

**MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
FEBRUARY 07, 2006**

Chairman of the Board – Kenneth D. Koehler (District 2)

District 1 Donald R. Brewer Marc Munaretto Anna May Miller Dan Shea	District 2 Marie M. Chmiel James Heisler Kenneth Koehler Lyn Orphal	District 3 Ed Dvorak Ann Kate Nick Provenzano Barbara Wheeler
District 4 Sue Draffkorn John Hammerand Pete Merkel Sandra Fay Salgado	District 5 John Jung Jr. Perry Moy Virginia Peschke Tina Hill	District 6 Ann Gilman Richard Klasen Don Larson Mary Lou Zierer

The Honorable County Board of McHenry County, Illinois met in Regular Session on Tuesday, February 07, 2006.

Chairman Koehler commented on the problem we were having with the audio system at this time. It will be looked at but until then, a small recorder will be used to tape the meeting.

Chairman Koehler called the meeting to order at 9:00 a.m. The Pledge of Allegiance to the Flag was led by County Clerk Katherine C. Schultz with Members of the Board, department heads and visitors participating. Mr. Dvorak gave the invocation/personal remarks.

ROLL CALL

The roll was called by County Clerk Katherine C. Schultz. The following members responded: Heisler, Hill, Jung, Kate, Klasen, Larson, Merkel, Miller, Moy, Munaretto, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand and Koehler. Chairman Koehler declared a quorum present with twenty-four (24) members responding.

MINUTES

Ms. Miller made a motion seconded by Mr. Heisler to approve minutes from January 17, 2006 County Board meeting.

Chairman Koehler asked for any changes or corrections, noting none, he asked for a voice vote; the ayes having it, the motion is passed.

CHAIRMAN'S REMARKS

Chairman Koehler told the board that he and Mr. Jung were down in Springfield last week. They were there mainly for MCCOG and caucusing that was going on for local governments but they did have the opportunity to try to pitch our needs for the additional judges that were seemingly to be cut off from getting. Jack Franks was able to put together some legislation to attempt to get us another judge in 2008. Chairman Koehler felt that was a step in the right direction. He also had an opportunity to testify in regard to the dangerous and vicious dog legislation because we had so much to do with drafting portions of that.

SPECIAL RECOGNITION

Mr. Shea made a motion seconded by Mr. Larson to approve the resolution honoring Don Peasley for his years of service in McHenry County. Chairman Koehler asked for a voice vote, the ayes having it, the motion is passed.

Chairman Koehler asked Mr. Peasley to come forward and presented him with a Certificate and a McHenry County flag on behalf of the board.

SPECIAL PRESENTATIONS

Sketch Plan: Vintage National, Hartland Twp, 680 acres/400 lots

Mr. Randall Machelski of JJR, LLC came forward to make this presentation. Mr. Machelski told the board that this project is located on and around the Plum Tree Golf Course in Harvard. The project property consists of about 680 acres and the proposed density of 680 housing units, both single family and town homes. The project will work integrate the wetlands and wooded areas into the development. A slide show of the sketch plan was shown of the areas being discussed. The different Vintage areas of the property were described.

Chairman Koehler asked if there were any questions. Several members of the board felt that this project was way too dense and that the sketch plan was presented prematurely as questions could not be answered about how the schools or fire protection would be handled or how water and sewage would be dealt with. Chairman Koehler said that although he appreciates that the developer wanted the county's input there should have been a lot more information to bring forth to the board before it was presented. It was suggested that the developer go back to the drawing board on this project. Mr. Machelski said the developer is very excited about this project and just wanted the county to know about the proposed development and to hear any suggestions that the county may offer. Chairman Koehler suggested that they talk with the Conservation District because they surround quite a bit of the property being proposed for development.

Open Burning Forum

John Labaj gave a power point presentation with the help of Patty Nomm from the Health Department. A printout of what the power point showed is in the board file. Mr. Labaj said there are two reasons to restrict open burning; they are fire safety issues and health issues. Ms. Nomm went through the definitions of open burning and the damage it can cause. There is wording in Article III of the Public Health Ordinance which prohibits the burning of rubbish and trash due to the health hazards which applies to incorporated and unincorporated areas of the county. Planning and Development has wording in their ordinance regarding the burning of landscape waste which is for unincorporated McHenry County and wording about the allowable burning i.e. campfires and bonfires within the county. Planning and Development enforces its ordinance on a complaint only basis. Other items touched on were controlled burns, handling of agricultural waste and exemptions of such and air pollution. Debbie and Glen Linge commented on Illinois Ozone non-attainment areas; and Beverly Meuch spoke on the hazards of leaf burning and alternatives to leaf burning. Rich Tobiasz of the Spring Grove FPD talked to the board about alternatives to disposal and enforcement of leaf burning. Lastly, Mr. Labaj talked about financing strategies that might be considered. He said the next step for the future committees would be to review the ordinances with a coordination of efforts on being able to enforce areas of our ordinances pertaining to open burning. He encouraged the board to think about this and make any suggestions that may apply.

