

COUNTY OF KANE

Christopher J. Lauzen
Kane County Board Chairman



Kane County Government Center
719 South Batavia Avenue
Geneva, IL 60134
P: (630) 232-5930
F: (630) 232-9188
clauzen@kanecoboard.org
www.countyofkane.org

DOCUMENT VET SHEET

for
Christopher J. Lauzen
Chairman, Kane County Board

Name of Document: INTERGOVERNMENTAL AGREEMENT TO FUND
IMPROVEMENTS AT SETTLER'S HILL GOLF COURSE

Resolution No.: 14-233

Submitted by: KENNETH N. ANDERSON, JR.
Date Submitted: Aug 13, 2014

Dept. Head Signature & Date: [Signature] 08.13.14
(Subject Matter Sign-off)

Legal Review of Contract
Terms (Atty. Sign-off): [Signature]

Approved by:
(Legality)

Joseph F. Lauzen
(Print name)
[Signature]
(Signature)
9-3-14
(Date)

Post on the Web: YES ☐ NO ☒ Atty. Initials VR

Comments: [Redacted]
[Redacted]
[Redacted]

Chairman signed: YES ☒ NO ☐ 9-5-14
(Date)

Document returned to: County Clerk
(Name/Department)

STATE OF ILLINOIS

COUNTY OF KANE

RESOLUTION NO. 14 - 233

**AUTHORIZING THE EXECUTION ON AN INTERGOVERNMENTAL AGREEMENT TO FUND
IMPROVEMENTS AT SETTLER'S HILL GOLF COURSE**

WHEREAS, the Forest Preserve District of Kane County ("District"), and the County of Kane ("County") desire to enter into an Intergovernmental Agreement; and

WHEREAS, the District owns and licenses certain property on Fabyan Parkway, Geneva, Illinois, known as Settler's Hill Golf Course, which is also the location of the closed Midway Landfill and Settler's Hill Landfill; and

WHEREAS, the County holds certain funds intended to be used for improvements at the Landfill Sites under the "Landfill Fund"; and

WHEREAS, the District and County are authorized to enter into this Agreement by Article VII, Section 10 of the Illinois Constitution of 1970, and the Illinois Intergovernmental Cooperation Act, ILCS 200/1 et seq., provisions of the County Code, and the Downstate Forest Preserve Act; and

WHEREAS, said Intergovernmental Agreement further calls for the County to contribute the amount of Five Hundred Fifty Thousand Dollars (\$550,000.00) to the District for improvements at the golf course at the Landfill Sites.

NOW, THEREFORE, BE IT RESOLVED by the County of Kane Board that the Chairman of the Board be, and hereby authorized to execute and deliver on behalf of the County of Kane the Intergovernmental Agreement, which is on file with the County Clerk.

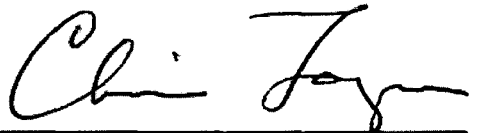
BE IT FURTHER RESOLVED by the County of Kane Board that this contribution come from the County's Enterprise General Fund and is budgeted in the County's 2014 budget.

Line Item	Line Item Description	Was personnel/item/service approved in original budget or a subsequent budget revision?	Are funds currently available for this personnel/item/service in the specific line item?	If funds are not currently available in the specified line item, where are the funds available?
651.670.671.55000	Miscellaneous Contractual Expense	FY2014	FY2014	N/A

Passed by the Kane County Board on August 12, 2014.



John A. Cunningham
Clerk, County Board
Kane County, Illinois



Christopher J. Lauzen
Chairman, County Board
Kane County, Illinois

Vote:
Yes 22
No 0
Voice _____
Abstentions _____

8IGA-SettlersHill

STATE OF ILLINOIS)

SS.

COUNTY OF KANE)

RESOLUTION NO. FP-R-14-08-2321

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT WITH THE
COUNTY OF KANE FOR THE FUNDING OF IMPROVEMENTS AT SETTLER'S HILL GOLF COURSE**

WHEREAS, the Forest Preserve District of Kane County, and the County of Kane desire to enter into an Intergovernmental Agreement, which said agreement is attached hereto and made a part of hereof as Exhibit A; and

WHEREAS, the District owns and licenses certain property on Fabyan Parkway, Geneva, Illinois, known as Settler's Hill Golf Course, which is also the location of the closed Midway Landfill and Settler's Hill Landfill; and

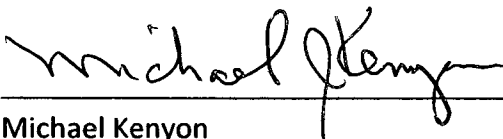
WHEREAS, the County holds certain funds intended to be used for improvements at the Landfill Sites under the "Landfill Fund" and

WHEREAS, the District and County are authorized to enter into this Agreement by Article VII, Section 10 of the Illinois Constitution of 1970, and the Illinois Intergovernmental Cooperation Act, 5 ILCS 200/1 et seq., provisions of the County Code, and the Downstate Forest Preserve Act; and.

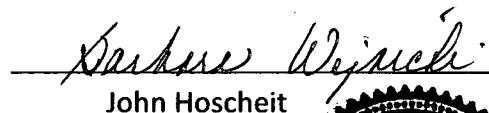
WHEREAS, said Intergovernmental Agreement further calls for the County to contribute funds in the amount of \$550,000 to the District in 2014 for improvements to the golf course at the Landfill Sites, with consideration given to providing additional funding for future phases.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Forest Preserve District of Kane County that the President and Secretary of the District be, and hereby are, authorized to execute and deliver on behalf of the District, said Intergovernmental Agreement hereto and made a part of hereof as attached .

