40% reduction of bird species in areas that allow off-leash dog walking. Loose dogs simply have in-bred instincts to chase small animals and birds. Too many paths into habitat areas expand that exposure. He noted that he supports the idea of eliminating dogs completely from the areas with the richest habitats for wildlife and birds. However, that said, he feels that all final decisions should grow from the primary mission of the Forest Preserve.

One other issue that has risen from the increase in dogs is the issue of hygiene related to the uncollected droppings on boots and equipment such as the wheels and decks of the mowers used. He closed by noting that while it is good to encourage diverse use of the preserves, there must be consideration as well.

Next, Mr. Greg Maurice, Director of Environmental Health and Mr., Dan Berres of Animal Control spoke.

Mr. Maurice commented that for public safety dogs should always be leashed in public areas. He noted that off-leash areas in the Preserves should not be thought of as dog parks. Dog parks are very specifically fenced, contained and controlled areas where dog and owner are contained in the same space. Off-leash areas in Preserves do not have the same controls, containment and rules and that can be a recipe for disaster. He noted that many dogs become lost and disoriented chasing after wildlife.

Mr. Berres noted that he has trained dogs professionally and notes that the recall command is the hardest to train into an animal. A dog without a leash is uncontrolled and it is impossible to completely predict their actions. Unfortunately, it is impossible to know if you have a volatile situation until it occurs.

He went on to comment that most cities require a leash be no longer than 7 feet in length. The current County ordinance merely says that the dog must be under the control of the owner, but does not specify a leash. He notes that it is contradictory to say an unleashed dog is under the owners' direct control.

Ms. Fauci asked about the dangers to the dogs themselves. She asked if unneutered dogs tend to be predictably more aggressive and therefore more dangerous off-leash. Mr. Berres responded that the issue is that you just never know how a dog will react in an uncontrolled setting. Ms. Fauci noted that Mr. Berres has been asked to go into the Forest Preserves to issue citations. Mr. Berres noted that he tries to go in to demonstrate that enforcement is occurring. He commented that there are some individuals, one in particular in Russell Woods, that was repeatedly warned and even went to a fine situation but still continued to allow his dog off leash.

He commented that there have been repeat offenders at Afton as well, some resulting in fines being imposed. However, he noted that these offenders are cited under County, not

Forest Preserve ordinances as this allows for more enforceability of the fines and warnings. He commented that he has had to increase his patrols in recent years as the population has expanded.

Shabbona State Park has also recently asked Animal Control to assist in controlling dogs in park areas due to issues there. He noted that due to the size and remoteness of some of the areas of that park, that dogs who ran off have sometimes over-wintered in the park and turned feral. He noted that there are only two Animal Control officers and that they do their best to demonstrate a presence at all the preserves as much as they can.

He noted that the average fine imposed is \$75 (the minimum is \$50 and the maximum is \$1000). The first fine is generally \$75 plus court fees, with the second being a possible fine and court supervision.

Ms. Fullerton asked about the scope of their call volume and patrols were. Mr. Berres responded by saying that they cover the entire County. She asked if they enforce city ordinances if they are in the municipal areas through the State Animal Control Act. Mr. Berres responded that they stay primarily in the unincorporated areas as the municipalities often have Animal Control staff of their own.

Mr. Maurice noted that public safety must come first for Animal Control. He noted that enhancing regulations in off-leash areas will be an improvement. Enforcement will continue at the current levels unless things become too overwhelming for the size of the staff to control.

Ms. Fullerton asked if there had been any actions taken in the area of licensing cats or the capture of feral cats as they can pose a threat to residents and wildlife as well. He responded that there had not been efforts made in that regard.

Mr. Hannan then noted that he had contacted several surrounding County Forest Preserves and found the following:

- Kendall and McHenry County have no off-leash areas.
- Kane has 150 acres of off leash areas.
- Winnebago has one off-leash area but it is specified for use for sporting dog training only. Users of the area must obtain a day permit noting names and vaccinations.
- Boone has an 8 acre off-leash area.
- Byron has no off-leash area
- DuPage has off-leash areas. Paid annual permit required.

By contrast, DeKalb has 3 off-leash areas, totaling about 130 acres. Other Forest Preserve District's have far more acres and far less percentage of land designated for off leash than DeKalb County and their own "park police" and office staff to help enforce and manage policy. DeKalb County has been very accommodating to dog owners and dogs compared to other District's.