PLATS

None

PUBLIC PARTICIPATION

Chairman Koehler explained the rules of public participation. The following people spoke:

Emily Berendt of Woodstock	against changes	2020 Plan
Robert Abboud of Barrington Hills	regarding	2020 Plan
Laurie Cisneros of Marengo	regarding	2020 Plan
Michael Walkup of Crystal Lake	regarding	2020 Plan

Dan Volkens of Woodstock	against changes	2020 Plan
Patricia Kennedy of Harvard	against changes	2020 Plan
Christopher Paluch of Woodstock	against changes	2020 Plan
Mayo Underwood of Woodstock	against changes	2020 Plan
Maggie Bailey of Woodstock	against changes	2020 Plan
Adolph Svec of Marengo	against changes	2020 Plan
Frances Kreutzer of Huntley	regarding	2020 Plan

Chairman Koehler noted that the time allotted for Public Participation has passed. He asked for a motion from the board to extend this part of the meeting.

Ms. Hill made a motion seconded by Ms. Salgado to extend the time for Public Participation. Chairman Koehler asked for a voice vote, the ayes having it, the motion is passed.

The following people spoke:

Jack Kaskel of Hebron	against changes	2020 Plan
David Woodruff of Woodstock	against changes	2020 Plan
Linda Balek of Harvard	against changes	2020 Plan
Lisa Haderlein of Harvard	against changes	2020 Plan
Ron Chapman of Nunda Twp	regarding	2020 Plan

Noting no other persons wishing to speak, Chairman Koehler closed this part of the meeting.

At this time a motion was made to take a short recess. Mr. Dvorak made the motion seconded by Ms. Orphal to take a 10 minute break. Chairman Koehler asked for a voice vote, the ayes having it, the motion is passed. Break ran from 11:03 a.m. to 11:11 a.m.

Chairman Koehler commented that the audio system was not up and running. He apologized to those present for the inconvenience.

NEW AND UNFINISHED BUSINESS

Resolution authorizing adoption of a Federal Legislative Program

Mr. Austin presented the resolution to the board and noted what the program would consist of. Mr. Jung made a motion seconded by Mr. Munaretto to approve the above-named resolution.

Ms. Hill said she had read all of the minutes and did not see any mention of the Latino Youth Job Readiness Program. Mr. Austin said he thought it had been discussed and assured her that it was a good program.

Chairman Koehler asked for a voice vote, the ayes having it, the motion is passed.

APPOINTMENTS

Ms. Peschke made a motion seconded by Mr. Klaseen to approve the following Appointments:

Mental Health (708) Board		
Andrea Lynn Rahlf	term to expire	1/01/2010
Beverly Nyman Thomas	term to expire	1/01/2010
McHenry County Historic Preservation Commission		
Nick Chirikos	term to expire	11/26/2010

Chairman Koehler asked for a roll call vote. The following members responded aye: Hill, Jung, Kate, Klasen, Larson, Merkel, Miller, Moy, Munaretto, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand and Koehler. Absent: Heisler. The vote being twenty-three (23) aye votes noting one (1) absent, Chairman Koehler declared the motion passed.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the agenda. Mr. Brewer removed item #13.2 C(1); Mr. Munaretto removed item #13.2 D(1); and Ms. Gilman removed Item #13.2 G(2).

Mr. Larson made a motion seconded by Ms. Orphal to approve the Routine Consent Agenda with three items removed. .

Chairman Koehler asked for a roll call vote. The following members responded aye: Hill, Jung, Kate, Klasen, Larson, Merkel, Miller, Moy, Munaretto, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand and Koehler. Absent: Heisler. The vote being twenty-three (23) aye votes noting one (1) absent, Chairman Koehler declared the motion passed.

13.2 C(1) Resolution establishing the salary of the County Engineer and appropriating funds
Ms. Orphal made a motion seconded by Ms. Draffkorn to approve the above-named resolution.

