

**Fox Valley Special Recreation Association  
Minutes of the Meeting  
Of the Board of Directors  
August 28, 2006  
7:00pm  
Peck Farm  
Geneva Park District  
38W199 Kaneville Road  
Geneva, IL 60134**

**CALL TO**

**ORDER:** Chairman Rose Smilgys called the meeting to order at 6:55pm and directed the Executive Director to call roll.

**ROLL CALL:**

**Present:**

Rose Smilgys, Chairman	Fox Valley Park District
Sheavoun Lambillotte, Vice Chairman	Geneva Park District
Robert Thomson, Secretary	St. Charles Park District
William McAdam, Asst. Sec'y	Oswegoland Park District
Carolyn J. Nagle, Treasurer	Fox Valley Special Recreation Association
*Michael Clark	Batavia Park District
Linda Cole	Fox Valley Park District
William Conner	St. Charles Park District
Charles Emma	Geneva Park District
Alan Leard	Batavia Park District
Steve Messerli	Fox Valley Park District
Karen Pritchard	Alternate, Sugar Grove Park District
Linda Wilson	Alternate, Oswegoland Park District

\*arrived after roll call was taken

**Absent:**

Greg Repede	Sugar Grove Park District
Eleanor Rzeminski	Sugar Grove Park District
Mark Slover	Oswegoland Park District

**Others present:**

Peter Pope	FVSRA Superintendent of Recreation
Ginny Pavesich	FVSRA Office Manager

**INTRODUCTION OF GUESTS**

None

**APPROVAL OF CONSENT AGENDA**

**Robert Thomson made a motion to approve Consent Agenda, Items A through J. William Conner seconded. Motion passed unanimously.**

**CORRESPONDENCE**

A. Dana Hintz

The Executive Director noted the letter, dated July 18, 2006, as enclosed in the Board Packet complimenting the FVSRA staff.

B. Kendall County Special Education Cooperative,

The Executive Director noted letter, dated June 19, 2006, from the Kendall County Special Education Cooperative, which included a \$100 donation, in memory of Cindy Busch, Opportunity School staff member. FVSRA has established a bank account, "Cindy Busch Scholarship" for this \$100 and future contributions.

## **OLD BUSINESS**

### **A. Special 5-8 Funding Policy Status**

The Executive Director reported that a meeting was held in mid-August with the Member Park Districts' Executive Directors from Fox Valley Park, Oswegoland, Sugar Grove, and St. Charles Park Districts, along with FVSRA Executive Director and Superintendent of Recreation. The meeting reviewed the current 5-8 Funding Policy, its philosophy, and procedures. It was reiterated at this meeting that priority of funding is provided for special recreation programming, which was the original intention of the legislation.

The revised "Use of the Special Recreation Levy Policy", dated August 28, 2006, incorporated original policy items, new ideas from the mid-August meeting, and some clarifications, including:

- 1) generally eligible expenditures
- 2) expenditures suggesting legal review
- 3) identification of projects in advance by Member Park District and shared with the FVSRA Board of Directors, then placed on file with no formal approval process.

The policy also includes Notification Forms for use by Member Park Districts.

Question posed by Board Member Cole was whether maintenance/repairs of capital improvements is included in the revised policy. The revised policy does not include use of funds for capital improvements maintenance/repairs. Per Board Member Clark, including maintenance/repairs on such items could create a very loose use of 5-8 funds and could create a cause for concern in the future. Board Member Clark posed the question of whether use of 5-8 funds in such a way meets the intent of the legislation; and Board Member Clark does not want to make such a determination for his park district board. He believes the ultimate responsibility for use of these tax funds rests with the each Member Park District Board.

Board Member Lambillotte believes it is the decision of each Member Park District to decide on use of these funds and not for Member Park Districts to approve or deny use of funds by another Member Park District. Board Member Lambillotte feels the revised policy leans to the FVSRA Board approving or disapproving 5-8 funding uses.

Board Member Clark suggested that the FVSRA Staff could fill the role of "expert" to the Member Park District 5-8 project in providing input/advice on such 5-8 funding projects, leaving the authority for the decision to be made by the Member Park District.

