



Fox Waterway Agency
Regular Meeting Minutes
March 22, 2017

Recording Secretary: Danielle Hartig

1.0. Call to Order & Roll Call 7:00 p.m.

Chairman Blake

Present: Directors Phil Bartmann, Chuck Haling, James Meyer, Dan Mitchell, Michael Shields and Chairman Wayne Blake

Absent: Bill Hellyer

FWA Also Present: Agency Attorney David McArdle, Randy Sweet of the Advisory Committee, Executive Director Joe Keller, Acting Field Superintendent Rob Bowman

2.0. Pledge of Allegiance

3.0. Approval of Minutes

MOTION: Director Haling made a motion to approve the Minutes from the February 22, 2017 Regular Meeting and Committee of The Whole Meeting. The motion was seconded by Director Bartmann. A roll call vote was taken.

Aye: Directors Bartmann, Haling, Meyer, Mitchell, and Shields

Absent: Hellyer

The Motion carried.

4.0. Treasurer's Report & Acceptance of Bills & Other Financials

4.1 Approval of Treasurer's Report

Director Meyer provided the Treasurer's Report. He stated there was \$658,583.83 on hand. February sticker sales totaled \$176,615 and year-to-date sales totaled \$479,130.

MOTION: Director Meyer made a motion to approve the Treasurer's Report. The motion was seconded by Director Mitchell. A roll call vote was taken.

Aye: Directors Bartmann, Haling, Meyer, Mitchell, and Shields

Absent: Hellyer

The Motion carried.

4.2 Approval of Bills

Director Meyer explained the bills totaling \$123,426.71.

MOTION: Director Meyer made a motion to approve the list of Bills. The motion was seconded by Director Haling. A roll call vote was taken.

Aye: Directors Bartmann, Haling, Meyer, Mitchell, and Shields

Absent: Hellyer

The Motion carried.

5.0 Old Business

5.1

DISCUSSION: Director Shields mentioned that the Agency received the 10-year permit.

5.2

DISCUSSION: Director Bartmann discussed FEMA, PW 611, and the headquarter operation renovation status. The 28 pilings have been driven into the ground. Side wall posts have been reinforced. The renovations are moving forward.

6.0 New Business

6.1

DISCUSSION: Director Haling made a motion to approve reduced one-day boat stickers for the Take-A-Vet Fishing event on May 21, 2017. The motion was seconded by Director Bartmann. A roll call vote was taken.

Aye: Directors Bartmann, Haling, Meyer, Mitchell, and Shields

Absent: Hellyer

The Motion carried.

6.2

MOTION: Director Mitchell made a motion to approve the 2017 NIOC Shootout event. The motion was seconded by Director Haling. Director Meyer mentioned he would prefer the event take place on a Sunday. A roll call vote was taken.

Aye: Directors Bartmann, Haling, Mitchell, and Shields

Nay: Meyer

Absent: Hellyer

The Motion carried.

6.3

DISCUSSION: Director Meyer made a motion to approve the IGA with the Village of Fox Lake for fleet service maintenance agreement. The motion was seconded by Director Bartman. A roll call vote was taken.

Aye: Directors Bartmann, Haling, Meyer, Mitchell, and Shields

Absent: Hellyer

The Motion carried.

6.4

MOTION: Director Shields made a motion to approve Eder & Casella contract for 2016 FWA audit. The motion was seconded by Director Mitchell. A roll call vote was taken.

Aye: Directors Bartmann, Haling, Meyer, Mitchell, and Shields

Absent: Hellyer

The Motion carried.

6.5

MOTION: Director Meyer made a motion to approve the 2017 FWA Permanent Budget in compliance with the Illinois Municipal Budget Act. The motion was seconded by Director Bartmann. The Agency will add "Building Improvements" to the lines currently labeled "Leaseholder Improvements" and "Federal Reimbursable Expenses". A roll call vote was taken.

Aye: Directors Bartmann, Haling, Meyer, Mitchell, and Shields

Absent: Hellyer

The Motion carried.

7.0 Advisory Committee Report and Recommendations

Randy Sweet advised the Board the next meeting is April 6, 2017. The Boat Show went very well; turnout was good and there was positive feedback regarding the Agency.

8.0 Reports

8.1 Executive Director

Executive Director Keller informed the Board:

- The building project is progressing.
- The 10-year permit has been received.
- The budget has been approved.
- There are still many challenges the Agency faces, but are making good progress in many respects.

