



## FOREST PRESERVE DISTRICT OF KANE COUNTY

### FINANCE AND ADMINISTRATION COMMITTEE MINUTES

---

#### I. Call to Order

The Forest Preserve District Finance and Administration Committee meeting was held Tuesday, July 24, 2018 at 2:00 PM at the Administration Offices located at 1996 S. Kirk Road, Suite 320, Geneva, IL 60134. The meeting was opened by Chairman Davoust at 2:00 PM.

##### Members Present:

Commissioner Theresa Barreiro	Present
Chairman Mark Davoust	Present
Commissioner Rebecca Gillam	Present
Commissioner John Hoscheit	Present
Commissioner Don Ishmael	Absent
President Michael Kenyon	Absent
Commissioner Bill Lenert	Present
Secretary Philip Lewis	Present
Commissioner John Martin	Present
Commissioner Penny Wegman	Present

##### Others Present:

Monica Meyers, Executive Director, Ken J. Stanish, CFO, Ken Anderson, CPO, Ben Haberthur, Director of Natural Resources, John Goreth, Director of Operations, Mike Gilloffo, Director of Public Safety, Brittany Kovach, Community Affairs Specialist, Caitlin Rodeghero, Administrative Specialist, Jerry Hodge, Attorney, Ellen J. Maglio, Recording Secretary

#### II. Approval of Minutes from June 24, 2018

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Penny Wegman, Commissioner
<b>SECONDER:</b>	Bill Lenert, Commissioner
<b>AYES:</b>	Theresa Barreiro, Mark Davoust, Rebecca Gillam, Bill Lenert, John Martin, Penny Wegman
<b>ABSENT:</b>	John Hoscheit, Don Ishmael, Michael Kenyon, Philip Lewis

#### III. Public Comment (Each speaker is limited to three minutes) *None.*

#### IV. New or Unfinished Business

##### A. Presentation of the 2018 Mid-Year Golf Courses Report

Per the current agreement, each course pays \$40,000 per quarter and shared revenue of 14.5% on any revenue in excess of \$1,103,448 for both Settler's Hill and Hughes Creek. The District receives 5% of total revenues (\$1,487.43) from Deer Valley. The District received a total of \$81,487.43 in revenues from the golf courses for the second quarter.

<b>RESULT:</b>	<b>PLACED ON FILE</b>
----------------	-----------------------

## **B. Presentation and Approval of an Amendment to the General Use Ordinance to Amend Swimming Fines**

Swimming is prohibited under our ordinance, Chapter 3, Section 1. There is a serious, chronic problem with swimmers at Big Rock F.P., in Siegler Lake. This a quarry lake and never designed for swimming, which is a dangerous activity there. During hot weather many adolescents come out in significant numbers to swim and dive off the bluffs.

We have increased the signage, and posted information on social media. Officers spend significant time at the location trying to prevent swimming, however, we cannot be there all the time. The present mail-in fine structure is \$75, which increases to \$125 if not paid in ten days.

In an effort to further deter swimming, staff recommends increasing the mail-in fine for swimming to \$150 if paid within ten days, and \$200 if paid after that date. Additionally the increased fine would be posted in prominent places next to the no swimming signs.

After conferring with District Counsel, the following language change is recommended:

### **Chapter 6 - Enforcement**

#### **Section 3 - Fines and Penalties**

Any person found guilty of violating any provision of this Ordinance shall be fined an amount not less than \$75, but not more than \$500 for each offense, except that violations of Chapter IV, Section 6 relating to parking, shall be fined \$35, if paid within 10 days of the issuance of the citation and \$50 if not so timely paid and **unauthorized swimming or wading shall be fined \$150 if paid within 10 days of the issuance of the citation and \$200 if not so timely paid** and may be imposed by a police officer of this District by mail-in citation presented to the offender; additionally for all other non-parking ordinance violations of this District issued by a police officer of the District by mail-in citation presented to the offender, the fine shall be \$75 if paid within 10 days of the issuance of the mail-in citation and \$125 thereafter, for up to 60 days following the issuance of the mail-in citation.

If a non-parking- related mail-in citation is not paid within 60 days of its issuance, the mail-in citation shall be converted to a mandatory notice to appear at a court date certain as stated therein and the same shall be mailed by the District Police Department to the defendant by certified mail at the address shown in the original mail-in citation. A mail-in citation shall be in ticket form and shall not require a court appearance. *Any non-parking-related citation requiring the appearance of the defendant in court (i.e., any citation other than a mail-in citation as referenced above) shall be governed by the full fine authority above (\$75 minimum and \$500 maximum, or as those amounts may be amended by the District from time to time).* The police officers of the District shall have the discretion to issue mail-in citations for violations of the District ordinances where the officer determines that the circumstances, taken as a whole, do not justify a court appearance citation for the offense in question and such discretion shall apply only to citations for ordinance violations of the

District enumerated in the *Use Ordinance of the Forest Preserve District of Kane County*, then in effect as amended from time to time hereafter. Nominal increase in fines collected.

**DISCUSSION:** *None.*

**RESULT:** **MOVED FORWARD BY VOICE VOTE [UNANIMOUS]**  
**TO:** **FOREST PRESERVE DISTRICT EXECUTIVE COMMITTEE 8/3/2018 8:30 AM**  
**MOVER:** Theresa Barreiro, Commissioner  
**SECONDER:** Bill Lenert, Commissioner  
**AYES:** Theresa Barreiro, Mark Davoust, Rebecca Gillam, John Hoscheit, Bill Lenert, Philip Lewis, John Martin, Penny Wegman  
**ABSENT:** Don Ishmael, Michael Kenyon

**V. Closed Session to Discuss Land Acquisition, Contracts, Litigation and Personnel** *None.*

**VI. Communications**

*Attorney Hodge updated the committee on recent legal matters; The Muirhead lawsuit was won on appeal, the Oury lawsuit was won at the trial court level but is now in appeal proceedings, IMET receiver is currently seeking relief through the IRS and he is in the process of renewing the Tolling Agreement to cover the remainder of 2018, and the ICC has approved the terms of the easement through the UPRR for the grant of easement for the Raymond St./Fox River Trail tunnel pending the written document from the railroad.*

**VII. Chairman's Comments**

Chairman Davoust took a moment to welcome Ken Anderson to the District. His title is Chief of Planning and Operations.

**VIII. Adjournment**

**RESULT:** **ADJOURNED BY VOICE VOTE [UNANIMOUS]**  
**MOVER:** Penny Wegman, Commissioner  
**SECONDER:** Rebecca Gillam, Commissioner  
**AYES:** Theresa Barreiro, Mark Davoust, Rebecca Gillam, John Hoscheit, Bill Lenert, Philip Lewis, John Martin, Penny Wegman  
**ABSENT:** Don Ishmael, Michael Kenyon

Mark Davoust, Chairman  
Forest Preserve District Finance and Administration Committee  
Forest Preserve District of Kane County

**Adjournment until: Tuesday, August 21, 2018 at 2:00 pm**  
**Forest Preserve District Administration Offices**  
**1996 S. Kirk Road, Suite 320 Geneva, Illinois**

Respectfully Submitted,

*Ellen J. Maglio*

Ellen J. Maglio  
Recording Secretary