

**FOREST PRESERVE EXECUTIVE COMMITTEE MINUTES**  
**MAY 14, 2024**

**PRESENT:** Committee members –L. Moreno, E. Sowards, R. Simmer, D. Mielke, K. Swanson.

**ABSENT:** C. Layer, J. Woods.

**ALSO PRESENT:** Jeff Craver, District Director; Lee Jackson, Niabi Zoo Director; Mike Petersen, Illiniwek Ranger; April Palmer, Auditor; Nick Camlin, Treasurer; Patricia Castro, State's Attorney's Office Civil Division; Dan Breidenstein, Vice President of Living Lands & Waters.

President Swanson called the monthly meeting of the Forest Preserve Executive Committee to order at 12:09 PM on Tuesday, May 14, 2024, in the Living Lands & Waters Barge Classroom in East Moline, Illinois.

L. Moreno, R. Simmer, D. Mielke, E. Sowards, K. Swanson.

**TOTAL PRESENT 5**

C. Layer, J. Woods.

**TOTAL ABSENT 2**

President Swanson thanked Mr. Breidenstein for use of the Barge Classroom for the meeting.

Mr. Breidenstein stated that the partnership with the District has been great. The barge classroom is Living Lands & Waters newest and most exciting thing that we've done. Integrating education is so important. Connecting people to the river is our main mission. June 13<sup>th</sup> there will be a barge party. Beacon Harbor is now the Living Lands & Waters headquarters. We'll be traveling with the classroom, and planting seeds in people's mind to hopefully get them to feel a connection to the river, and introduce the opportunities that come with that connection.

President Swanson called for a motion approving the April Committee meeting.

**MOTION:** Dr. Moreno moved to approve the April Committee meeting minutes. Dr. Simmer seconded the motion.

Motion carried.

President Swanson called for a motion to approve the claims and treasurer's disbursements in the amount of \$213,901.50.

**MOTION:** Dr. Simmer moved to approve the claims and treasurer's disbursements in the amount of \$213,901.50. Mr. Mielke seconded the motion.

Motion carried.

President Swanson called for a motion to approve the transfers of appropriation.

**MOTION:** Dr. Simmer moved to approve the transfers of appropriation. Dr. Moreno seconded the motion.

Motion carried.

President Swanson called for a motion to approve the resolution regarding Niabi Zoo Fund Prairie Dog & ARPA Grant Appropriations.

**MOTION:** Dr. Simmer moved to approve the resolution regarding Niabi Zoo Fund Prairie Dog & ARPA Grant Appropriations. Mr. Mielke seconded the motion.

Motion carried.

President Swanson called for a motion to approve laying on display for thirty days the fiscal year 2025 Annual Budget and Appropriation Ordinances for the General Fund, Niabi Zoological Preserve Fund, IMRF Retirement Fund, Liability Fund, FISSA Fund, Audit Fund, and Development of Forests & Construction of Improvement Fund.

**MOTION:** Ms. Sowards moved to approve laying on display for thirty days the fiscal year 2025 Annual Budget and Appropriation Ordinances for the General Fund, Niabi Zoological Preserve Fund, IMRF Retirement Fund, Liability Fund, FISSA Fund, Audit Fund, and Development of Forests & Construction of Improvement Fund. Dr. Simmer seconded the motion.

Motion carried.

President Swanson made three calls for public comment. There was no request for public comment.

President Swanson called for a motion to approve the amendment to the District's Fund Balance Reporting, Use, and Reserve Policy.

**MOTION:** Mr. Mielke moved to approve the amendment to the District's Fund Balance Reporting, Use, and Reserve Policy. Dr. Moreno seconded the motion.

Motion carried.

President Swanson called for a motion to approve the low bid and construction manager fees for Bid Package G for the Niabi Zoo Big Cat Exhibits, Eagle Enclosure, Rhino Roof, and Snow Damage Repairs in the amount of \$592,921.00.

**MOTION:** Dr. Simmer moved to approve the low bid and construction manager fees for Bid Package G for the Niabi Zoo Big Cat Exhibits, Eagle Enclosure, Rhino Roof, and Snow Damage Repairs in the amount of \$592,921.00. Mr. Mielke seconded the motion.

Dr. Simmer asked if this would encompass all the needed repairs.

Mr. Craver answered that it did not. It includes most of them. There will still be the repair to the carousal top, the repair to some of the perimeter fence, and the construction of the palace cat exhibit.

Motion carried.

President Swanson called on Mr. Craver for an update on the Marketing Benchmarking and Compensation Structure Development Project.