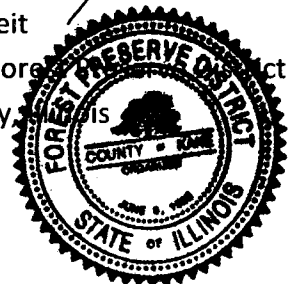
Passed by the Forest Preserve District Commission on August 12, 2014



Michael Kenyon
Secretary, Forest Preserve District Commission
Kane County, Illinois



John Hoscheit
President, Forest Preserve District
Kane County, Illinois



**INTERGOVERNMENTAL AGREEMENT TO
FUND IMPROVEMENTS AT SETTLER'S HILL GOLF COURSE**

Agreement made _____, 2014, by and between THE COUNTY OF KANE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT ("COUNTY") and the FOREST PRESERVE DISTRICT OF KANE COUNTY ("DISTRICT").

WITNESSETH:

WHEREAS, the DISTRICT owns and licenses certain property on Fabyan Parkway, Geneva, Illinois known as Settler's Hill Golf Course, which is also the location of the closed Midway Landfill and Settler's Hill Landfill (collectively, the "Landfill Sites"); and,

WHEREAS, the COUNTY holds certain funds intended to be used for improvements at the Landfill Sites under the "Landfill Fund"; and,

WHEREAS, the DISTRICT and COUNTY are authorized to enter into this Agreement by Article VII, Section 10 of the Illinois Constitution of 1970, and the Illinois Intergovernmental Cooperation Act, 5 ILCS 200/1 et seq., provisions of the County Code, and the Downstate Forest Preserve Act; and,

WHEREAS, the DISTRICT desires to make improvements to the golf course at the Landfill Sites utilizing funds from the Landfill Fund.

NOW, THEREFORE, in consideration of the premises and the terms hereof, the parties agree as follows:

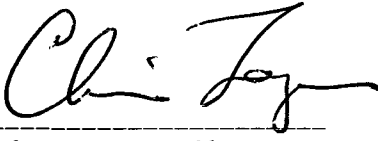
1. **Recitals:** The foregoing recitals are incorporated by reference. This Agreement sets forth the award to the District of the funding of certain golf course improvements planned to be installed and constructed at the Landfill Sites, all in accordance with plans that have been shared with the County (hereafter the "Golf Course Improvements").
2. **Fund Distribution to the District.** County hereby awards to the District the sum of \$550,000 in 2014 for the construction of Phase 1a to establish additional holes to accommodate a driving range on the existing course and course improvements. Funding to be distributed by the Kane County Treasurer to the District for the purpose of assisting in the financing of the Golf Course Improvements. Such distribution shall be made forthwith, without further application by the

District to the County. Additional phases are outlined on Exhibit A "Settlers Hill Preliminary Phasing Costs". Nothing under this agreement is intended to hinder the District to apply for or receive additional funding necessary to complete phase 1a or to implement future phases as outlined on Exhibit B "Completed Master Improvement Plan".

3. **Cooperation:** Each party acknowledges the nature of the Golf Course Improvements contemplated to be constructed and installed by the District with the funding provided by this Agreement and each agrees to cooperate and consult with the other to amicably review any material changes to the finalization of the plans or construction or installation of the Golf Course Improvements as the same shall progress.
4. **Grant Funding to be Deposited in Landfill Fund.** The parties further agree that any grants awarded in connection with the Golf Course Improvements project or similar, alternative funding awarded to the District in connection with the Golf Course Improvements project shall be returned by the District to the County for deposit into the Landfill Fund.
5. **Entire Agreement:** This Agreement constitutes the entire agreement of the COUNTY and the DISTRICT and supersedes all prior representations and agreements relating to the subject matter of this Agreement. Notwithstanding this, the parties acknowledge that to the extent of any changes in plan, construction or installation, the specific terms relating to a particular change shall be disclosed by the District to the County pursuant to Section 3 hereof. **Modification:** Except as above provided, this Master Agreement may not be modified, altered or amended in any matter except by an agreement in writing executed by the parties.
6. **Successors Bound:** This agreement shall be binding upon the parties hereto, their representatives, successors and assigns.

IN WITNESS WHEREOF, the parties have caused this Intergovernmental Agreement to be duly executed by their duly authorized representatives with effect from the date first set forth above.

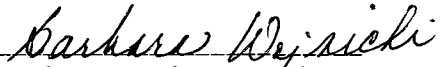
COUNTY OF KANE

By: 
Christopher J. Lauzen, Chairman

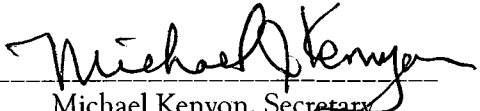
ATTEST:

John Cunningham, County Clerk

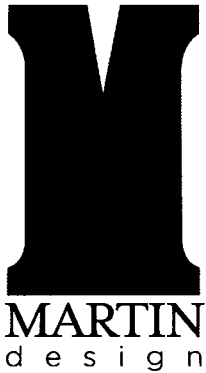
FOREST PRESERVE DISTRICT
OF KANE COUNTY

By: 
John J. Hoscheit, President

ATTEST:


Michael Kenyon, Secretary

Gerald K. Hodge
KINNALLY, FLAHERTY, KRENTZ, LORAN, HODGE & MASUR, P.C.
2114 Deerpath Road
Aurora, IL 60506
(630) 907-0909



May 28, 2014

Ms. Monica Meyers
Executive Director
Forest Preserve District of Kane County
Kirk Road
Geneva, Illinois 60134

Re: Settler's Hill Preliminary Phasing Costs

Phase Ia	\$500,000.00
Revise Hole 12, Build New 13, Realign 15, Split 17 into two	
Phase Ib	\$265,00.00
Build South End of Practice Range	
Construct New Practice Green	
Renovate existing Hole 13 into chipping range	
Phase IIa	\$1,800,000.00
Renovate/Improve remaining hole on existing course including	
Bunkers, tees, some greens, drainage, fairways, tree management, etc.	
Phase IIb	\$480,000.00
Rough estimate to develop base improvements for new clubhouse site and add	
northern tee on range, practice greens, etc.	
Phase III	\$1,200,000.00
Build 6 new holes on new landfill, coordinated with engineering for x-country	
facilities	
TOTAL	\$4,245,000.00

Note: This estimate does not include a clubhouse structure or design/architectural costs for a clubhouse. Does not include necessary fill requirements for new holes on new landfill. Includes allocations for all permitting and professional design services in each phase at 7 ½% - 8%.

