

# RESOLUTION

## Resolution Authorizing an Intergovernmental Agreement Between McHenry County and the McHenry-Lake County Soil and Water Conservation District for the Purpose of Obtaining Wetland Services - 2022 (10)

**WHEREAS**, the Department of Planning and Development's Wetland Consultant position is responsible for assisting property owners with wetland issues, enforcing the wetland provisions of the McHenry County Stormwater Management Ordinance (SMO), and reviewing permits for compliance with other stormwater regulations; and

**WHEREAS**, in 2012, the Department of Planning and Development entered into an Intergovernmental Agreement with McHenry-Lake County Soil and Water Conservation District (District) for the purpose of the District providing McHenry County with wetland services to aid in providing customer service, enforcing the wetland provisions of the SMO, and reviewing permit submittals relative to the wetland provisions of the SMO; and

**WHEREAS**, the current Intergovernmental Agreement between the District for McHenry County is set to expire on November 20, 2022; and

**WHEREAS**, the work completed under the current Intergovernmental Agreement by the District for McHenry County is mutually beneficial for both governmental agencies; and

**WHEREAS**, the McHenry County State's Attorney's Office has reviewed the Intergovernmental Agreement; and

**WHEREAS**, the Planning, Environment, and Development and Finance and Audit Committees have reviewed the Intergovernmental Agreement.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of McHenry County, Illinois, that it hereby authorizes the Chairman of the Board to enter into an Intergovernmental Agreement between McHenry County and the McHenry-Lake County Soil and Water Conservation District for the purpose of providing McHenry County with wetland services, to aid in providing customer service, enforcement and permit reviews covering the wetland provisions of the McHenry County Stormwater Management Ordinance; and

**BE IT FURTHER RESOLVED**, the agreement shall be for one year and renewed for an additional period, up to the remaining nine (9) years as stated in the agreement, pending approval by the PED Committee; and

**BE IT FURTHER RESOLVED**, the Director of Planning and Development is also hereby authorized to create an encumbrance for the not to exceed annual cost of \$30,000 for Fiscal Year 2023; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Director of the Department of Planning and Development; the District Manager of the McHenry-Lake County Soil and Water Conservation District; the County Auditor; the McHenry County Chief Financial Officer; and the County Administrator.

**DATED** at Woodstock, Illinois, this 21<sup>st</sup> day of February, A.D., 2023.

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Michael Buehler, Chairman  
McHenry County Board

ATTEST:

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Joseph J. Tirio, County Clerk

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## RESOLUTION

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**SUBJECT:** Resolution Authorizing an Intergovernmental Agreement Between McHenry County and the McHenry-Lake County Soil and Water Conservation District for the Purpose of Obtaining Wetland Services - 2022 (10)

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**Board / Committee Action Requested:**

To approve an Intergovernmental Agreement (IGA) with the McHenry-Lake County Soil and Water Conservation District for the purpose of obtaining the services of a wetland specialist to aid in providing customer service, enforcing the wetland provisions of the McHenry County Stormwater Management Ordinance (SMO), and reviewing permit applications based on the relevant wetland provisions of the SMO.

**Background and Discussion:** Over the past 10 years, the Department of Planning and Development has been utilizing the staff of the McHenry-Lake County Soil and Water Conservation District (MLCSWCD) to provide wetland services through an existing Intergovernmental Agreement (IGA). The current IGA is set to expire on November 20, 2022.

Under the current IGA, MLCSWCD staff assist property owners with wetland issues or general requests and information, enforce the wetland provisions of the McHenry County Stormwater Management Ordinance (SMO), and review permit applications for compliance with relevant provisions of the SMO. The IGA will benefit property owners, assure the protection of wetlands, utilize existing expertise, and minimize the growth of government.

The proposed IGA will not change the services provided to the County. Under the terms of the proposed IGA, the MLCSWCD will designate a Certified Wetland Specialist who will provide up to 10 hours per week of services to the Department for an annual fee of \$30,000. A wetland specialist will be able to assist the general public and permit applicants through our office, by telephone, and by e-mail. The wetland specialist will also be available to conduct field inspections/investigations, respond to enforcement actions, and meet with staff and property owners on an on-call basis. Included in the annual fee is the use of a MLCSWCD vehicle for use by the wetland specialist in conducting fieldwork and inspections.

**Impact on Human Resources:** None. The Department's total headcount will remain the same.

**Impact on Budget (Revenue; Expenses, Fringe Benefits):** The annual allocation for the Intergovernmental Agreement is \$30,000. The funds will be part of the Department's budget

under the Consultants line item. The proposed IGA includes a severance clause terminating the IGA if the necessary funding is not provided in future budgets.

**Impact on Capital Expenditures:** None. The Department has existing computer equipment and a telephone line for the wetland specialist to use while working in the Department. MLCSWCD will provide its own vehicle for its staff to conduct the necessary field work.

**Impact on Physical Space:** None. The Department has an existing workspace for the wetland specialist to use while working in the Department.

**Impact on Other County Departments or Outside Agencies:** There will be no impact on County departments. The IGA will have a positive impact on the MLCSWCD. The IGA will give staff an opportunity to work with McHenry County property owners to protect their vital natural resources, which is a primary mission of the MLCSWCD. The IGA will provide the MLCSWCD with funding for sustaining this mission while providing regulatory services to McHenry County.

**Conformity to Board Ordinances, Policies and Strategic Plan:** The IGA furthers the County Board policy of fostering intergovernmental cooperation in order to provide County taxpayers with cost-effective services.