RESOLUTION AUTHORIZING INTERGOVERNMENTAL AGREEMENT BETWEEN MCHENRY COUNTY AND THE ILLINOIS DEPARTMENT OF NATURAL RESOURCES FOR A FLOOD HAZARD MITIGATION PROJECT GRANT AND AN EMERGENCY APPROPRIATION TO THE PLANNING AND DEVELOPMENT FY2020 BUDGET

WHEREAS, with the adoption of the County’s Natural Hazard Mitigation Plan in 2010, the County qualified for grant opportunities through the State; and

WHEREAS, the Planning & Development Director has been notified that the Illinois Department of Natural Resources (IDNR) has awarded McHenry County a Floodplain Mitigation Grant in the total amount of $1,459,656 for the FY2020 McHenry County Flood Hazard Mitigation Project; and

WHEREAS, the proposed intergovernmental agreement between McHenry County and the IDNR will be reviewed and approved by the McHenry County State’s Attorney’s Office (attached hereto and made part hereof) prior to execution; and

WHEREAS, an emergency appropriation to the Planning & Development FY2020 budget is required in the amount of $1,459,656 upon the County Board approval of the intergovernmental agreement; and

WHEREAS, the Planning, Environmental & Development and Finance & Audit Committees have reviewed the said request.

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 with the Illinois Department of Natural Resources for the acceptance of a Floodplain Mitigation Grant in the amount of $1,459,656 for the acquisition and demolition of flood prone properties along the Nippersink Creek and the Fox River; and

BE IT FURTHER RESOLVED, by this County Board of McHenry County, Illinois that an emergency appropriation in the amount of $1,459,656 to the Planning and Development FY2020 budget is also hereby authorized as follows:

Revenue:
094400-10-1000-100 P&D Administration - State Gov’t Grant $1,459,656

Expenditures:
400105-10-1000-100 HMGP Program - Contractual Services $170,000
607600-10-1000-100 HMGP Program - Property Acquisition $1,289,656
Total $1,459,656

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Director of Planning and Development; the County Auditor; the County Treasurer; the Director of Purchasing; and the County Administrator.

DATED at Woodstock, Illinois, this 16th day of March, A.D., 2020.

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Jack D. Franks, Chairman
McHenry County Board

ATTEST:

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Joseph J. Tirio, County Clerk

ATTACHMENTS:

- McHenry County 2020 IGA 030220 (PDF)
TO: McHenry County Board  
FROM: Joanna S Colletti  
DATE: March 16, 2020  
SUBJECT: Resolution Authorizing Intergovernmental Agreement Between McHenry County and the Illinois Department of Natural Resources for a Flood Hazard Mitigation Project Grant and an Emergency Appropriation to the Planning and Development FY2020 Budget

**Board / Committee Action Requested:** Approve a Resolution authorizing an intergovernmental agreement between the County of McHenry and the Illinois Department of Natural Resources (IDNR) for the McHenry County Flood Hazard Mitigation Project and authorizing an emergency appropriation to the Planning and Development FY2020 budget in the amount of $1,459,656.

**Background and Discussion:** With the adoption of the County Natural Hazard Mitigation Plan in 2010, the County qualified for grant opportunities through the State. In 2014, the County Department of Planning and Development received notice that the County would receive a FEMA Hazard Mitigation Grant Program grant from the Illinois Emergency Management Agency with matching funds from the Illinois Department of Natural Resources (IDNR). The grant amount was not enough to cover the cost of purchase of all properties stated in the grant. Two properties were not acquired.

The FY2020 IDNR grant will allow the County to proceed with the acquisition of the two remaining properties along with the acquisition of seven additional properties. All the properties are in areas considered to be Repetitive Loss Areas, per the County’s Hazard Mitigation Plan. The properties are located on the Nippersink Creek near the McHenry County Conservation District (MCCD) Spring Grove Fen and on channels off the Fox River south of Stratton Dam in McHenry. Four of the properties contain structures that are in violation of the County’s building codes and/or Stormwater Management Ordinance.

Following the demolition of the structures, the properties will be transferred to MCCD and Nunda Township, which will assume responsibility for maintaining the properties as permanent open space.

The grant is strictly voluntary. No property owners are forced to sell their property. Property owners have voluntarily contacted P&D with their intention to participate in the program. Property owners can withdraw from the program at any time prior to signing closing documents.

The attached intergovernmental agreement between the County of McHenry and the Illinois Department of Natural Resources will be reviewed and approved by the McHenry County State’s Attorney’s Office prior to execution. A separate Resolution for intergovernmental agreements with the MCCD and Nunda Township for transfer of the properties will be forthcoming for County Board approval.
**Impact on Human Resources:** None. The program will be managed by existing staff in the Department of Planning and Development.

**Impact on Budget (Revenue; Expenses, Fringe Benefits):** An emergency appropriation in the amount of $1,459,656 to the Planning and Development FY2020 budget is requested to expenditure budget line items 400105-10-1000-100 (P&D Administration - Contractual Services) for $170,000 and 607600-10-1000-100 (P&D Administration - Property Acquisition) for $1,289,656 with an offsetting entry to revenue budget line item 094400-10-1000-100 (P&D Administration - State Government Grant).

The IDNR grant is a reimbursement grant program which means, the County will purchase the properties, pay the contractors for eligible expenses, and then submit invoices to IDNR for reimbursement.

The Department of Planning and Development will pay any ineligible expenses out of its existing operating budget after first requesting fee waivers or exemptions given the important public benefit of this program.

**Impact on Capital Expenditures:** None.

**Impact on Physical Space:** None.

**Impact on Other County Departments or Outside Agencies:** The program will benefit MCCD and Nunda Township by providing them with additional land adjacent to existing landholdings and facilities. Acquisition of the repetitively flooded properties will benefit the fire department and township which will no longer be required to respond to requests for rescue services and sand-bagging during flood events.

**Conformity to Board Ordinances, Policies and Strategic Plan:** The program conforms to County Board ordinances, policies, and the strategic plan. All activities will be conducted in accordance with the County Purchasing Ordinance. The program advances the County Strategic Plan goals to "promote sustainable development that is balanced with preservation of the County's open space, agricultural land, and water supply" and to "increase open space conservation efforts." In addition, the program advances the County Hazard Mitigation Plan Action Item 10 "Repetitive Loss Areas Study" and Action Item 14 "Mitigation of Floodplain Properties" both of which call for identifying, acquiring, and removing flood prone structures.

**Attachments / Appendices:**
- McHenry County 2020 IGA 030220 (PDF)