This cost estimate is not definitive, and is not based upon any final drawings, quantities, or unit prices. Estimates reflect a general understanding of the project scope and a general project understanding as of this date. More detailed design, scope definition and detailed documentation is necessary to fully determine the project costs and estimates.

Golf Course
Architecture

P: 630-482-2532

335 N. River Street,
Suite 201
Batavia, Illinois 60510

martindesigngolf.com



SETTLER'S HILL GOLF COURSE

Kane County Forest Preserve

Completed Master Improvement Plan



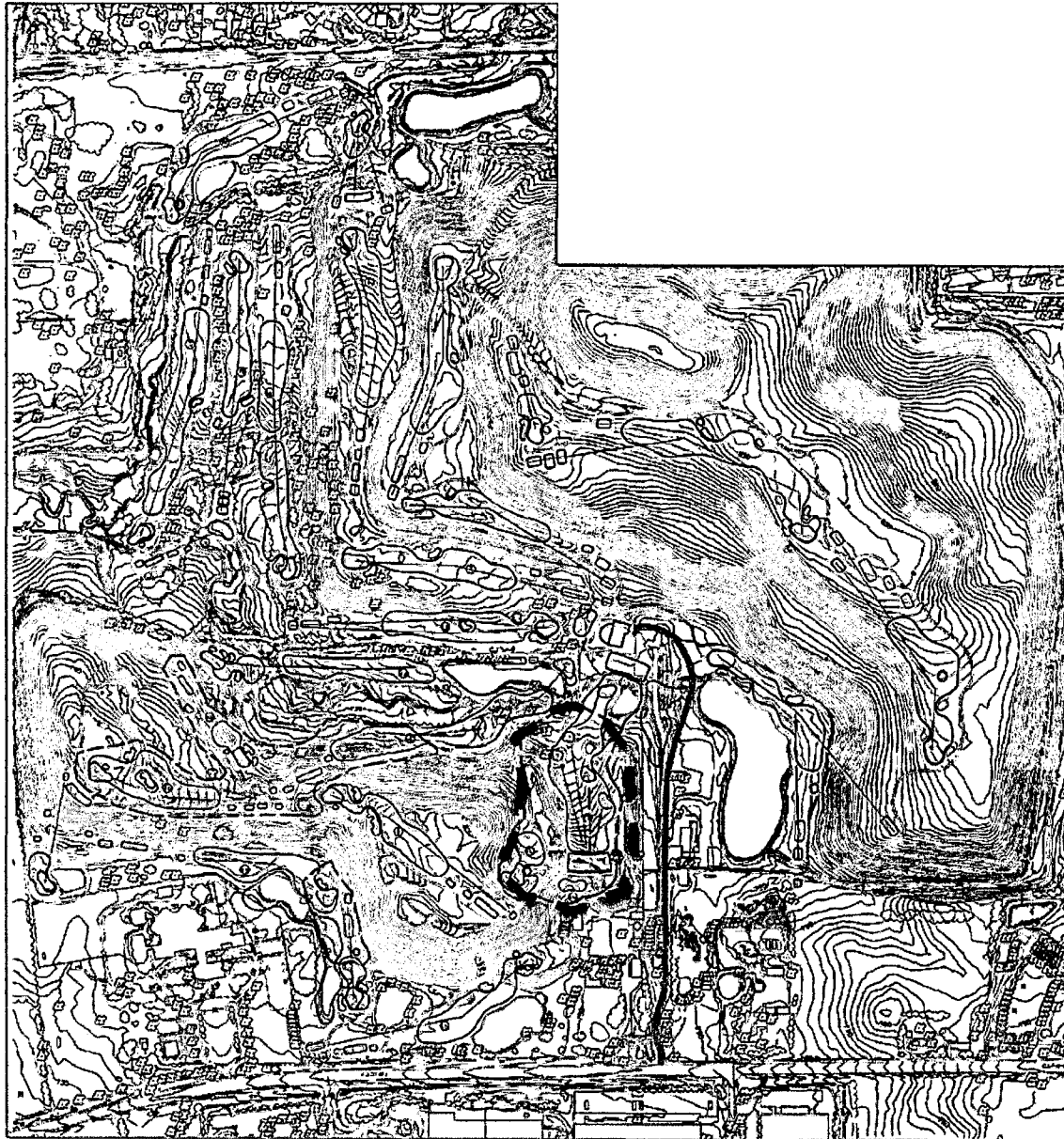


SETTLER'S HILL GOLF COURSE

Kane County Forest Preserve

Master Improvement Phasing Plan 1a



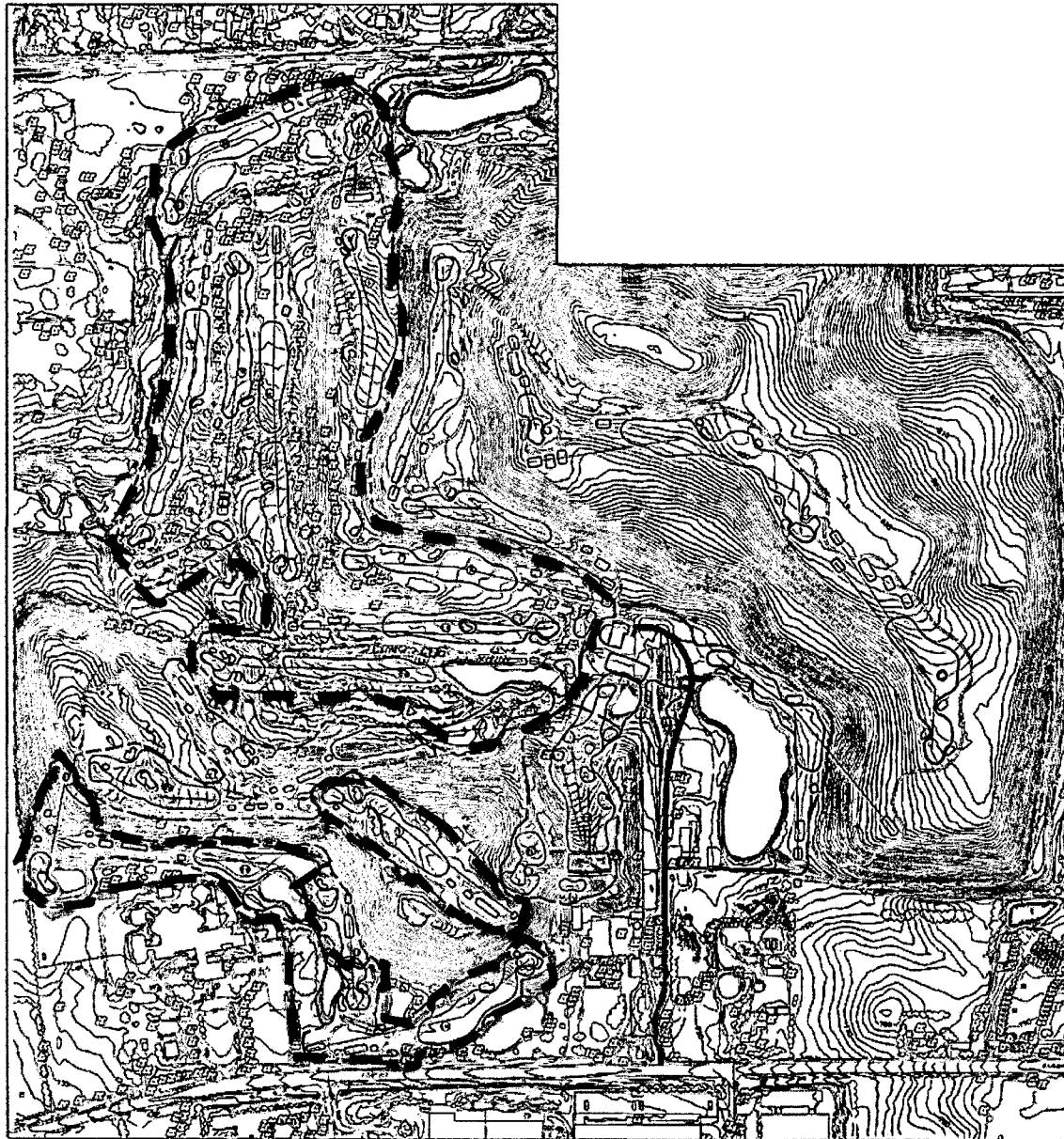


SETTLER'S HILL GOLF COURSE

Kane County Forest Preserve

Master Improvement Phasing Plan 1b





SETTLER'S HILL GOLF COURSE

Kane County Forest Preserve

Master Improvement Phasing Plan 2a



Martin Design
335 N. River Street
Suite 201
Batavia, Illinois 60510
630-482-2532 w
630-707-5071 c

