

**MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
FEBRUARY 21, 2006**

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

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| 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 21, 2006.

Chairman Koehler called the meeting to order at 7:00 p.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. Jung gave the invocation/personal remarks.

ROLL CALL

The roll was called by County Clerk Katherine C. Schultz. The following members responded: Hill, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Hammerand, Heisler and Koehler. Absent: Merkel, Brewer and Gilman. Chairman Koehler declared a quorum present with twenty-one (21) members responding.

MINUTES

None

CHAIRMAN'S REMARKS

Chairman Koehler commented that they had some meetings previously scheduled with Senator Obama's staff that were to take place on Thursday here at the county offices, since then the Senator has decided to come out to McHenry County and be here for an open session public forum at MCC. Because of that there is going to be a breakfast held prior to that and all of the county board members are invited to attend. It will be held at 9 a.m. on February 23rd. He needs to know who will be in attendance for the breakfast so that they have a count for food, and also who might be attending the forum.

SPECIAL RECOGNITION

Ms. Hill made a motion seconded by Mr. Heisler to approve the following Eagle Scout resolution:
Jonathan C. Kosin of Troop #127 in Woodstock

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

Chairman Koehler presented Jonathan with a certificate on behalf of the County Board. Jonathan thanked the board and explained his project for earning the Eagle Scout badge.

ZONING BOARD OF APPEALS

Chairman Koehler asked if any one wished to remove any of the Petitions. Mr. Larson asked to remove Petition #05-104.

Mr. Heisler made a motion seconded by Mr. Munaretto to approve the following Petitions:

- Exb. #04-86; Burton Twp; Sutton; reclass of R1 to R1CV
- Exb. #05-45; McHenry Twp; Shirley Harms Trust; reclass of A1 to A1C
- Exb. #05-123; Alden Twp; Sphar/Briscoe; reclass of A1 to A2
- Exb. #05-125; Algonquin Twp; Kirkpatrick; reclass of A1 to A1V
- Exb. #05-127; Coral Twp; Ruth Inv/Amcore Inv Grp; reclass of A1 to A1C
- Exb. #05-133; Richmond Twp; Hartnett Trust; reclass of A1 to A2
- Exb. #05-139; Algonquin Twp; Ryan T. Frank; reclass of R1 to R1V

Chairman Koehler asked for a roll call vote. The following members responded aye: Hill, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Hammerand, Heisler and Koehler. Absent: Merkel, Brewer and Gilman. The vote being twenty-one (21) ayes noting three (3) absent, Chairman Koehler declared the motion passed.

Mr. Heisler made a motion seconded by Ms. Kate to approve the following petition:

- Exb. #05-104; Riley Twp; Clover Way Dev; reclass of A1 to E1

Mr. Larson said he objected because it is so much farm land and it is not really contiguous with any other residential area at the time. Ms. Peschke and Mr. Klasen agreed with these comments.

Chairman Koehler asked for a roll call vote. The following members responded aye: Hill, Jung, Kate, Miller, Moy, Munaretto, Orphal, Provenzano, Salgado, Shea, Zierer, Chmiel, Dvorak and Koehler. Nay: Klasen, Larson, Peschke, Wheeler, Draffkorn, Hammerand and Heisler. Absent: Merkel, Brewer and Gilman. The vote being fourteen (14) ayes and seven (7) nays noting three (3) absent, Chairman Koehler declared the motion passed.

ZBA REGULAR AGENDA

Chairman Koehler said he has been asked to pull Petition #05-90 from the agenda for 60 days as it is moving through the courts and to pull Petition #05-94 from the agenda for 30 days.

Mr. Heisler made a **motion** seconded by Ms. Peschke **to DENY** the following Petition as recommended by the ZBA:

- Exb. #05-102; Coral Twp; Henning/Hoffman/LR Prtnrs; reclass of A1 to E1

Ms. Zierer made a **motion to amend** seconded by Mr. Klasen **to approve** this Petition

- Exb. #05-102; Coral Twp; Henning/Hoffman/LR Prtnrs; reclass of A1 to E1

Mr. Larson called a Point of Order as he did not think this was an allowable amendment that you can not change the entire petition by an amendment. Mr. Stone of the State's Attorney's office checked Roberts Rules of Order and said this amendment is allowable. Chairman Koehler read the rule that states "but an amendment can be hostile to or even defeat the spirit of the original motion and still can be germane."

Ms. Zierer commented that this piece of property has a very low LESA score because it's not high priority farm land and Coral Twp has voted unanimously in favor of this and there are no other objections to this. Several board members agreed with Ms. Zierer and the amendment being proposed. Mr. Larson said the owners have used the property for farming and could always rent it or sell it for farming.

Chairman Koehler asked for a roll call vote on the **motion to amend**. The following members responded aye: Hill, Jung, Kate, Klasen, Miller, Moy, Munaretto, Orphal, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Hammerand and Koehler. Nay: Larson, Peschke and Heisler. Absent: Merkel, Brewer and Gilman. The vote being eighteen (18) ayes and three (3) nay votes noting three (3) absent, Chairman Koehler declared the **motion to amend has passed**.