Chairman Smilgys commented that loose interpretations of the legislation may lead to difficulties. The FVSRA Executive Director feels some interpretations might be outside the intent of the delivery of program services to those with disabilities.

Board Member Conner stated that each Member Park District should make its own decisions, without approving or disapproving another district's projects.

Board Member Leard feels that the revised policy seems to indicate an attitude of working together, but each Member Park District, as a taxing body, has the authority to decide its projects, after FVSRA has received notification.

Board Member Clark suggested the idea of a "checks and balances" approach and use of a mechanism to go back to the Member Park District Board, without the FVSRA Board officially approving any projects. Experts could gather information for FVSRA to act as an intermediary to provide feedback to a park district on a proposed project. He reminded the FVSRA Board that the 5-8 funds are a privilege which could be taken away. The reason that park districts have the opportunity to receive these funds is because they are park of a special recreation association.

The Executive Director stated that other special recreation associations' 5-8 policies have an "approval process" as determined by a commission. The revised FVSRA policy is to provide for discussion of proposed projects.

Board Member Lambillotte would like an opportunity to submit edits to the policy for consideration and also an opportunity to present the policy to her Park District Board. Board

Member Lambillotte would like the language to include proposed projects for facilities, existing and new, as well as the current language which reflects special recreation programming uses.

Board Member Clark pointed out that there have been interpretations throughout the state, of 5-8 funding uses for anything related to ADA; however, the statute is written for funds use, via programming and services through special recreation associations. 5-8 funding is not an individual park district allocation for tax relief; that was not the original intention of the legislation.

Board Member Leard asked how FVSRA Member Park Districts have been using funds.

The FVSRA Executive Director indicated that there have been limited cases of non-FVSRA use. The Executive Director would like to see that those with disabilities are given significant use of program facilities, at preferable times of days and hours. She also feels that there needs to be some consistency of the Member Park Districts uses of 5-8 funding, but at the mid-August meeting, that idea was not well received.

Chairman Rose Smilgys commented that ADA obligations are getting mixed up with FVSRA programs. ADA projects can be done with 5-8 money when it enhances the opportunity of those with disabilities to get into that facility.

Board Member Lambillotte stated she is not qualified to interpret the law of the levy, but believes there are others who could advise.

Board Member Messerli commented that there are state and federal mandates regarding ADA, but no funding was provided. However, now 5-8 money seems to be able to fund some of the ADA mandates.

Board Member Leard believes commented that the FVSRA board is experiencing an “educational process” and he is in favor of communicating and advising between the FVSRA Board and the Member Park District Boards.

Board Member Clark inquired if there is a special recreation association which fully understands the opportunity with regard to Section 5-8 funding, and which could serve as a resource for a task force of the FVSRA board with regard to issues under discussion.

Chairman Smilgys commented that the FVSRA Executive Director attended the legislative sessions and worked very hard to assist in passage of this legislation and understands the essence of the law; she worked with other leaders at the state and the FVSRA Board needs to listen to its Executive Director. The Chairman commented that the revised policy as presented is loose, and she asks for discussion for awareness. She does not want the FVSRA Board to have the power to approve, but believes discussion needs to happen at the FVSRA Board.

Board Member Clark asked if the 5-8 policy should also be adopted by each of the FVSRA Member Park Districts.

Board Member Messerli suggested that all FVSRA Board Members provide written comments to the FVSRA Executive Director prior to the September Board Meeting, and believes the revised policy as presented is a good foundation from which to move forward.

## **B. Strategic Planning Proposal Update**

The Executive Director reported that questions of the FVSRA Board regarding the Strategic Planning Proposal provided by the University of St. Francis, have been directed to Dr. Sydney Sklar for responses. Those answers, as well as another proposal from another group, will be presented at the September FVSRA Board Meeting.