Mr. Brewer said he removed this so that Mr. Shea or Mr. Korpalski could explain how the split of payment is done. Mr. Korpalski responded that there is an agreement with the State of Illinois IDOT. By entering into this agreement it allows us to pick up 50% of his salary.

Chairman Koehler asked for a roll call vote. The following members responded aye: Hill, Jung, Kate, Klasen, Larson, Merkel, Miller, Moy, Munaretto, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand and Koehler. Absent: Heisler. The vote being twenty-three (23) aye votes noting one (1) absent, Chairman Koehler declared the motion passed.

13.2 D(1) Resolution authorizing the purchase of six (6) police pursuit vehicles
Mr. Brewer made a motion seconded by Mr. Larson to approve the above-named resolution.

Mr. Munaretto observed that there seems to be a deviation in the process here in that this did not go through the Finance Committee. Mr. Austin responded that the money was already budgeted for these vehicles. It was noted that it was disappointing that the winning bidder for the purchase of these vehicles is not located in McHenry County. Mr. Shea said the state makes arrangements for specifically equipped vehicles to be bought at a substantial reduction to what would be paid at a regular dealership.

Chairman Koehler asked for a roll call vote. The following members responded aye: Hill, Jung, Kate, Klasen, Larson, Merkel, Miller, Moy, Munaretto, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand and Koehler. Absent: Heisler. The vote being twenty-three (23) aye votes noting one (1) absent, Chairman Koehler declared the motion passed.

13.2 G(2) Resolution authorizing adoption of the McHenry County 2020 Unified Plan
Ms. Gilman made a motion seconded by Ms. Miller to approve the above-named resolution.

Ms. Gilman made a **motion to amend** seconded by Mr. Larson to change the designation on the Land Use Plan from Planned Development to AG Rural in the southeastern part of the county in the area of the proposed Barrington Farms Planned Development.

Ms. Gilman stated that in regard to the Land Use Map at their meeting of February 2nd the Committee discussed the issue of zoning petitions that were in the process at the time of updating any land use plan, and particularly the land use map. She stated specifically, there was a large area in the southeastern part of the county that, because of the almost total development encircling unincorporated areas, was deemed to be appropriate for planned development designation. It subsequently came to our attention that the Barrington Farms Planned Development petition was in this area. When that property was de-annexed from Barrington Hills by court order, it came in to the county with A-1 zoning. Ms. Gilman said the committee does not wish there to be any possibility that it could be misconstrued that there is any prior approval of this zoning petition, and therefore is giving direction to the County Board to change the map designation on this parcel from Planned Development to Agriculture/Rural. That would still be agriculture as base zoning, but recognizing its location in an area that may not be entirely amenable to large-scale farming operations because of surrounding growth.

Chairman Koehler asked for a voice vote, the ayes having it, the **motion to amend has passed.**

Ms. Miller made a **motion to amend the amendment** seconded by Ms. Wheeler to change the zoning designation to A-1 Agricultural.

Ms. Gilman said that AG Rural went back to the original zoning

Chairman Koehler asked for a voice vote, the ayes having it, the **motion to amend the amendment has passed.**

Ms. Gilman made a **motion to amend** seconded by Mr. Shea to approve the following language to be added:

Any zoning petition that is initiated during the period of text change or map amendment must follow through to the final vote by the McHenry County Board with the ORIGINAL text and map designations that it started with.

Chairman Koehler asked for a voice vote, the ayes having it, the **motion to amend** has passed.

Ms. Gilman made a **motion to amend** seconded by Mr. Moy to include the following in the 2020 Plan:

Add a map page into Chapter 7, Implementation to identify: Class III Special Resources Groundwater Recharge areas, with text to read "Under the authority of 35 IL Adm. Code 620.230, a Class III designation can only be established for "groundwater that is demonstrably unique (e.g. irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; groundwater that is vital for a particularly sensitive ecological system; or groundwater contributing to a dedicated Illinois Nature Preserve listed by the IEPA."

Chairman Koehler asked for a voice vote on the motion to amend, the ayes having it, the **motion to amend has passed.**

Ms. Gilman noted that the maps are not totally accurate at this time that municipal boundaries are accurate up to about July 2005 and that they are committed to updating the maps.

Mr. Larson made a **motion to amend the map** seconded by Mr. Klasen:

South of Harvard and North of Streit Road between Route 23 and Route 14 to change the zoning from Commercial to AG Rural.