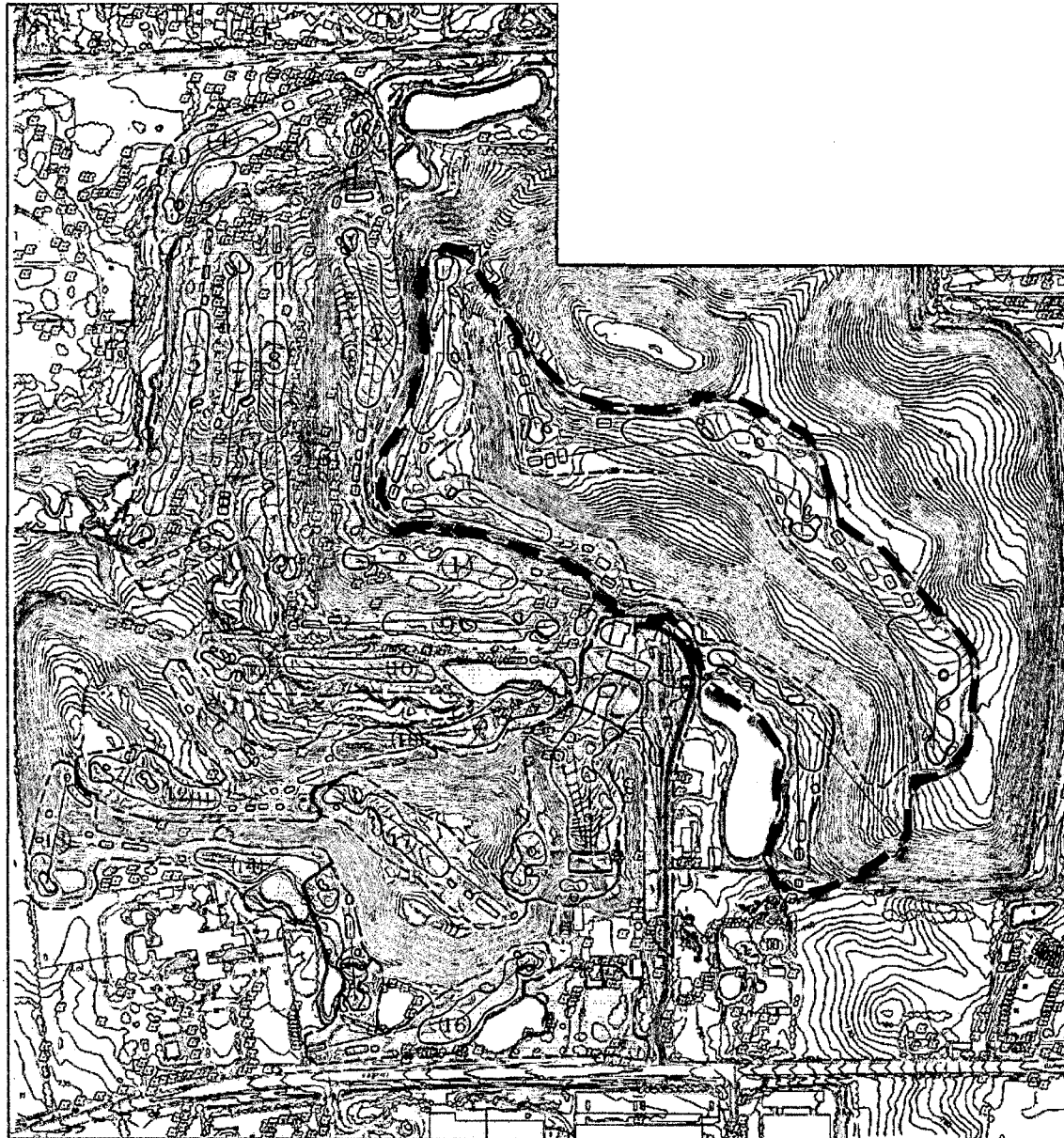


SETTLER'S HILL GOLF COURSE

Kane County Forest Preserve

Master Improvement Phasing Plan 2b





SETTLER'S HILL GOLF COURSE

Kane County Forest Preserve

Master Improvement Phasing Plan 3



**INTERGOVERNMENTAL AGREEMENT TO
FUND IMPROVEMENTS AT SETTLER'S HILL GOLF COURSE**

Agreement made _____, 2014, by and between THE COUNTY OF KANE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT ("COUNTY") and the FOREST PRESERVE DISTRICT OF KANE COUNTY ("DISTRICT").

WITNESSETH:

WHEREAS, the DISTRICT owns and licenses certain property on Fabyan Parkway, Geneva, Illinois known as Settler's Hill Golf Course, which is also the location of the closed Midway Landfill and Settler's Hill Landfill (collectively, the "Landfill Sites"); and,

WHEREAS, the COUNTY holds certain funds intended to be used for improvements at the Landfill Sites under the "Landfill Fund"; and,

WHEREAS, the DISTRICT and COUNTY are authorized to enter into this Agreement by Article VII, Section 10 of the Illinois Constitution of 1970, and the Illinois Intergovernmental Cooperation Act, 5 ILCS 200/1 et seq., provisions of the County Code, and the Downstate Forest Preserve Act; and,

WHEREAS, the DISTRICT desires to make improvements to the golf course at the Landfill Sites utilizing funds from the Landfill Fund.

NOW, THEREFORE, in consideration of the premises and the terms hereof, the parties agree as follows:

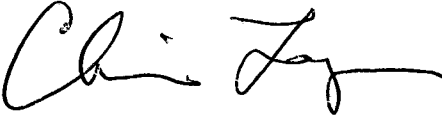
1. **Recitals**: The foregoing recitals are incorporated by reference. This Agreement sets forth the award to the District of the funding of certain golf course improvements planned to be installed and constructed at the Landfill Sites, all in accordance with plans that have been shared with the County (hereafter the "Golf Course Improvements").
2. **Fund Distribution to the District**. County hereby awards to the District the sum of \$550,000 in 2014 for the construction of Phase 1a to establish additional holes to accommodate a driving range on the existing course and course improvements. Funding to be distributed by the Kane County Treasurer to the District for the purpose of assisting in the financing of the Golf Course Improvements. Such distribution shall be made forthwith, without further application by the