## **C. Memorandum Of Understanding Agreement – Fox Valley Park District**

The Memorandum of Understanding Agreement between the Fox Valley Park District and FVSRA was included in the Board Packet. The Executive Director noted that the Table of Fees

and Rates is new to the Agreement, and that FVSRA were agreed on the fees and rates; however, there is a contradiction in the direct costs idea and the table itself. While some rates increased, others decreased, and some were constant, the anticipated costs for usage of VAC will likely be close to the previous costs.

Board Member Clark asked is there is agreement on the definition of direct cost?

Board Member Messerli stated that the cost of an extra lifeguard, is a direct labor cost. Rates charged to FVSRA are less than the hourly rates, which the general public is charged.

The FVSRA Executive Director remarked that if the VAC Field House is open, why is FVSRA charged a rental fee? Board Member Clark asked if the fee structure included direct costs? There would be indirect costs associated with use of the fieldhouse.

Board Member Lambillotte commented that when FVSRA uses the Geneva Park District Pool, during its open times, FVSRA is not charged. She feels that the Fox Valley Park District and FVSRA need to define direct costs.

Board Member Messerli stated that FVPD, with the use of the fee schedule, has tried to meet the scheduling needs of FVSRA and use of facilities.

**Board Member Clark made a motion to approve the Memorandum of Understanding. Board Member Leard seconded and the Motion passed, with the abstention of Board Member Messerli.**

#### **D. FVSRA and West Aurora School District Agreement**

The Executive Director reported that West Aurora High School reviewed the draft of the Agreement and raised questions as follows:

- 1) how many times might they be excluded from the FVSRA Multi-purpose space and be provided another space for the Transition Program students;
- 2) Did FVSRA promise space which was not theirs to provide, specifically space at the Vaughan Athletic Center belonging to FVPD;

The Executive Director reported that FVSRA made it a point that FVSRA would find any alternative space, at the VAC or other, and FVSRA would absorb any costs, if incurred. The space would be comparable and at FVSRA cost, so the VAC language was removed from the draft document.

Board Member Messerli questioned whether the language in Paragraph 1. FVSRA Facilities., line 7, "Utilities and custodial services shall be included." is in conflict with Recitals 2. Payment of Fees., lines 2 and 3, "the sum of \$184 per month for utilities and \$121 per month for custodial services.

Board Member Messerli inquired where the students would re-locate if the FVSRA Multi-purpose Room were unavailable. Superintendent Pope responded that the VAC multi-purpose room would be used. FVSRA is not charged for use of this room, due to the reciprocal use of multi-purpose rooms of FVSRA and FVPD. It is also likely that on days when the FVSRA Multi-purpose Room is unavailable, the West Aurora High School students will be scheduled for field trips, job training and other opportunities for which they do not need a multi-purpose room.

Also questioned was Recital 4. Insurance. Is the FVPD held harmless under this agreement when the class is using the VAC? If the class was held at Batavia Park District, or St. Charles Park District, or other FVSRA Member Park District, would "held harmless" also apply?

The Executive Director will request that PDRMA Attorney Kleinman add "additional insured" language to the agreement for insurance coverage for the FVPD.

**Board Member Clark made a motion to approve the FVSRA and West Aurora School District Agreement, with the following changes to the document:**

- 1) Paragraph (a), line 7, add "space" to the phrase "use of its facilities" to then read "use of its space and facilities";

- 2) **Paragraph 2. Payment of Fees., Line 2, District 129 shall pay FVSRA the “sum of \$10,000 for \_\_\_\_\_, in monthly payments of \$\_\_\_\_\_.**
- 3) **deletion of monthly utilities and monthly custodial services language in Recital 2. Payment of Fees; and subject to final review and approval by PDRMA Attorney Kleinman. Board Member Lambillotte seconded and Roll Call followed:**

<b>Rose Smilgys</b>	<b>Yes</b>
<b>Sheavoun Lambillotte</b>	<b>Yes</b>
<b>Robert Thomson</b>	<b>Yes</b>
<b>William McAdam</b>	<b>Yes</b>
<b>Michael Clark</b>	<b>Yes</b>
<b>Linda Cole</b>	<b>Yes</b>
<b>William Conner</b>	<b>Yes</b>
<b>Alan Leard</b>	<b>Yes</b>
<b>Steve Messerli</b>	<b>Abstain</b>
<b>Karen Pritchard</b>	<b>Yes</b>
<b>Eleanor Rzeminski</b>	<b>Absent</b>
<b>Linda Wilson</b>	<b>Yes</b>
<b>Charles Emma</b>	<b>Yes</b>