Mr. Larson said that Dunham Township has no plans for commercial development in that area nor does Harvard.

Ms. Wheeler made a **motion to amend the amendment** seconded by Mr. Jung to

Eliminate the quarry designation in the same area as above noted.

Ms. Gilman said that the zoning does not change for the homeowner and doesn't recommend removing the designation from this area.

Chairman Koehler asked for a voice vote on the motion to amend the amendment by Ms. Wheeler. The majority being ayes, Chairman Koehler declared the **motion to amend the amendment has passed.**

Chairman Koehler asked for a roll call vote by the request of Mr. Brewer on the motion to amend by Mr. Larson. The following members responded aye: Hill, Jung, Kate, Klasen, Larson, Miller, Moy, Peschke, Salgado, Wheeler, Dvorak, Hammerand and Koehler. Nay: Merkel, Munaretto, Orphal, Provenzano, Shea, Zierer, Brewer, Chmiel, Draffkorn and Gilman. Absent: Heisler. The vote being thirteen (13) ayes and ten (10) nays noting one (1) absent, Chairman Koehler declared Mr. Larson's **motion to amend has passed.**

Ms. Peschke made a **motion** seconded by Mr. Jung **to Postpone voting on this until March 23rd.**

Several board members expressed their concern with postponing this vote stating that there has been ample input by the public and much review of the plan. Other board members felt that with the changes that were made without the public having a chance to review them and give their input, the vote should be postponed for ample review of the Plan.

Chairman Koehler asked for a roll call vote on the motion to postpone voting on the McHenry County 2020 Unified Plan. The following members responded aye: Hill, Jung, Klasen, Moy, Peschke, Provenzano, Salgado, Wheeler, Zierer, Brewer, Draffkorn, Dvorak and Hammerand, Nay: Kate, Larson, Merkel, Miller, Munaretto, Orphal, Shea, Chmiel, Gilman and Koehler. Absent: Heisler. The vote being thirteen (13) ayes and ten (10) nays noting one (1) absent, Chairman Koehler declared the **motion to postpone voting on the McHenry County 2020 Unified Plan to March 23rd has passed.**

Chairman Koehler noted that Planning & Development is going to be moving forward with the next plan because he doesn't feel it is fair not to be moving forward in the process.

ORDINANCES

For Action: Ordinance to correct a scrivener's error contained in a legal description of Petition #05-116 (waiver of 30 day review requested).

Ms. Gilman made a motion seconded by Ms. Wheeler to approve the above-named ordinance. Chairman Koehler asked for a voice vote, the ayes having it, the motion is passed.

ADMINISTRATOR'S REPORT

Mr. Austin told the board that a report received from the jail indicates that they averaged 255 guest inmates for the month of January. Also, a check for \$100,000 was received from Aramark as part of the negotiation for remodeling of the kitchen. That is our money if they stay for ten years if they come out early then we return the money amortized over the amount of time left on the contract. Mr. Austin said he distributed a written copy of an Administrator's Report, he can't promise this every month. We are about a month away from the Strategic Planning exercise and he wanted the board to know some of the things that were going on. He said if there are any questions the board can give him a call. In regard to the Strategic Planning event, the target date is March 3rd at a conservation district location to be determined. He said that both the full board and elected officials and department heads will be part of the morning exercise; then after lunch the board will be together.

EXECUTIVE SESSION

None

MEMBERS' COMMENTS

Chairman Koehler introduced Michelle Courier of the State's Attorney's office sitting in for Mr. Stone. She is the head of the Civil Division.

Ms. Hill said Representative Tryon and Senator Althoff gave the board a copy of the Illinois State Water Survey.

Ms. Gilman noted that everyone probably received a letter regarding the Deter/Schultz legal fund, they are the Richmond Village Trustees that had a lawsuit slapped against them. She is supporting this and thought that members of the board might consider supporting them too.

Mr. Munaretto reminded the board that March 9th will be the annual dinner meeting of the McHenry County EDC, mark your calendars. Everyone should be receiving an invitation some time soon.

ADJOURNMENT

Mr. Klasen made a motion seconded by Ms. Hill to adjourn at 12:30 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 7th day of March, A.D., 2006.

S/ Kenneth D. Koehler
Kenneth D. Koehler, Chairman
McHenry County Board

ATTEST:

S/ Katherine C. Schultz
Katherine C. Schultz, County Clerk