Mr. Craver stated that the hand out of the data that was provided regarding the benchmarking should be considered a confidential document, and not discussed outside the Committee or Commission. This information may be helpful when negotiating. The report from HR Source who did the benchmarking work came back pretty good. The District is not deficient in its compensation packages for almost everyone. There are two positions that are not being paid what they are worth. Those positions are Scott Hesselberg, the zoo maintenance supervisor, and Scarlet Behrens, the Guest Services Manager. You can see a recommended pay range for the positions within the District, and the District's target goal is recommended to be the mid-point of that range. I would like to address the two deficiencies that I mentioned in the upcoming budget. Considering their duties and years of service experience, we are looking to bump up Mr. Hesselberg's salary to match the Field Office Manager's salary. The Field Office Manager position is a union position. That would put Mr. Hesselberg at \$65,250.72. For Ms. Behrens, since she has been here a year less than Mr. Hesselberg, we are planning three percent less at \$63,292.50. In the HR Source packet there are a few strategies recommended to correct some of the salary discrepancies to more closely align employees with their paygrades based on what's in the report. Instead of general wage increases you would be looking at one-time salary bumps, very similar to what the county initiated during the last negotiations. That way, while they will receive some extra pay, we can try to reduce some of the compounding and growth of those salaries, and the management salaries will continue to see some general wage increases based on budget and other factors.

Dr. Simmer stated that he noticed many of the salaries were at or above the maximum. Aren't we shooting for the mid-point?

Mr. Craver stated that a lot of the salaries are. The District doesn't have a full payroll policy, so if you want me to go back and look at those employees that are above this maximum range. Then the District establishes a one-time salary ... umm, when I developed the budget, I didn't have this report. Just got the report at the end of April. We can go back and evaluate some of the management salaries that are above that benchmark, either the mid-point or the maximum, and they would not receive a general wage increase percentage. I believe that is 3.5% in the budget this year. They could receive as well a one-time payment, and come up with a formula that accurately reflects ... Can go back to the HR Source and ask for some recommendations.

President Swanson stated that some of the positions are union positions, and most of the District's employees have been with the District for many years. It is important to keep in mind that the experience those employees bring to the table is also valuable. Absent storm damage and some other considerations that are very particular, the District is in a good financial position. I think most of us can agree that we are getting a level of service that is commiserate to the level of pay and expertise that that pay is buying. I'm glad the District did this research, but I don't think it would be fruitful to start looking at this and saying, "Here's where we cut, and here's where we cut." The result would be to lose some great expertise.

Dr. Simmer stated that he didn't disagree, but the District paid to have this study done. We are seeing several salaries above the target mid-point. When looking at the Chicago reference, and I thought the District would be significantly less, but that's not the case. I'm surprised.

President Swanson stated that concern can definitely be expressed that we are high, and that's a concern that Jeff can take into negotiations. However, I don't think it's going to do the Committee or the District any good to cherry pick positions.

Mr. Camlin stated that the flat rate increase would make the most sense.

Mr. Craver stated that at this point in time all that's being asked for is the flat increase for Mr. Hesselberg and Ms. Behrens. Then the District can work on a strategy to address the others. There are several possibilities to explore.

President Swanson called on Mr. Craver for discussion on foraging on the District's preserves.

Mr. Craver stated that the local conservation officer has issued warnings at Loud Thunder for people hunting morels. Technically, the District does have an ordinance against foraging and removing items from the preserves without a permit, but staff has allowed mushroom hunting and shed hunting on the preserves for many years now. In the past, the conservation officers have seen the District's ordinances as a matter for the District to enforce. Unless staff saw someone violating one of the state conservation laws, staff was on their own. In my opinion, the conservation officer was applying the laws for areas that are dedicated as Illinois nature preserves. None of the lands within the District's purview are dedicated as Illinois nature preserves. Some of you might remember Angela Moorehouse of the Nature Preserve Commission who came to speak to the board about designating some particular areas on District property as Illinois nature preserves. Typically, these are areas that are higher grade conservation areas and have significant species of concern and want to protect those areas, and there are some different laws that apply to those. Generally speaking, anything outside of the State Wildlife Code allows the governing body to take legislative action to determine what uses are allowed. Then, through those ordinances, staff uses their discretion to write, for example, firewood permits, or allow camping. Staff has not seen any foraging activities that have been detrimental to the District preserves. However, we have no control over the conservation officers. There are a couple of options. A) Staff enforces the ordinances as writ, and the District starts educating the public that foraging of morel mushrooms or any other plants or materials on District properties is prohibited. Perhaps establishing a fine, or a permitting process, possibly with a fee associated. Staff would still need to consult with the

conservation officers to make sure everyone is on the same page. Or, B) The District amends the ordinances to allow more mushroom hunting to happen. Now, if you look at the collar counties, they do not allow foraging of any kind. This is due in large part to the volume of people that live in those areas and utilize the preserves in those areas. In many places they ask people to stay on the trails in order to avoid damage to the endangered and threatened plants. Therefore, it would not be uncommon for the District to do this.