District to the County. Additional phases are outlined on Exhibit A "Settlers Hill Preliminary Phasing Costs". Nothing under this agreement is intended to hinder the District to apply for or receive additional funding necessary to complete phase 1a or to implement future phases as outlined on Exhibit B "Completed Master Improvement Plan".

3. **Cooperation:** Each party acknowledges the nature of the Golf Course Improvements contemplated to be constructed and installed by the District with the funding provided by this Agreement and each agrees to cooperate and consult with the other to amicably review any material changes to the finalization of the plans or construction or installation of the Golf Course Improvements as the same shall progress.
4. **Grant Funding to be Deposited in Landfill Fund.** The parties further agree that any grants awarded in connection with the Golf Course Improvements project or similar, alternative funding awarded to the District in connection with the Golf Course Improvements project shall be returned by the District to the County for deposit into the Landfill Fund.
5. **Entire Agreement:** This Agreement constitutes the entire agreement of the COUNTY and the DISTRICT and supersedes all prior representations and agreements relating to the subject matter of this Agreement. Notwithstanding this, the parties acknowledge that to the extent of any changes in plan, construction or installation, the specific terms relating to a particular change shall be disclosed by the District to the County pursuant to Section 3 hereof. **Modification:** Except as above provided, this Master Agreement may not be modified, altered or amended in any matter except by an agreement in writing executed by the parties.
6. **Successors Bound:** This agreement shall be binding upon the parties hereto, their representatives, successors and assigns.

IN WITNESS WHEREOF, the parties have caused this Intergovernmental Agreement to be duly executed by their duly authorized representatives with effect from the date first set forth above.

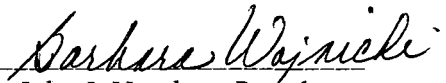
COUNTY OF KANE

By: 
Christopher J. Lauzen, Chairman

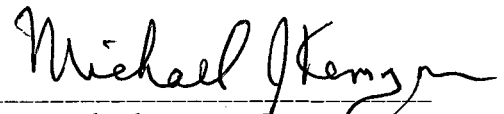
ATTEST:

John Cunningham, County Clerk

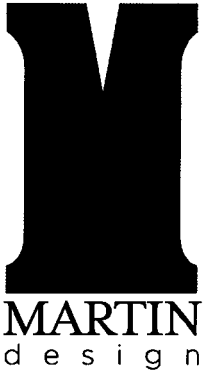
FOREST PRESERVE DISTRICT
OF KANE COUNTY

By: 
John J. Hoscheit, President

ATTEST:


Michael Kenyon, Secretary

Gerald K. Hodge
KINNALLY, FLAHERTY, KRENTZ, LORAN, HODGE & MASUR, P.C.
2114 Deerpath Road
Aurora, IL 60506
(630) 907-0909



May 28, 2014

Ms. Monica Meyers
Executive Director
Forest Preserve District of Kane County
Kirk Road
Geneva, Illinois 60134

