



**McHenry County**  
**Stormwater Management Commission - Public**  
**Meeting**  
**MINUTES**

**May 23, 2024, 8:30 AM**  
**County Board Conference Room**  
**Administration Building, 667 Ware Rd., Woodstock, IL 60098**

Members Present: Jim Kearns, Mike Frer, Scott Hajek, Carl Kamienski, Kealan Noonan, John Reinert, Larry Smith, Christopher Tiedt, Tracie Von Bergen, Abigail Wilgreen

Members Absent: Mark Eisenberg, Haig Haleblian, Timothy Hoefft, Wayne Jett, Mark Kownick, Theresa Meshes, Ross Polerecky, Michael Turner

**1. CALL TO ORDER**

Meeting called to order at 8:32AM by Chairman Kearns

1.1 Roll Call

Also present was Stoyan Kolev and Scott Kuykendall

**2. MINUTES APPROVAL**

2.1 Minutes of January 25, 2024

**Mover:** Larry Smith

**Second:** Carl Kamienski

To approve the minutes of January 25, 2024

**Approved by Voice**

**3. PUBLIC COMMENT**

None.

**4. MEMBERS' COMMENT**

None.

**5. ELECTION OF OFFICERS**

5.1 Chairman

**Mover:** Tracie Von Bergen

**Second:** Christopher Tiedt

To nominate James Kearns

Approved by Voice

**Mover:** Larry Smith

**Second:** Carl Kamienski

To close the nominations

Approved by Voice

5.2 Vice Chairman

**Mover:** Scott Hajek

**Second:** Tracie Von Bergen

Motion to nominate Tim Hoeft

Approved by Voice

**Mover:** Larry Smith

**Second:** Carl Kamienski

Motion to close the nominations

Approved by Voice

## 6. ACTION ITEMS

6.1 8:40 - Tyler Wilke - Technical Advisory Committee application for term ending December 1, 2024

6.2 8:50 - Brad Andresen - Technical Advisory Committee applicant for term ending December 1, 2024

6.3 Deliberation and Selection to the Technical Advisory Committee

There was deliberation about the two candidates. Mr. Kolev brought up that the TAC member from the City of McHenry and his alternate have not attended the last couple of meetings. Mr. Kolev will reach out to them to see if either of them will be attending the next meeting if not both Tyler Wilke and Brad Andresen will be appointed, as the McHenry representative has missed too many meetings.

## 7. DISCUSSION ITEMS

7.1 Wetland Restoration Fund In-Lieu Fee Structure

Mr. Kolev explained the Wetland Restoration Fund and In-Lieu Fees.

Mr. Kolev explained the reason he wanted to bring this to the Commission's attention is because these values from 2013 are outdated and if we are trying to mitigate based on these values, we might not have the right amount of money to make certain projects viable.

Mr. Kuykendall said the concern is that the developers invest capital to create a wetland bank upfront and then have to bring it up to certain standards but if they are selling at a higher dollar amount and we are providing fee in lieu for a lower amount then we are undercutting their capital investment and their ability to compete. He said we want to make sure that our rate structure is compatible with both the conservation district banks and any private banks that are in the area.

Mr. Smith expressed that we should collect data from the counties around us and from any other private watershed banks to make a more informed decision. Chairman Kearns agreed to put on the next meeting's agenda for further discussion.

John Reinert came in at 8:58AM

7.2 Revised Bulletin 75 Detention Volume vs. Curve Number

Mr. Kolev explained the chart. Mr. Tiedt suggested to put note on the chart indicating what the intensity is, so everyone knows this is the updated chart. Mr. Kolev said this would be another SMO amendment.

7.3 Revision of Language for Adding Paragraph 4 to Article IV, Section F.: Permit Conditions

Mr. Kolev went through the attachment Article IV, Section F.: Permit Conditions, Paragraph 4.

Carl Kaminski left at 9:24AM

Mr. Kolev explained that with the addition of this paragraph we can provide clarity in the ordinance for when a project is really completed.

Chairman Kearns clarified this is another accumulating change and then we can bring them all forward once collected.

7.4 Performance Standards for Soil Erosion Control Changes to SMO

Mr. Kolev explained the proposed changes.

Mr. Kolev will send to the State's Attorney to hold for future amendments.

**8. REPORTS**

8.1 Awarded a FEMA Hazard Mitigation Program (HMGP) Building Resilient Infrastructure and Communities (BRIC) Grant for a flood risk assessment of roughly 160+ properties along the Nippersink Creek.

Mr. Kolev discussed the grant awarded through FEMA. He said the idea behind the study is to do analysis to assess the flood risk associated with these structures. He said we would now have a well-defined benefit-cost ratio to understanding what type of mitigation these homes can undergo to make them flood resilient which then would make them ready for potential grant applications. He stated it would help us identify vulnerable areas for our Emergency Management Agency team to understand where we need to provide immediate assistance should we have some kind of flooding disaster. He said we are currently waiting for the State's Attorney to get back to him as we had gotten this resolution through the board in March or April and now the Illinois State Water Survey had sent over the contract so it is with the State's Attorney to look at that. It was clarified that the grant was through the study and the grant dollar amount is around \$70,000.00. Mr. Kolev mentioned there is zero commitment from the County the 25% match is coming from the Illinois State Water Survey.

8.2 Performance Standards for Runoff Volume Reduction & Water Quality Changes to SMO

Mr. Kolev went over the document. He said the Technical Advisory Committee tabled this discussion. Mr. Kuykendall believes there was a general consensus that this is moving in the right direction, but they wanted to focus on the specifics. He continued said they want to make sure that what we are putting in will be enforceable.

Chairman Kearns said to have this matter brought back after TAC comes to a consensus.

8.3 Watershed Planning for the Update to the Comprehensive Stormwater Management Plan

Mr. Kolev said we are looking to condense into 4-5 large watersheds. We have to figure out how much legwork has already been done to look at details to better understand. He said the goal is to combine

them where it makes sense to combine them and to develop a list of projects for these municipalities to give them the ability to get funding through grants or any other funding opportunities.

Mr. Kuykendall said he met with the Illinois EPA to make sure that would be approved because we do not want to put this amount of effort in and not have a watershed-based plan that meets EPA standards that gives us access to that funding. He said they also met with Lake County and they were able to do a similar approach. He said we would want to pursue FEMA money to do this watershed-based approach across the entire county as part of our update to our comprehensive stormwater management plan. He also noted that updating these over time will take much less time and much less money. Chairman Kearns asked for a timeframe on completing. Mr. Kolev said next year.

Chris Tiedt left at 10:16AM

Mr. Kolev said Lake County asked us to coordinate part of the Fox River watershed.

Mr. Kuykendall emphasized this would not be replacing existing watershed plans, it would be building off of those.

## **9. FUTURE TOPICS**

Chairman Kearns inquired about a study being conducted at the Boone Creek drainage district. Mr. Kolev said it was possibly a study in the floodplain in that area a lot of the flood zones in that area are zoned A which means they lack detail and FEMA has a set of standards to say these are well enough defined to where we can start to establishing elevations. Chairman Kearns asked for clarification that we do not need to put this in future topics until they establish that. Mr. Kolev replied we would not be bringing that forth until it moves through the full process because it may change depending on public comments.

It was mentioned that on the SMC's website page has old members on it. Mr. Kolev will have that updated.

## **10. ANNOUNCEMENT**

None.

## **11. ADJOURNMENT**

**Mover:** Larry Smith

**Second:** Scott Hajek

To adjourn the meeting at 10:21AM

**Approved by Voice**