

MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
JULY 17, 2007

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

District 1 Yvonne M. Barnes Marc Munaretto Anna May Miller Dan Shea	District 2 Marie M. Chmiel James Heisler Kenneth Koehler Lyn Orphal	District 3 Ed Dvorak Mary L Donner Nick Provenzano Barbara Wheeler
District 4 Sue Draffkorn John Hammerand Pete Merkel Sandra Fay Salgado	District 5 John Jung Jr. James P Kennedy Virginia Peschke Tina Hill	District 6 Randall Donley Mary T McCann Daniel P Ryan Mary Lou Zierer

The Honorable County Board of McHenry County, Illinois met in Regular Session on Tuesday, July 17, 2007.

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. Ms. Miller gave the invocation/personal remarks.

ROLL CALL

The roll was called by County Clerk Katherine C Schultz. The following members responded: Miller, Munaretto, Orphal, Peschke, Provenzano, Ryan, Salgado, Shea, Wheeler, Zierer, Barnes, Chmiel, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Jung, Kennedy, McCann and Koehler. Absent: Merkel. Chairman Koehler declared a quorum present with twenty-three (23) members responding.

MINUTES

Ms. Barnes made a motion seconded by Ms. Orphal to approve County Board minutes from June 19th, 2007. Chairman Koehler asked if there were any corrections, noting none, he asked for a voice vote, the ayes having it, the County Board minutes are approved.

CHAIRMAN'S REMARKS

Chairman Koehler said the year 2037 will be McHenry County's 200th anniversary. He mentions this because he and Mr. Heisler had the opportunity to attend the 1000th anniversary of the sister city to Crystal Lake in Germany and it was a wonderful experience. The documentation of that city started a thousand years ago. He said it was an honor to be able to attend this celebration representing the City of Crystal Lake and the County of McHenry.

SPECIAL RECOGNITION/REPORTS

None

ZBA CONSENT AGENDA

Chairman Koehler asked if anyone wished to pull a petition from the ZBA Consent Agenda.

Ms. Zierer asked to remove Petition #06-94.

Ms. Wheeler made a motion seconded by Ms. Miller to approve the following Petitions:

Exb. #07-22; Chemung Twp; Netherton/Peczkowski; reclass of A1/A2 to A1C/A2

Exb. #07-25; Marengo Twp; Skinner Trust; reclass of A1 to A1C

Exb. #07-27; Nunda Twp; 4500 Partners LLC; reclass of B2 to B2V

Exb. #07-35; Nunda Twp; Jonathan/Amy Pease; reclass of A1 to A2V

Exb. #07-36; Nunda Twp; Rick/Suzi Mancini; reclass of A1 to A2
Exb. #07-37; Nunda Twp; James/Theresa Nick; reclass of A1 to A2

Chairman Koehler asked for a roll call vote. The following members responded aye: Miller, Munaretto, Orphal, Peschke, Provenzano, Ryan, Salgado, Shea, Wheeler, Zierer, Barnes, Chmiel, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Jung, Kennedy, McCann and Koehler. Absent: Merkel. The vote being twenty-three (23) ayes noting one (1) absent, Chairman Koehler declared the motion passed.

Ms. Wheeler made a motion seconded by Ms. Donner to approve the following Petition:
Exb. #06-94; Hebron Twp; Filtertek Inc.; reclass of I1 to I1V

Chairman Koehler asked for any discussion. Ms. Zierer commented that many years ago Mr. & Mrs. Simes wanted to get a gravel pit on their property and Filtertek was one of the big objectors to this. Well, the gravel pit has been there all these years and now Filtertek would like to enlarge their plant, it seems quite a difference in thought from them to now.

Chairman Koehler asked for a roll call vote. The following members responded aye: Miller, Munaretto, Orphal, Peschke, Provenzano, Ryan, Salgado, Shea, Wheeler, Zierer, Barnes, Chmiel, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Jung, Kennedy, McCann and Koehler. Absent: Merkel. The vote being twenty-three (23) ayes noting one (1) absent, Chairman Koehler declared the motion passed.

ZBA REGULAR AGENDA

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

Exb. #07-08; Seneca Twp; Merryman Aggregate LLC; reclass of A1 to A1C

Chairman Koehler noted that a **YES vote is to DENY**.

Noting no discussion, Chairman Koehler asked for a roll call vote. The following members responded aye: Miller, Orphal, Peschke, Provenzano, Ryan, Salgado, Wheeler, Barnes, Chmiel, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Jung, Kennedy and McCann. Nay: Munaretto, Shea, Zierer and Koehler. The vote being nineteen (19) ayes and four (4) nays, noting one (1) absent, Chairman Koehler declared the **motion to deny has passed**.

Ms. Wheeler made a motion seconded by Ms. Donner to approve the following Petition:
Exb. #07-17; Nunda Twp; Pease/Mancini; reclass of R1 to B1

Chairman Koehler asked for any discussion. Ms. Wheeler said that although she put this up for approval as recommended by the ZBA she will be voting against it. She said this parcel is completely surrounded by residential area and the parcel is zoned R1 and should stay consistent with the area. Changing this to any business zoning she feels is inappropriate. Several board members agreed that the zoning should not be changed. Mr. Shea said that a previous request for B3 was voted down a while back with the suggestion that perhaps B1 might be acceptable. It was noted that people don't know what the petitioner is proposing for this B1 zoning nor does the petitioner.

Chairman Koehler noted that a formal objection has been filed with the County Clerk forcing a $\frac{3}{4}$ vote (18) by the County Board.