President Swanson stated that he would like to see the District setting up a permitting process. However, I would love to hear from the superintendents on this matter because they are the ones who are out there, and have the experience and will be the ones who the District counts on to inform the public and enforce the District's policies. We have Mr. Petersen with us today. Do you have any thoughts on this matter, Mr. Petersen?

Mr. Petersen stated that staff at Illiniwek, when asked if we allow foraging on the preserve, tells people no, but the issue is with enforcement. It's very hard to police those ordinances with current staffing. The problem I have with mushroom hunting, and know that I am a mushroom hunter, is all the other sensitive plants that are out there. Illiniwek does have a problem with people coming out and taking plants off the preserve.

President Swanson stated that because part of the District's mission is to conserve, and part of our mission is to educate, I would encourage the Committee to ask Mr. Craver and staff to come up with a reasonable way to, understanding that it won't take the problem away completely, do some publicity to let people know you can't just come out and take what you want. Even a state fishing license isn't that expensive. It would be good to start a cultural shift so that people who aren't already doing it will think that it's okay to come out and do whatever they want. My intent is not to put this on the shoulders of staff, but at least have as a tool.

Dr. Simmer pointed out that with doing the permits it also gives staff an opportunity to educate the people who want to participate.

Mr. Mielke asked if the District would still be within our purview to issue permits.

Ms. Castro stated that right now, as Mr. Craver indicated, there is a set of District ordinances prohibiting the removal of anything from the preserves. The staff and Committee will need to be sure that what is in the District's ordinances match what is being said by staff, and enforced by the people who have the authority to enforce it. I believe the conservation officer has a misunderstanding of which law the preserves fall under, and as Kai said, there will need to be publicity and education for the public.

President Swanson stated that it was clear that the District cannot continue with the status quo.

Dr. Moreno stated that the Committee needed to take the advice of the professional staff in regard to foraging on District property. Mr. Petersen has stated that people should not be removing vegetation from the preserves.

Mr. Petersen stated that allowing more hunting is a gateway into poaching other things from the preserves, and while there will always be an issue with enforcement, it should not be encouraged at all.

President Swanson stated that at a future meeting the Commission should be educated on what's going on with this issue. Then staff should move forward to educate the public on the District's no removal ordinances.

President Swanson called for a motion to approve the purchase of two John Deere 7500A Hybrid Diesel Units in the amount of \$85,000.00.

**MOTION:** Dr. Moreno moved to the purchase of two John Deere 7500A Hybrid Diesel Units in the amount of \$85,000.00. Mr. Mielke seconded the motion.

Motion carried.

President Swanson called for a motion to approve the purchase of used vehicles.

**MOTION:** Dr. Simmer moved to approve the purchase of used vehicles. Mr. Mielke seconded the motion.

Mr. Craver stated that back in fiscal year 2023 the District had budgeted for new trucks. It used to be that staff could get online and look at the state bid and contact that dealer, or could put out a bid and have local dealers put in bids for the vehicles. In the past few years dealers haven't had the stock of fleet vehicles, and new vehicles have been increasingly difficult to come by. The District does have the funds available, and would like to find good used vehicles under \$30,000.00.

Dr. Moreno stated that he knew of a couple mid-sized trucks that were going to be up for sale.

Mr. Craver stated that staff would be interested in looking at those vehicles.

Motion carried.

President Swanson asked if the Committee had any questions regarding the routine reports of the District.

There were no questions.

President Swanson called for a motion to approve the routine reports of the District.

**MOTION:** Dr. Simmer moved to approved the routine reports of the District. Dr. Moreno seconded the motion.

Motion carried.

President Swanson called for a motion to go into closed session as per ILCS 120/2 (c) (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

**MOTION:** Dr. Simmer moved to go into closed session. Dr. Moreno seconded the motion.

A roll call vote was taken.

K. Swanson, E. Sowards, L. Moreno, R. Simmer, D. Mielke, J. Woods.

**TOTAL YES           6**  
**TOTAL NO           0**

Motion carried.

Closed session began 12:58 PM

President Swanson called for a motion to re-enter open session.

**MOTION:** Dr. Simmer moved to re-enter open session. Ms. Sowards seconded the motion.

Motion carried.

Closed session ended 1:07 PM

There was a brief discussion on the error that went out on the tax bill, and the County Clerk and Treasurer's decision of how to handle rectifying the situation. [For detailed information, please visit: <https://www.rockislandcountyil.gov/286/Tax-Extension> ]

President Swanson called the meeting adjourned at 1:10 PM.

Submitted by:  
Cassie Sullivan  
Forest Preserve Administrative Assistant