Re: Settler's Hill Preliminary Phasing Costs

Phase Ia	\$500,000.00
Revise Hole 12, Build New 13, Realign 15, Split 17 into two	
Phase Ib	\$265,00.00
Build South End of Practice Range	
Construct New Practice Green	
Renovate existing Hole 13 into chipping range	
Phase IIa	\$1,800,000.00
Renovate/Improve remaining hole on existing course including Bunkers, tees, some greens, drainage, fairways, tree management, etc.	
Phase IIb	\$480,000.00
Rough estimate to develop base improvements for new clubhouse site and add northern tee on range, practice greens, etc.	
Phase III	\$1,200,000.00
Build 6 new holes on new landfill, coordinated with engineering for x-country facilities	
TOTAL	\$4,245,000.00

Note: This estimate does not include a clubhouse structure or design/architectural costs for a clubhouse. Does not include necessary fill requirements for new holes on new landfill. Includes allocations for all permitting and professional design services in each phase at 7 ½% - 8%.

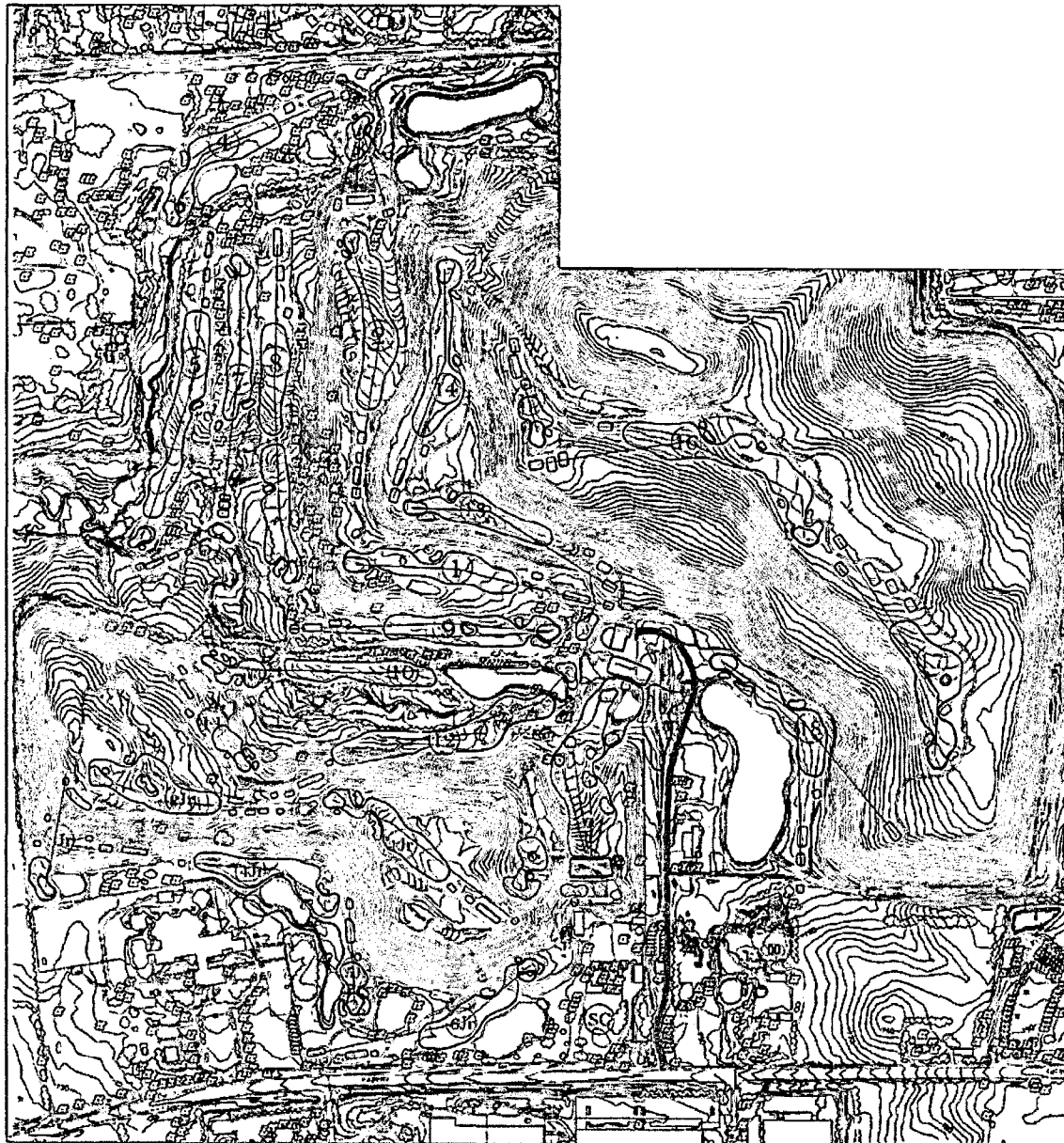
This cost estimate is not definitive, and is not based upon any final drawings, quantities, or unit prices. Estimates reflect a general understanding of the project scope and a general project understanding as of this date. More detailed design, scope definition and detailed documentation is necessary to fully determine the project costs and estimates.

Golf Course
Architecture

P: 630-482-2532

335 N. River Street,
Suite 201
Batavia, Illinois 60510

martindesigngolf.com



SETTLER'S HILL GOLF COURSE

Kane County Forest Preserve

Completed Master Improvement Plan

Martin Design
385 N. River Street
Suite 201
Batavia, Illinois 60510
630-482-2532 w
630-707-5071 c





