



Call to Order:

President Anderson called the meeting to order at 6:30 PM.

Commissioners Present: Cathy Cagle, Jason Heisler, Michael Jacobson, Karen Johnson, Sarah Michehl, Eric Anderson

Late Arrival: Linda Matthias 6:35pm

Legal Counsel: None.

Staff: Jason Herbster, Executive Director, Erik Jakubowski, Superintendent of Park Services, Amy Olson Manager of Park Planning and Development, Tina Becke, Superintendent of Business Services, Kurt Reckamp, Superintendent of Recreation Programs and Facility Services, Anne Sandor, Recording Secretary

Citizens: Bob and Diane Miller, Residents

Pledge of Allegiance: The Pledge of Allegiance was recited.

Approval of Agenda:

Commissioner Jacobson moved to approve the agenda, as amended. Seconded by Commissioner Johnson. All were in favor.

Matters from the Public: None.

Diane Miller noted she met with the Mayor Haleblian, City Manager Eric Helm and Katie Cowlin, Director of Community Development to discuss her legal arguments requiring the Park District to bring the lighting at the Lippold Park Driving Range up to code. Mrs. Miller requested her comments be preserved in full and not edited in the meeting minutes. Her comments are noted below.

Comments submitted by Dianne Miller, Crystal Lake, IL 08.17.23

I'm back tonight to provide an update for you and all of those watching on zoom, on the record, about the Lippold Park Golf Center Driving Range Lights.

In the meeting minutes from your July 20th meeting, Mr. Herbster reported to the board:

A City Inspector has been out to read the five banks of lights on the Driving Range and the Park District is not in violation of the City Ordinance."

He is correct that the footcandle reading was within the limits of the City of Crystal Lake UDO (Unified Development Ordinance).

I spent many, many hours going through the Crystal Lake UDO and found that the lighting at the Driving Range is in fact ILLEGAL.

Chapter 650 of the UDO, Section 10-200 Definitions, C. Exterior Lighting.

ABANDONMENT "Discontinuance in the usage of a lighting installation, or portion thereof, with no intention to resume the usage of such lighting. A lighting installation or portion thereof, that has not been operated for 24 months or longer shall be considered to be abandoned".

Director Herbster said it himself during the Committee of the Whole meeting on July 6th. In the minutes from that meeting: "Executive Director Herbster reported that the lights in question were installed in the 1990's but have not been working for 13 years."

If the Park District had the intention of resuming the usage of the lights it would have been years ago- not 13 years later.

Chapter 650 of the UDO, Part 1 Ordinance, C. Conformance was amended in 2016. It states "existing non-conforming luminaries or light installations legally installed and operative before the effective date of this ordinance are exempt from compliance with the requirements of this section.

The lights have not been operational since at least 2010 by Executive Director Herbster's own words. 2010 is six years before the Ordinance was amended. Therefore, they should have conformed to the new requirements (for fully shielded luminaries), or the luminaries should have been removed within 30 days.

I presented my LEGAL argument to the Crystal Lake City Council at their meeting on August 1st.

This morning, Mr. Miller and myself met with Mayor Halebian, City Manager Eric Helm and Katie Cowlin, Director of Community Development.

We were happy to hear that the City of Crystal Lake agrees with my LEGAL arguments and will require the Park District to bring the lighting at the Lippold Park Driving Range up to code, which will require going through the permitting process with the City. The City has also agreed to keep Mr. Miller and I involved in this process.

I have also sent a request to the City that the lights at the Golf Center Driving Range remain OFF until they are changed since they are not in compliance with City of Crystal Lake ordinances.

To answer Cathy Cagle's question asked previously to Executive Director Herbster, the lights are not legal, and you are not OK.

I request a copy of this letter be saved in your records so that my comments will be preserved in full and not edited in your meeting minutes."

Mr. Miller reviewed his comments from Matters from the Public during previous Park Board meetings regarding the wetland trails and the lights at the golf driving range. Mr. Miller's comments are noted below.

"I'll bet you thought I was going to begin by talking about the Driving Range lights, I'm NOT.

I want to remind everyone about the Lippold Park Wetland Trail issue That's where we were, a year ago.

It had been several years since the trails were worked on. We asked that the trails in the wetlands be resurfaced. We were hearing from people who were falling on the trails. And, we also have a disabled daughter, who couldn't walk out there. We were ignored after our first request from the Park Board...