#### **IV. NEW BUSINESS**

##### **A. FY2007-2008 Member Contribution Request**

The Executive Director reported that the formal request for FY2007-2008 Member Contribution Request would be presented at the September FVSRA Board Meeting. Information was presented showing the EAV growth over the last three years for Sugar Grove and Oswegoland Park Districts and for five years for the four oldest FVSRA Member Districts. EAV percentages will change for the FY2007-2008 Member Contributions request. Factors which will affect FY2007-2008 Member Contribution Request are an increase in the IMRF Employer Rate, the purchase of the FVSRA condominium space, the purchase of a second accessible bus, the addition of two Member Park Districts, the addition of fulltime staff, participation increase of 13%. The Executive Director asked if Member Park Districts may pass on facility charges to FVSRA, with or without the use of 5-8 funds. The Member Contribution Request will be provided to the FVSRA Board in its September Board Packet. It can be discussed at the FVSRA Board Meeting and then Board Members can present it to their Park District Boards for input.

#### **DIRECTOR’S REPORT**

##### **A. 30<sup>th</sup> Anniversary Celebration**

The Executive Director reminded that the Annual Recognition Banquet is Friday, September 15<sup>th</sup>, at Piper’s Banquets in Aurora.

##### **B. 30<sup>th</sup> Anniversary Celebration**

“Island Getaway” is scheduled for Saturday, November 11<sup>th</sup> at the Vaughan Athletic Center.

##### **C. Tee Up for Downs Golf Fundraiser**

The Tee UP for Downs Golf Fundraiser was held on Thursday, August 12, 2006 at Blackberry Oaks Golf Course in Bristol, raising \$20,000. Foursomes included FVSRA families and staff, as well as many other supporters.

##### **D. Personnel Update**

Jennifer Borrowman has resigned her fulltime position as Outreach Coordinator, effective September 6, 2006. Claire Kelly began as a fulltime Therapeutic Recreation Therapist on August 21, 2006.

##### **E. Communities in School**

FVSRA received \$3,000 from Communities in Schools

**F. FY2005-06 Audit Process**

The FY05-06 Audit presentation will take place at the October 2006 FVSRA Board Meeting.

**G. St. Charles 708 Mental Health Board**

FVSRA received \$2,000 in grant revenue from the St. Charles 708 Mental Health Board. An additional \$2,000 will be sent to FVSRA in November.

**H. Aurora University Graduate Assistant Program**

Ervin Tucker began his graduate assistantship with FVSRA on August 24<sup>th</sup>.

**I. FVSRA Space Enhancements**

The cubicle area of FVSRA is undergoing a re-design to accommodate part-time and intern staff needs.

**J. Aktion Club Update**

The FVSRA Aktion Club hosted a picnic for the Western DuPage Special Recreation Association on August 21<sup>st</sup>.

**K. FVSRA Building Concerns Update**

As the Vaughan Athletic Center building approaches its first anniversary, FVSRA Staff worked with Wegman Construction to correct some items in the FVSRA condominium space which were not working correctly.

**L. St. Charles Kiwanis Grant**

FVSRA requested a \$5,000 request to the St. Charles Kiwanis to fund the 2007 All Camp Special Event.

**M. Crisis Management Plan and Board Member Listing Update**

Copies of the Crisis Management Plan and Board Member Listing Update were included in the Board Packet.

**SUPERINTENDENT'S REPORT**

The Superintendent's Report is as presented in the Board Packet.

**PROGRAM REPORTS**

Staff Program Reports were included in the Board packet.

**ANNOUNCEMENTS**

None

**ADJOURNMENT**

**Linda Cole made a motion to adjourn. William Conner seconded and motion passed unanimously. Chairman Smilgys adjourned the meeting at 8:45pm.**