He noted that the current ordinance states that it is unlawful to bring in any dog unleashed except in areas designated as off leash and on a leash longer than 35 feet. He suggested one obvious change would be to restrict that to a 10 foot maximum and other ordinance language about cleaning up after your dog , current vaccinations, voice command and control, leashed even in off leash areas during grassland bird nesting season. He also recommended that Animal Control officers be given clear authority to write tickets and impose fines under the Forest Preserve ordinance.

He commented that he had a document from Kane County that contains some very good ordinance language and might assist in tightening up our requirements. He recommended use of the language to assist in clearly defining the responsibilities of dog owners who bring their dogs to the Forest Preserves.

He noted that in the past, the FP staff tried to address these off leash problems with dog nicely and informally and that just has not worked. Enhanced language in the ordinance would be a positive and helpful and is endorsed by PDRMA, the District's risk managers. He noted that many other larger districts have their own dedicated park police and that makes enforcement easier for them.

Ms. Fullerton noted that she has looked at a rough draft of the proposal and is troubled by the concept that residents came to the Committee with one single issue and we appear to be "bringing the hammer down on them" with this response.

Mr. Hannan noted that there was quite a bit more history to the situation prior to the citizen's coming to the Committee last month. Afton, he noted, was once all on-leash. But after years of trying to enforce on leash without success, they opted to create an off-leash area (40 acres initially) on the east side of the creek as a way of finding a middle ground for dog owners. That off leash opportunity was not respected by a lot dog owners. Complaints then increased about off-leash dogs all over the preserve. Forest Preserve staff requests were frequently ignored by the dog owners who did not wish to obey the off-leash / on leash area opportunities. The off-leash area were then moved to the Afton Addition due to the unresponsiveness of the irresponsible owners.

Ms. Fullerton noted that she too is a dog owner, but recognizes that it is important to keep animals on their leashes. If there are owners who continue to disobey even the smallest restrictions, then they leave the County no choice.

Ms. DeFauw noted that she has trained animals and agreed with Mr. Berres' earlier statement that even the best trained dog can be disobedient if uncontrolled. She also noted that there are people who have a genuine fear of large dogs. This makes for an

uninviting environment made worse by owners who do not obey the leash requirements and pick up after their animals. While it has been very wonderful of the Forest Preserves to allow off-leash areas, it is counter to the overall Forest Preserve mission.

Mr. Augsburger noted that he is fully supportive of Superintendent Hannan's attempt to put more structure into the rules regarding dogs at the Forest preserves. He commented that he himself has even had aggressive encounters with leashed animals. Additionally, he noted that he has had experience with hunting dogs and even with their training it is difficult to fully control them just with verbal commands. He noted that a firmer framework helps everyone understand their rights and responsibilities.

Mr. Hannan noted that he just wanted to bring the proposal to the Committee tonight, but with the hope that something more official with ordinance language improvements could occur next month.

Mr. Deverell commented that he fully agreed that the Preserves are first and foremost for the wildlife and people, not dogs.

Mr. Anderson noted that it is sad that the Committee will be forced to legislate stricter enforcement due to the bad behavior of the few. He asked if the Afton North area has postings indicating they are leash only. Mr. Hannan replied that this is posted. Mr. Anderson then asked if there were signs requiring the owners to pick up after their dogs. Mr. Hannan noted that there is no current requirement for the owners to pick up after themselves.

Ms. Turner noted that it seems our available acreage for this activity is extremely fair and that she too supports strengthening the ordinance.

Mr. Newport had no additional comments to add.

Ms. Fauci noted that many of the smaller Districts have no off-leash areas because they have no option for enforcement. She commented that DeKalb is very lucky to have Animal Control and the Sheriff's office willing and available to assist. She supports tightening and strengthening the language to assist in that enforcement.

Ms. Von Drasek noted that she feels the off-leash signs might be too wordy and that if the District adopted simpler language that might help with enforcement. Mr. Hannan noted that PDRMA required the full ordinance be posted.

Ms. Rubin wondered if perhaps fencing off the off-leash area might also assist.

Hearing no further comments, Ms. Fauci noted that the Committee would revisit the topic next month.

CHAIR COMMENTS

Ms. Fauci noted that she had received a number of complaints about how rough the Peace Road path in places had become. Mr. Hannan noted that Path repairs were included in the 2012 budget.

She then noted that she had recently seen a program that encouraged wildlife areas to work cooperatively with resident beavers.

She closed by giving a quick update on the Somonauk Bike path acquisition, noting that the acquisition agreement has been mailed to the landowners but has not come back yet.

ADJOURNMENT

Ms. Turner moved to adjourn, seconded by Mr. Augsburger. The motion passed unanimously.

Respectfully submitted,

Julia Fauci, Chairperson
Forest Preserve District Committee
JF:kjr