

MINUTES OF A REGULAR MEETING OF THE BOARD OF PARK COMMISSIONERS OF  
THE CARY PARK DISTRICT, CARY, ILLINOIS HELD IN THE BOARD ROOM  
255 BRIARGATE ROAD ON AUGUST 27, 2009

**CALL TO ORDER**

President Harvey called the meeting to order at 7:30 p.m.

**ROLL CALL**

Upon roll call the following commissioners answered present:  
Mr. Harvey, Mr. Krueger, Mr. Renner (8:30pm), Mr. Stanko

**STAFF/VISITORS**

Staff present:

Steve Cherveney, Executive Director  
Dan Jones, Director of Operations  
Dave Raica, Director of Planning & Development

Katie Hughes, Director of Communications &  
Marketing

Visitors:

Kirk Bowman & Family Members  
Kimberly Franck & Family Members

The Pledge of Allegiance was recited.

**MATTERS FROM  
THE PUBLIC**

No public comment was presented.

**ITEMS FROM THE  
COMMISSIONERS**

President Harvey indicated that the District held a Photo Contest for residents to submit photographs taken in a Cary Park District park. The Board recognized contest winners Kimberly Franck, Adult Division, and Kirk Bowman, Youth Division. Each winner provided comment on their photographs and the Board thanked them for their participation.

**CONSENT AGENDA**

President Harvey asked for items to be removed from the consent agenda. There were no items removed from the consent agenda.

Commissioner Stanko moved to approve the consent agenda as follows: A.1. Approval—Minutes of the Regular Board Meeting, 7/23/2009; A.2. Approval—8/21/2009 Disbursements in the Amount of \$391,858.90; A.3. Acceptance—Treasurer's Report, 7/31/2009; A.4. Acceptance—Investment Report, 7/31/2009. Second by Commissioner Krueger. Roll Call: Ayes—Krueger, Stanko, Harvey; Nays—None. The motion carried.

**BUSINESS ITEMS**

**ITEMS REMOVED  
FROM CONSENT AGENDA  
None**

**ACTION ITEMS  
Ordinance O-2009-10-05,  
Appropriation Fund Transfers**

Commissioner Stanko moved to approve Ordinance O-2009-10-05, “An Ordinance Transferring Certain Unexpended Funds between Appropriation Items”. Second by Krueger. Roll Call: Ayes—Krueger, Stanko, Harvey; Nays—None. The motion carried.

**Policy Review and  
Recommendations**

Commissioner Krueger moved to approve revisions to the following policies, as presented.

- 4-012, Employee Concerns, Comments & Grievances
- 4-013a, Leaves of Absence, Vacation
- 4-013b, Leaves of Absence, Personal Time Off
- 4-013c, Leaves of Absence, Family Medical Leave
- 4-013d, Leaves of Absence, Other
- 4-015, Abused and Neglected Child Reporting (Mandated Reporter Requirements)
- 4-024, Background Check & Criminal Offense Investigation
- 4-999, Employee Personnel Policies, Procedures & Guidelines Manual Distribution

Second by Stanko. Stanko inquired about consistent deletions related to “within approved budget guidelines” in several policies. Krueger noted that it was to remain consistent between other policies where it wasn’t noted, and that this was already noted as a requirement in another policy. Roll Call: Ayes—Krueger, Stanko, Harvey; Nays—None. The motion carried.

Commissioner Krueger moved to rescind Policy 4-011a, Part-Time 1 (PT-1) Employee Benefits, as presented. Second by Stanko. Stanko inquired as to whether these benefits were available under a separate policy, and Cherveney noted that benefits for this category of employee were covered within other policies. Roll Call: Ayes—Krueger, Stanko, Harvey; Nays—None. The motion carried.

Commissioner Krueger moved to note Board review of Policies 4-013e, Leaves of Absence, Victims’ Economic Security and Safety Act; 4-020, Employment of Certified, Licensed or Professionally Trained Staff; and 4-021, Continuing Education, as presented. Second by Stanko. Roll Call: Ayes—Krueger, Stanko, Harvey; Nays—None. The motion carried.

