

**FOREST PRESERVE DISTRICT COMMITTEE
MINUTES
February 21, 2012**

The DeKalb County Forest Preserve District Committee met Wednesday February 21, 2012 at 6:00 pm at the County Administration Building. In attendance were committee members: Ms. Fauci, Mr. Anderson, Ms. DeFauw, Mr. Augsburger, Mr. Deverrell, Mr. Newport and Superintendent Hannan. Ms. Turner arrived after the meeting had come to order and Ms. Fullerton was absent.

APPROVAL OF MINUTES

Ms. Fauci asked for a motion to approve the minutes of the January 17, 2012 meeting. Mr. Augsburger moved approval, seconded by Mr. Deverrell and the motion passed unanimously.

APPROVAL OF AGENDA

Ms. Fauci noted there were a few changes to the posted agenda – a discussion of the Somonauk to Sannauk trail, the recent truck bid process the revised dog ordinance and Chronic Wasting Disease management needed to be added to the Monthly Reports and there would be the addition of an Executive Session to discuss land acquisition options. She then asked for an approval of the evening's amended agenda. Mr. Anderson moved to approve the agenda, seconded by Ms. DeFauw and the motion passed unanimously.

Mr. Newport clarified that no action could be taken on the dog ordinance as it was not posted on the agenda prior to the meeting.

GENERAL DISCUSSION

Mr. Hannan noted that, as usual, all reports are included in the monthly packets. He then handed out the annual year end budget amendments to the Committee for their review. He reminded the Committee that this is an annual budget balance process for review and approval of the transfers.

The end of the year land acquisition balances and the wetland bank balances were also included in the handouts. He noted to the Committee that with the budget amendments the Forest Preserve District has forwarded a balanced budget to the Forest Preserve Commissioners.

Ms. Fauci asked if the Committee had any questions. Hearing none, Mr. Newport moved to approve the budget transfers and amendments as presented, seconded by Mr. Augsburger. The motion passed unanimously.

Ms. Fauci commented that she was pleased to see from the monthly packet natural resource report that there was a topographical (and hydrological) wetlands survey being done for the future expansion of the wetland bank..

Mr. Hannan then began an update on the Somonauk to Sannauk trail. Ms. Fauci noted that an agreement had been drafted and given to the State's Attorney for his review following the Committee's earlier discussions. The State's Attorney wanted to be sure the Village of Somonauk was sufficiently referenced in the document. There were some changes to that effect as well as a small change to the name of the Trust involved and the State's Attorney Office (John Farrell) approved the changes.

She noted that the lease is a 15 year lease with very clearly spelled out improvements as well as responsibilities.

Mr. Hannan commented that the Village of Somonauk will be applying for \$10,000.00 grant from the DeKalb County Community Foundation and that the Forest preserve will be a partner to the grant. The Village will be responsible for mowing, maintenance and providing police patrols.

Mr. Anderson highlighted a minor typographical error for correction and then asked about the lease costs referenced in the second page. He felt the 5 year average value numbers seemed very high. Mr. Newport agreed and they asked that this be investigated. The language was further reviewed, especially regarding the Farm Service Agency rental rate referenced in the document. Mr. Hannan will speak to Mr. Dewey to get this clarified and get back to the Committee.

Mr. Hannan then commented that the \$10,000.00 grant is intended to go towards the estimated \$25,000.00 cost of the path construction.

(Ms. Turner arrived)

Mr. Anderson then asked if the Village of Somonauk will be fully responsible for the mowing, maintenance and patrolling. Mr. Hannan reiterated that they were. Ms. Fauci asked about snow removal responsibilities. Mr. Hannan responded that this will likely be treated as the other paths are without snow removal being done.

Mr. Anderson asked if it were true that there would be no legal survey done. Mr. Hannan noted that he, the mayor of Somonauk and Mr. Dewey would establish the 20 ft, trail corridor property boundaries using the existing known legal points.

Ms. Fauci then summarized the outstanding issues as Somonauk's contributions, as well as the resolution of the Farm Service Agency rental formula used in the documents. Mr. Hannan noted that he would get the clarifications on questions and bring them to the Committee at the next monthly meeting. He commented that by that time the DeKalb Community Foundations' grant processes will be well underway.

Mr. Hannan then moved to the truck bid update. He reminded the Committee that in January a bid for a Ford F150 vehicle from Brad Manning Ford was accepted by the Committee and Commissioners. However, he was subsequently contacted by Mr. Wilkerson from the dealership who had prepared the bid. Mr. Wilkerson noted that a

sizable error had been made in the bid price. Following that revelation, Mr. Manning withdrew the bid. It appeared that the bid had been prepared for a 2 wheel drive vehicle rather than the 4 wheel drive vehicle called out in the published bid specs. The bid from the State Fleet Bid (Morrow Brothers Ford) which met all the required specs came in about \$2,138 higher. Mr. Hannan commented that in the past, when a bid was negated or withdrawn, the Committee could go to the next lowest bidder and proceed from there. However, he noted that there had been some comments and questions whether that was the best approach in this situation and that the Committee appeared to want to have some discussions before making that decision.