So, a petition was placed on a tray on our property line. It said:

Lippold Park Trails Need Repairs Now

Ruts and uneven surfaces are dangerous

The trails are hazardous to normal walkers and runners

Elderly and handicapped people cannot use the trails

The petition was signed by about 120 people in about a week... After presenting that petition to the Park Board, We were ignored !!!, again. The petitioners who took the time, were ignored too...!!!

After the Board ignored us the second time, we went to the NW Herald for help. The article they published had absolutely no effect on the Board. Jason Herbster was quoted that the trail problems were 'aesthetic'.

The Board continued to agree with the Director, and they ignored us. At the next Park Board Meeting, we gave notice... If the trails in the wetlands of Lippold Park were not resurfaced within 10 days we would file an ADA complaint on behalf of the citizens. As you are (hopefully) aware, the wetland trails in Lippold Park were worked on last year. Within the 10 days the aesthetic problems on the trails were corrected. I don't want to comment on what's going on with those trails this year since the wetland trails don't generate revenue for the Park District. Now, to this year/we have the NEW Driving Range Lights issue.

Lights that the Director absolutely KNEW were going to be a problem even before he had them turned on.

He saw the lighting problem first-hand in the Fall of 2022!!! First we asked you, then we begged this Board for relief from the NEW Driving Range Lights. We told you that that type of light is banned in most municipalities...

We declared that those NEW Driving Range lights were not 'legal'... Ms. Cagle's response was to ask the Director; "we're legal, right?" After Herbster responded; "YES" she said, "Let's move on."

We have been ignored and also disrespected. Not once, multiple times... At first, the Director said: the lights would only be on when needed. Then, after I provided pictures of empty tees lit up... The Director changed the rules, so the lights could be on at any time during business hours!!! He makes the rules as he goes/needs. We invited all of you to view the light problem, first hand. Just like the Director did in 2022. But you all ignored us. Again, to inject a little humor... into this crazy situation. This reminds me of Lily Tomlin as the phone operator in TV show Laugh In. She could be answering the phone for the Park Board... One ringy dingy... "Hello, this is the Park Board. Then after pretending to listen to a complaint, she responds, "We're the

Park Board. We don't care. We don't have to. This really hasn't been only about the Millers. It's really about this Park Board, their priorities, and this Boards lack of respect for all the tax-paying citizens. It's about respect for everyone that uses our parks. It's about respect for the neighbors who live around any of our Parks. It's about respect for all the people who signed the petition that you ignored. It's about respect for the wetlands and the creatures that live there. I'm going to remain a Good Neighbor, And I will continue to care for and about all my friends and neighbors, as well as caring for all of our Parks. Like I said in my email, "I'm just warming up" THANK YOU."

Executive Director Herbster noted he met with the City of Crystal Lake on August 15 to discuss what would need to be done to the lights to be in compliance with the City's Ordinance. The Park District was asked to install shields on the lights at the driving range. Commissioner Jacobson asked if the District would then be compliant. Herbster answered yes, after the shields are installed, the District would be in compliance with the ordinance.

The Board discussed the amount of staff time taking to address Mr. Miller's emails, phone calls, etc. Commissioner Cagle suggested that Herbster be under directive not to respond to the emails. Herbster stated that he does not mind responding to requests for information. Commissioner Anderson suggested directing the Millers to the City of Crystal Lake with issues and to note that the District will also follow the City's ordinances.

Commissioner Cagle explained the wetland trail is a park vehicle access. There will be a storm water study that will help inform the District on what needs to be done. Executive Herbster stated the trail was maintained. Superintendent Jakubowski stated that there is continued maintenance on the vehicle access trail.

Unfinished Business: None.

Consent Agenda:

Discussion: Commissioner Cagle asked for an explanation of the following expenses listed on the July Expense Approval Report.

Corporate America Credit Union: Superintendent Becke explained that account is for employee payroll deductions. Counsilman Hunsaker and Associates Charges: Superintendent Becke stated they are the lifeguard auditing firm. Fifth Card Bank: Superintendent Becke stated the charges are made on staff purchasing cards and expenses are listed in each fund. Weed Harvester payment. Superintendent Becke explained that two payments were made; a deposit of half payment and for the balance due which was paid at the time of delivery.