8.2 Field Superintendent

Acting Field Superintendent Rob Bowman informed the Board:

- They removed 878 boat loads from Coopers Island.
- They had to stop using Rena Rd. 3/15/17 until further notice.
- Water levels are very low which is exposing a great deal of debris. The Agency is unable to reach most of the debris with water levels so low. The DNR will have water levels set May 1, 2017.
- The Agency is receiving an abnormal amount of calls concerning beavers on Bay Road. The DNR does not have the funds to assist so the Agency is working on solutions to remove the beavers.

9.0 Board Comments

9.1 Directors

- **Director Meyer:** Mentioned that he feels it is a crime that the regulatory agencies are making it so difficult to clean up the valuable resource that the waterway is. They make dredging extremely arduous, and he is in support of anything the Agency can do to support expediting the process. Commented on the wildlife and eagles on the lakes.
- **Director Haling:** Would like to work with Joe to talk to the necessary people in Springfield to discuss bringing the water levels up earlier than May 1.
- **Bartmann:** Mentioned that his last meeting will be in April but will continue to support the Agency in any way he can.

10.0 Public Comments and presentations

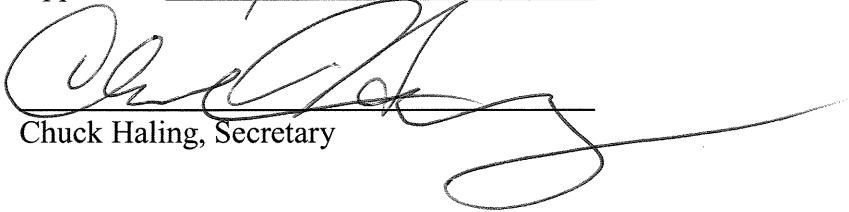
- **Pat Murdock (Lake Marie):** Expressed concern regarding a bog on Lake Marie that has grown in size throughout the years. She has expressed this concern in various ways over the years to the Agency. Agency recommends Pat reach out to the township for resolution.
- **Dennis Leo:** Thanked the board on behalf of a constituent that recently had his lake dredged, who has been unable to attend meetings due to an accident.
- **Fred Rush (Fox River Grove):** Attended a boater's safety class and learned that there is a \$2 water usage fee on kayaks, paddle boats, etc. (this is imposed by the DNR, not the FWA).

12.0 Adjournment

MOTION Director Bartmann made a motion to adjourn the meeting. The motion was seconded by Director Haling. A voice vote was taken. The motion was approved unanimously.

The meeting adjourned at **8:22** p.m.

Approved: 4/26, 2017


Chuck Haling, Secretary



Fox Waterway Agency Special Meeting Committee of the Whole

March 22, 2017

Recording Secretary: David McArdle

Call to Order & Roll Call 6:00 p.m.

Chairman Blake

Present: Chairman Blake, Director Meyer, Director Bartmann, Director Haling, Director Shields, Director Mitchell. **Absent:** Director Hellyer

FWA Staff: Executive Director Keller, Legal Counsel McArdle

Dredging

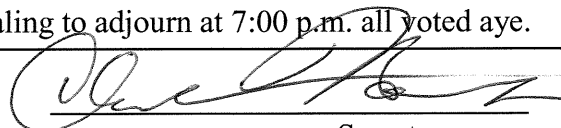
The Board discussed the possibility of drafting a cost sharing program whereby property owners/businesses would contract to dredge their own part of the Fox Waterway inlets and channels and the owners would apply for the Agency to fund part of the project. Doing so would potentially serve the Agency's interest under the law by opening up inlets and channels to recreational boating at less cost to the Agency and freeing up the Agency to work on other main navigational channel work.

Issues discussed included:

1. Legal authority to implement the program by which the Agency would either reimburse private property owners or associates for incurred dredging costs or the Agency would contract directly with the contractor and be paid by the owners prior to project commencing;
2. Possible exception from the prevailing wage requirement due to the Agency providing non-tax based revenue even though the Agency is a local unit of government;
3. Source of revenue and cap on budgeting each year;
4. Advertising of program funding availability;
5. Deadline for applications;
6. Form of policy and agreement;
7. Procedure of payment by Agency/reimbursement after project satisfactorily completed; and
8. Risk and responsibility allocation; i.e., permits (IEPA/USACE); drying, hauling restrictions (local government) and disposal; insurance and indemnification.
9. Most importantly, prioritizing applications.
10. Priority would include consideration of factors such as:
 - Qualifying waterway area;
 - Location and condition of relevant waterway to be improved;
 - Number of property owners to be benefitted;
 - Cost of project;
 - Length of time property owners have been on Agency's *waiting list*; and
 - Percentage of contributions by the Agency.

Motion by Director Meyer and seconded by Director Haling to adjourn at 7:00 p.m. all voted aye.

Approved: 4/20, 2017


_____, Secretary