Chairman Koehler asked for a roll call vote. The following members responded aye: Munaretto, Orphal, Shea, Zierer, Draffkorn and Koehler. Nay: Miller, Peschke, Provenzano, Ryan, Salgado, Wheeler, Barnes, Chmiel, Donley, Donner, Dvorak, Hammerand, Heisler, Hill, Jung, Kennedy and McCann. Absent: Merkel. The vote being six (6) ayes and seventeen (17) nays noting one (1) absent, Chairman Koehler declared the **motion to approve has been denied.**

PUBLIC PARTICIPATION

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

Bruce Peleschak of Marengo	against	conditional use permits
Gina LeFavour of Woodstock	against	Merryman gravel pit
Vernon Holm of Woodstock	against	Merryman gravel pit
Ben Widoff of Woodstock	against	Merryman gravel pit
Norb Ziemer of Woodstock	against	Merryman gravel pit
Marc Lee Winnig of Crystal Lake	regarding	Zoning change process
John Kise of Woodstock	against	burning ban/Merryman pit
Wawanna Widoff of Woodstock	against	Merryman gravel pit and appreciation for hard work of Count Board

Noting no other persons wishing to speak, Chairman Koehler closed public participation.

NEW AND UNFINISHED BUSINESS

Approval of the 2007 Strategic Plan Summary Report

Mr. Jung made a motion seconded by Ms. Wheeler to approve the above-named report.

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

Submission of revised County Board Rules – for Review (to be brought back August 7)

Ms. Hill said the committee has worked long and hard on the review and changes and these here today are for the board to review before it comes up for vote on August 7th. Ms. Hill noted that the section on Public Comment had been lined out and that is in error and she has sent an e-mail to everyone noting the correct changes to this section. The changes made were the word "Participation" was changed to "Comment" and under #1 the last line, the word "solely" was taken out. Also, 7.3 regarding expenses and where they are taken from, they are taken out of County Board budget not Administration. Ms. Hill said if anyone has any other changes or suggestions, the committee will be looking at this one more time. Ms. Salgado stated that she had a major change that she would like to make, in that she would like to see the first board meeting of the month in the evening as well. It was suggested that she bring this up at the board meeting for the full County Board to consider. Ms. Peschke noted that she would like to have Public Comment prior to voting on zoning issues. Ms. Hill said the committee did discuss that and were not in agreement with it. It was suggested that maybe the board could go to one meeting a month and that could be at night. Chairman Koehler said that the history he has heard is that there used to be just one and that was changed to provide one in the day to provide a format for presentations. He said the board could go to Committee of the Whole meetings and only hold presentations and no business and go to one board meeting. It is something that could be discussed.

Ms. McCann thanked the committee for all of the work they put into this. She also commented that it is very difficult to hear in the back row. Chairman Koehler responded about the audio issue that they are checking into a new system which will be costly, but the old system that was brought over from the other building is not adequate for this room.

APPOINTMENT

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

Housing Authority	
Mary E. Reid	term to expire 06/30/2012
Board of Health	
Richard Gorski, M.D.	term to expire 06/30/2010
Linda Brogan	term to expire 06/30/2010

Chairman Koehler asked for a roll call vote. The following members responded aye: Chairman Koehler asked for a roll call vote. The following members responded aye: Miller, Munaretto, Orphal, Peschke, Provenzano, Ryan, Salgado, Shea, Wheeler, Zierer, Barnes, Chmiel, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Jung, Kennedy, McCann and Koehler. Absent: Merkel. The vote being twenty-three (23) ayes 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 Routine Consent Agenda, there were none.

Ms. Wheeler made a motion seconded by Ms. Chmiel to approve the Routine Consent Agenda.

Chairman Koehler asked for a roll call vote. The following members responded aye: Chairman Koehler asked for a roll call vote. The following members responded aye: Miller, Munaretto, Orphal, Peschke, Provenzano, Ryan, Salgado, Shea, Wheeler, Zierer, Barnes, Chmiel, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Jung, Kennedy, McCann and Koehler. Absent: Merkel. The vote being twenty-three (23) ayes noting one (1) absent, Chairman Koehler declared the motion passed.

ORDINANCES

None

ADMINISTRATOR'S REPORT

Mr. Austin said he just returned from the National Association of County's Conference in Richmond, VA. He got some good information and is in the process of preparing a report for the board.

EXECUTIVE SESSION

None

MEMBERS' COMMENTS

Mr. Provenzano said he went to the Kane Co Juvenile Justice Center with Judge Chmiel and Judge Sullivan as well as members of the Court Services, Probation and Public Defender's office. This is where we hold 10 McHenry County youth and there are about 65 in the facility right now. He said it was an eye opener for him.

Ms. Donner said the appointment of Mary Reid that was approved today was a good one. She is a very gracious lady who worked with many different agencies.

Ms. Peschke commented that when a motion is made, you may vote against it but you may not debate against it. She said she didn't call a point of order earlier in the meeting when this happened because she would like the parliamentarian to check on this, but she believes this is correct.

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Mr. Shea commented on behalf of the Fox Waterway Agency that this Saturday in McHenry at Joey T's will be the wooden boat show which people might find interesting. Then July 28th and 29th at Lakeland Park on Rt. 12 in Fox Lake there is another general boat show. Both are free he believes.

ADJOURNMENT

Ms. Miller made a motion seconded by Mr. Heisler to adjourn at 7:55 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 7th day of August, A.D., 2007.

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

ATTEST:

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