Commissioner Krueger moved to approve Policy 4-013f, Leaves of Absence, Military Service Duty, Active or Reserve, as presented. Second by Stanko. Roll Call: Ayes—Krueger, Stanko, Harvey; Nays—None. The motion carried.

**Foxford Hills Golf Club  
Management Contract**

Commissioner Krueger moved to approve the Management Agreement between GolfVisions, Inc and the Cary Park District regarding management and operations of Foxford Hills Golf Club for February 1, 2010 through January 31, 2013. Second by Stanko. Stanko inquired about the financial terms for the period of three years, and expressed concern regarding the economy in relation to the terms. Cherveney noted that the agreement could be re-evaluated at any time and terms could be re-negotiated should the economy not provide for adequate

revenues at the golf course. The District has a 30-day termination clause in the agreement to protect it in such an event. Roll Call: Ayes—Krueger, Stanko, Harvey; Nays—None. The motion carried.

**Cary Veterans Park  
Pond Improvement  
Discussion/Direction**

Cherveney indicated that staff had several conversations with PDRMA, EPA Department, Army Corps and other consultants regarding the pond improvement project scheduled for Veterans Park pond. Since the last meeting, the following information was determined:

1. PDRMA question, will coverage continue to be extended in the future? PDRMA Insurance coverage is provided through 3<sup>rd</sup> party provider; coverage is renewed each year, so PDRMA could not guarantee continued coverage for the condition. In addition, because we have not started the project, it was indicated that a claim has not yet been submitted (staff are still trying to get further clarification on this).
2. Insurance question, if we remove only some of the contaminated sediment now, with intention to do remainder in the future, will it be covered in the future? Same answer, no guaranteed coverage.
3. EPA question, if we disturb sediment, do we have to remove all? Simple answer is no; right answer is yes. The EPA will be mostly concerned about the water quality during and after disturbance, and are not as concerned with the sediment itself (especially in light of the minimal amount of contamination present). It is presumed that the requirements for this type of preventive water quality issues will be part of what is covered by insurance, but still awaiting answers to this issue.

Staff is clarifying costs between two possible project types:

1. Full dredge (or up to \$100,000 budget) of sediment in the pond, pending further discussions.
2. Partial dredge, deep enough for effective operation of pond aeration and continued chemical applications, pending EPA answer.

The insurance should cover the off-site removal, transportation and storage of the contaminated soil. The differential between the project cost and the contamination costs will be the debate.

In September, staff would like to move a recommendation forward and asked the Board for input and requests for any additional information to make a decision.

**DISCUSSION ITEMS**

**None**

**EXECUTIVE  
DIRECTOR REPORT**

Cherveney noted his report submitted in writing.

The Board took a 5-minute recess prior to Closed Session.

**CLOSED SESSION**

At 8:04pm, Commissioner Stanko moved to go into closed session for Review of Closed Session Minutes, including Semi-Annual Review of Closed Session Minutes, (5 ILCS 120/2 (c) (21)), Acquisition, Purchase or Lease of Land (5 ILCS 120/2 (c) (5)), Sale or Lease of Land (5 ILCS 120/2 (c) (6)), Pending or Probable Litigation (5 ILCS 120/2 (c) (11)) and Review of Specific Personnel (5 ILCS 120/2 (c) (1)). Commissioner Krueger seconded the motion. Roll Call: Ayes—Stanko, Krueger, Harvey; Nays—None. The motion carried.

**RE-ENTER OPEN SESSION**

The Board re-entered Open Session at 8:29pm. During closed session the Board conducted its semi-annual review of Closed Session Minutes and approved closed session minutes dated April 23, 2009. No other action was taken in Closed Session.

**ACTION ITEMS FROM  
CLOSED SESSION  
Closed Session Minutes  
Released**

Commissioner Stanko moved to release the following Closed Session Minutes:

- February 26, 2009

Commissioner Krueger seconded. Roll Call: Ayes—Stanko, Krueger, Harvey; Nays—None; Abstain—Renner. The motion carried.

**ADJOURNMENT**

Commissioner Stanko moved to adjourn the meeting at 8:32pm. Seconded by Commissioner Krueger. Voice vote: Motion carried.

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Stephen L. Cherveney, Park Board Secretary