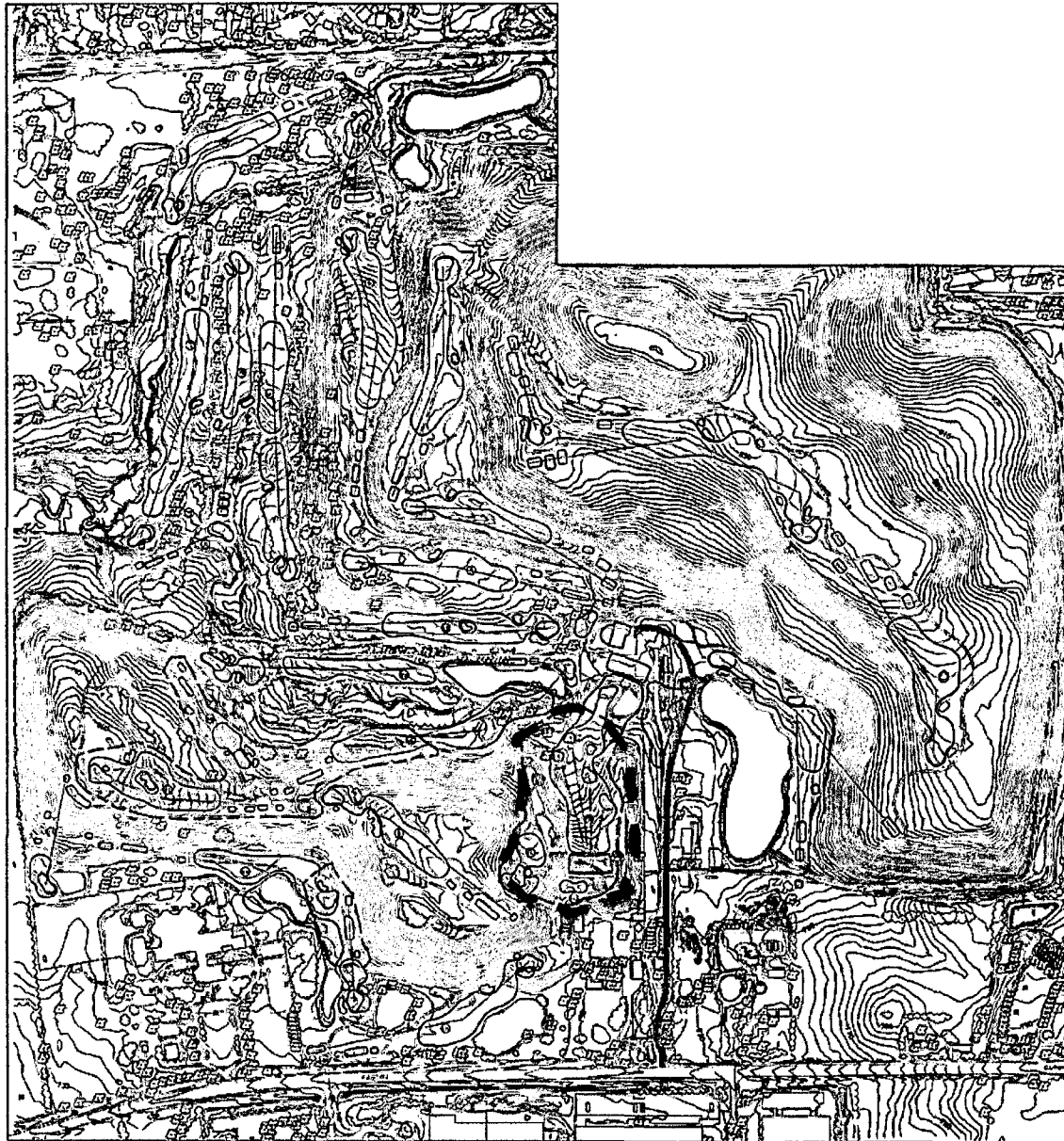
SETTLER'S HILL GOLF COURSE

Kane County Forest Preserve

Master Improvement Phasing Plan 1a



Martin Design
385 N. River Street
Suite 201
Darien, Illinois 60510
630-482-2532 or
630-707-5071