Mr. Newport asked about the text of the Manning bid and whether it matched the published bid specs. Mr. Hannan noted that the bid specs appeared to match those in the published legal document.

Ms. Fauci noted that the question before the Committee was whether to accept Manning's withdrawal of the bid or to proceed to force the dealership to honor their submitted bid. She noted that since this had gone so far into the purchase process before the error was brought to light, that it does place the Committee and the Board in a very awkward position.

Mr. Augsburger noted that legally the Preserve could probably hold Manning to the bid as stated, but given that this is a local business and one of the sources for vehicle service used by the Preserve, that forcing that issue might not be good long term business. He noted that if the Preserve believed this was an honest mistake, perhaps it would be best to allow them to withdraw. Mr. Deverrell agreed, but noted that it seemed a very strange thing for a long-established dealership to make a mistake on.

Ms. DeFauw asked what effect forcing the issue might have on the long term relationship between the dealership and the Preserve. Mr. Hannan noted that they do service their trucks at Manning, as well as having some work done at another local repair facility, Punk's in Sycamore.

Mr. Newport noted that there seemed to have been a lot of chances for Manning to have caught this mistake, but that he did understand the issue of maintaining good relationships with local businesses.

Mr. Anderson noted that he felt this was extremely sloppy on Manning's part and that a contract offered and accepted should be a contract honored. Ms. Fauci noted again that this is a very awkward situation either way. On one hand it does not seem good business to force the dealership to honor the incorrect price if it resulted from an honest mistake, however there should have been some checking done before the bid was submitted.

Ms. Turner noted that perhaps when the mistake is brought to the Board, it should be noted that the bid processed was rushed a bit in light of the possibility that there would be no February meeting.

Mr. Augsburger noted that if he were in the situation personally, he would be strongly inclined to hold Manning to the quoted price. He noted that perhaps forcing the bid to be honored would be a good long term lesson. Ms. DeFauw asked if perhaps there was any basis for the man who prepared the quote to be confused because the bid opening actually did have two sets of specs for two different trucks being requested. Mr. Hannan noted that the specs were sufficiently different that this was not likely the case.

Ms. Fauci asked if the Committee felt they were near a determination on whether to accept the bid withdrawal or not.

Ms. DeFauw asked if there were any precedent for this or if this would set a precedent going forward. Ms. Fauci replied that there can be a statement added to future bid processes noting that once accepted, a bid cannot be withdrawn for any reason.

Ms. Fauci also noted that legally there can be no “dealing” with the price at this time – the decision has to be between accepting the bid withdrawal or forcing the sale at the price bid. After the Committee settles on its recommendation, then the full Board of Commissioners must vote as well.

Mr. Deverrell commented again that this is a local business and as a public body it might not appear correct to force the issue.

Mr. Deverrell then moved to allow the bid to be withdrawn, seconded by Mr. Augsburger. Mr. Anderson, Mr. Newport and Ms. Turner then all abstained due to personal relationships with the Manning family. A roll call vote was taken with 4 “aye” votes and three abstentions.

Mr. Augsburger then moved to accept the next lowest bid from the State Fleet pool, seconded by Mr. Deverrell. It was clarified that this was a bid from the Morrow Bros. dealership through the State for a price of \$20,429.00. A roll call vote was held with 6 members voting “aye” and Mr. Anderson abstaining.

Ms. Fauci then noted that the Dog Ordinance had been sent back to the Committee due to issues of confusion on the wording. She noted that it would be good to have some baseline expectations clearly spelled out for all the Preserve properties and then a specific calling out of exceptions that apply to the off-leash areas.

Mr. Hannan noted that the first page of the ordinance was designed to do just that with page two of the ordinance referencing the off-leash area exceptions.

Mr. Newport noted a concern that none of the Committee members had seen the final draft of the ordinance at the time a vote was taken. He commented that he feels the ordinance goes too far in some areas, such as the hours outlined for use of the off-leash areas. He felt that the hours should be expanded to sunrise to 8:00 pm daily to allow use of the areas before the Preserves officially open at 8:00 am.

Mr. Augsburger and Mr. Deverrell disagreed with extending use of those areas beyond the hours of operation for the Preserves overall. They noted that increased hours can equal enhanced stress on the wildlife in the area. Ms. Fauci agreed that concern for the resident wildlife does need to be a concern.

Ms. Turner asked what would be the benefit of expanding the hours in these areas. She went on to ask what would happen to people who wandered into others areas outside the posted hours of the Preserve. Mr. Hannan noted that the local police patrols would likely ask them to leave the area after closing, but would likely be more lenient in the morning hours.