Chairman Koehler asked if there was any discussion on the main motion. Noting none, he said that an **aye vote on this main motion will be to approve** Petition #05-120.

The following members voted aye: Hill, Jung, Kate, Klasen, Miller, Moy, Munaretto, Orphal, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Hammerand and Koehler. Nay: Larson, Peschke and Heisler. Absent: Merkel, Brewer and Gilman. The vote being eighteen (18) aye and three (3) nay votes noting three (3) absent, Chairman Koehler declared the **main motion has been approved**.

PLATS

Final Plat – Willow Hill Subdivision, Phase 1; Coral Twp; Section 35-43-6, 60 acres, 31 lots
The final plat is in the room for review.

Mr. Heisler made a motion seconded by Ms. Peschke to approve the above-named final plat.

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

PUBLIC PARTICIPATION

Chairman Koehler explained the rules for public participation. The following people spoke:
Susan Matthews of Marengo against zoning changes from AG to PUD

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

NEW AND UNFINISHED BUSINESS

Resolution authorizing the appointment of Pamela K. Palmer as McHenry County Auditor.

Chairman Koehler said there has been some discussion whether the process has been followed properly. He said he contacted the State's Attorneys Office to make sure that the process was done correctly; all candidates that applied were interviewed and the process was as fair and impartial as possible. He noted that a vote tonight can only be for the individual that was brought up. If the motion should fail, he will bring back another name at another meeting which must be done before March 6th.

Chairman Koehler made a motion seconded by Ms. Peschke to approve the appointment of Pamela K. Palmer to finish the term of retiring Auditor Ruth Rooney.

Chairman Koehler asked for a roll call vote. The following members responded aye: Hill, Jung, Kate, Klasen, Larson, Miller, Moy, Orphal, Peschke, Salgado, Shea, Wheeler, Zierer, Draffkorn, Dvorak, Heisler and Koehler. Nay: Munaretto, Provenzano, Chmiel and Hammerand. Absent: Merkel, Brewer and Gilman. The vote being seventeen (17) ayes and four (4) nays Chairman Koehler declared the motion passed.

Chairman Koehler congratulated Ms. Palmer on her appointment.

APPOINTMENTS

Mr. Heisler made a motion seconded by Mr. Shea to approve the following appointments:

Historic Preservation Commission

Dorothy Scherschel term to expire 11/26/2007

Upper Illinois River Valley Development Authority

Chris Newkirk term to expire 01/19/2009

Chairman Koehler asked for a roll call vote. The following members responded aye: Hill, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Hammerand, Heisler and Koehler. Absent: Merkel, Brewer and Gilman. The vote being twenty-one (21) ayes noting three (3) absent, Chairman Koehler declared the motion passed.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item, there were none.

Mr. Shea made a motion seconded by Mr. Klasen to approve the Routine Consent Agenda. Chairman Koehler asked for a roll call vote. The following members responded aye: Hill, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Hammerand, Heisler and Koehler. Absent: Merkel, Brewer and Gilman. The vote being twenty-one (21) ayes noting three (3) absent, Chairman Koehler declared the motion passed.

ORDINANCES

For Action: Ordinance establishing a minimum fee for violation of open burning regulations

Ms. Peschke made a motion seconded by Mr. Heisler 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 said he put a handout on the board members desks regarding the Imagine McHenry County project which was distributed this morning at the EDC meeting. The web survey will go live on March 1st and go through March 20th. Paper copies of the survey will be available in public building throughout the county and will run in the Northwest Herald on March 3rd.

Mr. Austin noted that the Management Services Committee last week requested that we add a County Administrator's Report to that committee agenda. He thinks that is a good suggestion. Finally, he said the Strategic Planning session is scheduled on March 3rd at 8 a.m. at Prairie View Education Center.

EXECUTIVE SESSION

None

MEMBERS' COMMENTS

Ms. Peschke asked in regard to the Imagine McHenry County survey, she was asked about the validity of the survey and are we going to know whether people are giving their opinion two or three times. Mr. Munaretto responded that the survey will be taken to the Northern Illinois Planning Commission and will require you to identify yourself by e-mail address or other. Generally the outcome should be fair and reasonable on the basis of the protections that are built in.

Ms. Salgado said the Mental Health Court Task Force Meeting scheduled for March 1st has been cancelled. There will be a sub-committee on March 2nd from 3 to 5 p.m. in the Grand Jury room.

Ms. Zierer said that Friday there will be wheel chair races at Valley Hi and invited everyone to attend.

Mr. Munaretto reminded the board that on March 9th the McHenry County EDC will be hosting its annual dinner meeting at the Holiday Inn in Crystal Lake. If you would like to coordinate a County Board table, see him or Mr. Austin.

Mr. Heisler reminded the board that Planning and Development will not meet on March 2nd.

COMMUNICATIONS

Chairman Koehler read a card to the board received from Don Peasley in appreciation for his recognition of service to the county.

ADJOURNMENT

Mr. Heisler made a motion seconded by Ms. Miller to adjourn at 7:42 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