SETTLER'S HILL GOLF COURSE

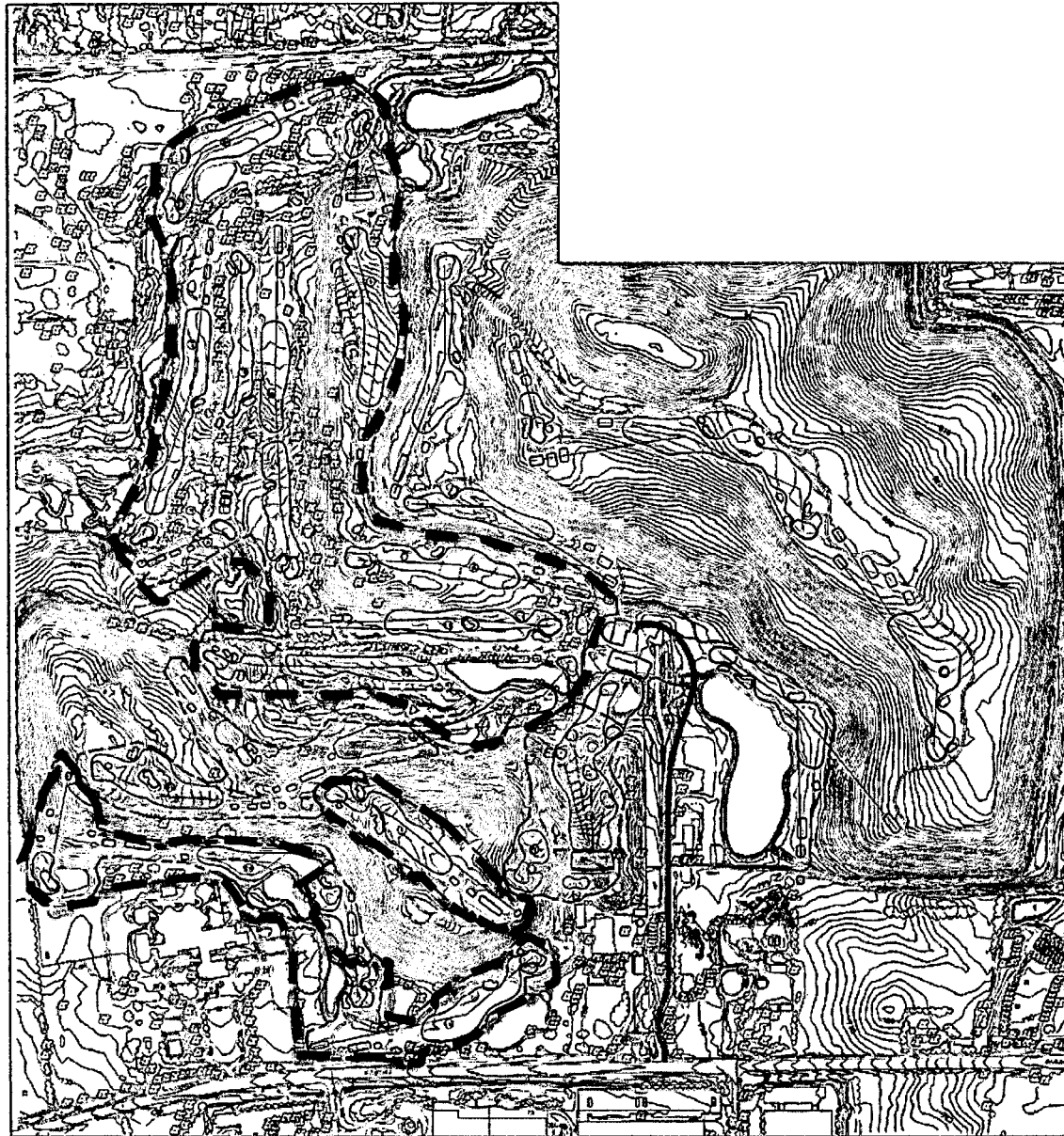
Kane County Forest Preserve

Master Improvement Phasing Plan 1b



Martin Design
335 N. River Street
Suite 201
Bloomington, Illinois 61810
630-482-2532 w
630-707-5071 c

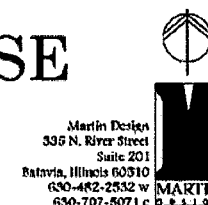




SETTLER'S HILL GOLF COURSE

Kane County Forest Preserve

Master Improvement Phasing Plan 2a



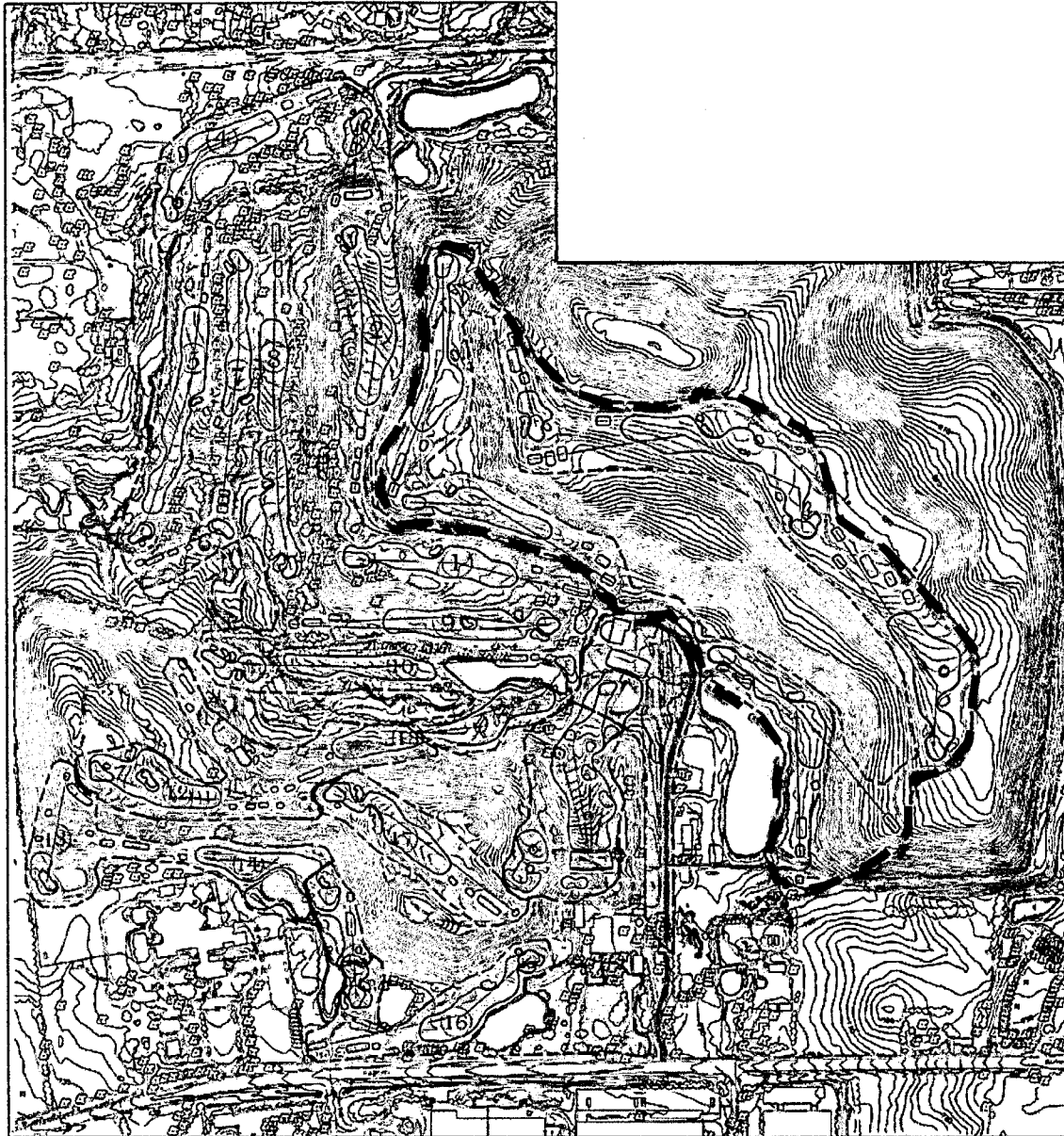


SETTLER'S HILL GOLF COURSE

Kane County Forest Preserve

Master Improvement Phasing Plan 2b





SETTLER'S HILL GOLF COURSE

Kane County Forest Preserve

Master Improvement Phasing Plan 3