Commissioner Cagle expressed concern that a Foundation Board member is trying to make money for Ornery Mule with a trail maintenance event and that the Foundation is making plans for a ropes course at Shamrock Hills. Cagle expressed that she felt the Foundation should not be publicizing events without Board approval and should be raising funds for Park District needs. Executive Director Herbster explained the Foundation is trying to get exposure with the trail maintenance running event. Karen Johnson added the Foundation is also seeking volunteers at these events. Commissioner Anderson stated the foundation is a 501 (C) 3 organization and is run by its Directors. If the District does not approve of their actions the Park District can replace the Foundation members and they should follow the conflict-of-interest economic interest policies. Executive Director Herbster will follow up with the Foundation.

Commissioner Anderson asked if it is best to keep funds in the Money Market as opposed to placing funds in Fifth Third Bank in a CD. Superintendent Becke stated that the bank is updating the District accounts and funds can also be moved to gain more interest. Cagle made a request to ask the bank to notify the District when higher interest options are available.

Commissioner Anderson requested a motion to approve the Consent Agenda.

- A. Approval: The Voucher Expenses for the month ending, July 31, 2023, in the amount of \$560,600.37.
- B. Approval: The Interim Voucher Expenses for the month ending August 31, 2023, in the amount of \$429,227.77.
- C. Accept: The Treasurer's Report for the month ending, July 31, 2023, in the amount of \$16,963,037.82.
- D. Approval: Regular Meeting Minutes 07.20.23
- E. Approval: Committee Meeting Minutes of the Whole 08.03.23
- F. Approval: D47 Intergovernmental Agreement
- G. Approval: McHenry County Division of Transportation Road Improvements
- H. Approval: McHenry County Historical Society Event Request
- I. Approval: IPRA Report Card
- J. Approval: Mudd Runner Earth Day Event Request
- K. Approval: Ornerly Mule Racing Frozen Gnome Event Request
- L. Approval: Ornerly Mule Racing Soul Crusher Trail Race Event Request
- M. Approval: Sunrise of Crystal Lake Event Request

Commissioner Cagle moved to approve the following consent agenda item, as presented.
Seconded by Commissioner Matthias.

Roll Call: Ayes: 7 (Cagle, Heisler, Jacobson, Johnson, Matthias, Michehl, Anderson) Nays: 0

Business Items

- A. Approval: Della Playground Replacement Project

Manager Amy Olson reported the Community Input meeting for the Della Park Playground replacement was held on August 16. There were approximately 15 people in attendance and 20 surveys were received. Requests to replace the bridge so that the neighbors had easy access to the park, a walking path, exercise area with equipment, pavilion, baggo, picnic tables with chess tables and a curly slide with climbers were made at the meeting.

Amy will be working on the OSLAD grant application and will submit it at the end of the month. She noted that Resolution 23.24.05, Della Street Park Improvement OSLAD Grant, was approved at the Park Board meeting on June 20, 2023.

- B. Approval: Resolution 23.24.07 Bank Signatures

Commissioner Heisler, Treasure and Superintendent Becke, Assistant Treasurer and Executive Director Herbster will be listed as Bank Signers on the District's bank and investment accounts. Commissioner Cagle moved to approve Resolution 23.24.07 Bank Signatures, as presented.
Seconded by Commissioner Jacobson.

Roll Call: Ayes: 7 (Heisler, Jacobson, Johnson, Matthias, Michehl, Cagle, Anderson) Nays: 0

Reports to the Board:

Executive Director, Jason Herbster

- Met with City staff to discuss the Park District selling lake usage decals. In the process of revising the Lake Ecology Intergovernmental Agreement for the Park Board to review at the Committee of the Whole meeting on September 7 and submit to the City. The City will place the IGA on the agenda for approval at the City Council meeting on September 19.
- Commissioner Cagle asked for discussion on the \$80,000 budgeted for lake ecology. Herbster noted that previous boards had previously discussed the funds that were to be used for harvesting and weed treatment on the lake. Cagle requested that the District commit to \$80,000 which would include amortization of the purchase of the harvester and personnel personnel to run the harvester. Herbster noted the City, and the Village will review the