Ms. Fauci asked whether the Committee agreed with the baseline conditions and noted there seemed to be a general consensus on those. However, there did not seem to be consensus agreement on expanding the off-leash hours.

Ms. Fauci commented that the Preserves are sometimes considered to be land without regulation, but because they are publically shared lands the District has an obligation to have clarity regarding the rules covering the visitors to the Preserves.

Mr. Hannan commented that the ordinance as written has been favorable with Animal Control and the Sheriff's office.

Mr. Newport commented that the issue could receive a final vote at the next meeting after being placed on the agenda.

Mr. Hannan then began a report on issues that had recently arisen regarding Chronic Wasting Disease management and the IDNR. He introduced two guests from the IDNR, lead Biologist Frank Ostling and Lead Biologist and Deer Project Mgr., Tom Micetich.

Mr. Hannan noted that there had recently been some email and phone contacts from local citizens after a recent article on the program appeared in the local newspaper.

Mr. Hannan noted that in the 6 northern DeKalb County townships only 8% of the wooded acres involved in the Chronic Wasting Disease (CWD) management program are on Forest Preserve land. The remaining 92% of the wooded lands are privately owned and any involvement by the IDNR is solely at the owner's discretion.

Mr. Augsburger asked a question on behalf of one of his constituents. He asked why there is not a check station opportunity during the late CWD season. Mr. Micetich noted that it is very expensive to run a check station and there is very little participation and harvest in the late winter season. He did note, however, that many small shops who do deer preparation cooperate with the IDNR if the hunter agrees to allow their harvested animals to be tested.

A letter was also sent to Mr. Augsburger and he passed it to the IDNR representatives for their response. Mr. Micetich noted that they would provide a response and would also copy the Committee on their response.

One issue raised in the letter was an accusation that the IDNR staff practiced “capping” when doing their testing. “Capping” was then defined as the practice of taking particularly handsome or desirable antlers with an intention to prepare them for mounting and private display. IDNR responded that they do not.

Mr. Ostling responded that the IDNR does leave bins out at some locations for those who wish to voluntarily donate their deer heads for disease sampling. However, if a hunter wishes to cape an animal they have taken, but still do a sample, the IDNR will work with them to get a sample without destroying the cape.

Ms. Fauci asked if there were any way for the hunters to perform their own sampling. Mr. Ostling noted that while some samples might be taken successfully, they would still need to be sent to an official lab for certified results. Ms. Fauci asked if contact with the diseased samples could be harmful to humans. Mr. Micetich notes that after tests come back positive, if they know the hunters identity the IDNR does contact them and advise strongly against consumption of the meat. This is a recommendation of the National Centers for Disease Control. They then offer to reimburse the hunter for the processing cost of the deer, as funds allow. If the hunter agrees, the IDNR then picks up the deer carcass and takes it for incineration.

Mr. Augsburger noted that that there is a lot of writing appearing that is pointedly against the program. Mr. Micetich and Mr. Ostling agreed that there is a great deal of misinformation on the IDNR / CWD program.

Last years’ sampling indicated that there was about a 12% prevalence rate in some areas. He commented that it is important, given the transmission of the disease, to recognize that what happens to the entire state’s deer population is affected by what happens in areas like this.

Ms. Fauci asked if they had thought of having any public relations assistance to counteract the misinformation. Mr. Micetich noted that tight budgets and other considerations do hinder efforts in that respect, but that there are people on staff assigned to perform those functions.

Ms. Fauci asked if the deer density issue is the primary concern for hunters, that if the herds are reduced too severely, that hunting becomes too difficult. Mr. Micetich noted that it is important to understand that efforts at herd reduction are for disease management, not for the purposes of deer eradication as some accuse.

Mr. Ostling then commented that Shabbona Lakes State Park has adopted mandatory testing for the bow hunting season. The samples taken there have been very good and overall made for a better sampling than when the testing was voluntary. The hunters in

that area also expressed that they appreciated having the sampling become mandatory, because it alleviated the peer pressure and stigma of appearing to be cooperating with the IDNR.

Mr. Deverrell asked if Winnebago County had backed out of their agreement to cooperate with the IDNR and allow IDNR staffers to perform targeted hunts in their County. Mr. Ostling responded that this was true and that they are extremely disappointed in that decision. He noted that public pressure appears to have been the cause of that decision.

Mr. Deverrell noted that he has some constituents who feel strongly on this and especially about the herd reduction activities. Mr. Micetich noted that hunters just don't have the desire to take enough deer during their hunting activities to accomplish the herd reduction targets that may work to control the spread of the disease.

CHAIR COMMENTS

Ms. Fauci noted that she had recently attended a statewide meeting of Forest Preserve Commissioners in January and had received very strong supportive comments about the District's support of the IDNR and their efforts.

ADJOURNMENT

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

Respectfully submitted,

Julia Fauci, Chairperson
Forest Preserve District Committee
JF:kjr