District's budget. The District will included funds towards the purchase of a new harvester in ten years. Commissioner Anderson suggested to think about the new funds going to new efforts, such as harvesting, milfoil treatments, and other special projects. Michehl agreed more discussion was needed. Executive Herbster noted funds would go to the Village of Lakewood for lake safety and to lake ecology fund. Herbster will forward a copy of the current IGA to the Board for review. Michehl noted that Hey and Associates gave potential harvesting and other options, i.e., limiting boat usage. Herbster noted Hey and Associates suggested keeping boats out of the west end would help with the weeds. Cagle noted that no lake user can regulate another user's access on lake use. Anderson suggests the City and Village of Lakewood have control of safety patrol. Michehl stated she did not want the public to think that having a harvester will solve all problems on the lake. Herbster noted the roll of the harvester will be noted in the intergovernmental agreement. Commissioner Cagle suggested bringing back the Lake Lines newsletter to inform the property owners what they can do to protect the lake. Cagle added that once the District sells the decals based on size of motor; more information will be available to the District.

- Harvester was delivered last week; staff were trained and will be ready to go for the next harvesting.
- First Decennial Committee meeting will be held at 6:00pm on September 7.
- State Conference January 25-27. Registration information will be out soon.

Superintendent of Business Services, Tina Becke

- Reported new employees Rocio Arreola-Escutia, Human Resources Manager and Nicole Zellers, Accounts Receivable are working out well.
- Commissioner Jacobson commended Becke on receiving the Certificate of Achievement for Excellence in Financial Reporting to Crystal Lake Park District for its comprehensive annual financial report for the fiscal year ended April 30, 2022.

Superintendent of Recreation Programs and Facility Services, Kurt Reckamp

- Post Season Beach Hours: Beginning August 14, the Main Beach swim area will be open Saturday and Sunday, 9am – 5pm, through Labor Day. West Beach swim area is closed for the season.
- Summer Camp had approximately 100 participants in multiple camps. Received a call regarding the registration date for 2024. Commissioner Cagle asked if the Nature Center runs a Nature Summer Camp. Reckamp said a program was run in the past and will meet to discuss bringing it back with John Fiorina, Interpretive Services Facility Manager.
- Events: Caddyshack was held last weekend with approximately 300 people in attendance. Staff received good feedback. It was a great staff team-building event.
- Commissioner Cagle noted that aquatics almost broke even this summer. Reckamp will report the final numbers in September or October.

Superintendent of Park Services, Erik Jakubowski

- Commissioner Cagle thanked staff for adapting to the weed harvester and asked if it could be used in other parks. Superintendent Jakubowski stated the machine is too large to use in to other ponds.

Manager of Park Planning and Development, Amy Olson

- The rubber backing will be installed on the Club's tennis courts this week. Amy added that she is pleased with the Contractor and their crew working on The Racket Club outdoor courts project.

Matters from the Board:

Commissioner Eric Anderson asked if the P & L reports for programs include the capital projects at the Club. Superintendent Becke answered yes, if expenses are budgeted for a particular fund, or they will go to capital projects. Anderson requested the amortization of expenses for the Club be included in the monthly Reports to the Board. Cagle asked if the Police salary is included in the Racket Club Fund. Herbster answered yes.

Commissioner Cathy Cagle asked if Ancel Glink is not going to provide the District a proposal on an evaluation on the Park Police and requested to find an alternative agency. Herbster stated that Ancel Glink is doing the work. Anderson noted the Board's directive to legal council was to research how many park districts have Park Police and how many Districts have been disbanded. Cagle requested a monthly functional financial report for the Park Police. Superintendent Becke will provide this in her Report to the Board. Cagle congratulated Becke on receiving the audit award.

Commissioner Sarah Michehl reported that she attended the Monarch's in Music events. The event was well attended. She noted that Nancy Williamson, Event Coordinator, commended Heidi Stolt and her staff for the work done to help with the event.

Executive Session:

Commissioner Jacobson moved to enter Executive Session to discuss item E. Review of Minutes Including Semi-annual Review to Release 2 (c) 21, at 7:32 pm. Seconded by Commissioner Michehl.

Roll Call: Ayes: 7 (Jacobson, Johnson, Matthias, Michehl, Cagle, Heisler, Anderson) Nays: 0

Reconvene:

Commissioner Cagle moved to reconvene at 7:37 pm.

Seconded by Commissioner Michehl.

Roll Call: Ayes: 7 (Cagle, Heisler, Jacobson, Johnson, Matthias, Michehl, Anderson) Nays: 0

Action from Matters from Executive Session: None.

Adjourn:

Commissioner Anderson adjourned the meeting at 7:38 PM.

Approve: _____ Attest: _____
President Secretary