

MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
MARCH 18, 2008

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, March 18, 2008.

Chairman Koehler called the meeting to order at 7:00 p.m. The Pledge of Allegiance to the Flag was led by Chief Deputy County Clerk Terry Madsen with Members of the Board, department heads and visitors participating. Ms. Peschke gave the invocation/personal remarks.

ROLL CALL

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

MINUTES

Ms. Barnes made a motion seconded by Mr. Dvorak to approve County Board minutes from February 19th and March 4th, 2008. Chairman Koehler asked if there were any corrections, a few misspellings were pointed out and will be corrected. Chairman Koehler asked for a voice vote, the ayes having it, Chairman Koehler declared the motion to approve minutes has been approved.

CHAIRMAN'S REMARKS

Chairman Koehler said their trip to Washington D.C. was successful as they were able to meet with several people while they were there and had good discussion on needs of McHenry County.

SPECIAL RECOGNITION/REPORTS

Mr. Ryan made a motion seconded by Ms. Wheeler to approve the following Eagle Scout award:
Benjamin Joseph Wright of Troop 171 Harvard

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

SPECIAL PRESENTATIONS

Economic Development Corporation Update – Chris Manheim, CEcD

Mr. Manheim handed out a booklet on the 2007 highlights and 2008 initiatives and went over it with the County Board. A copy of the handout is in the board file.

Real Estate Property Abatements – Bill LeFew, Treasurer spoke.

Mr. LeFew told the board that in October 2007 the state passed Public Act 644 which gives authority to County government and municipal governments to pass an ordinance which would abate the county's share of the real estate taxes to a surviving spouse. There are guidelines in the Act but the County gets to set the percentage of abatement and the time it abates. He would like the County Board to look at this. Chairman Koehler said he will get this before the Finance Committee.

ZONING BOARD OF APPEALS

Chairman Koehler noted that Petition #07-68 is being pulled tonight by request of the Petitioner's attorney and will be brought back at a later date.

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

- Exb. #06-13; Richmond Twp; HSB Tr #4702/Englert; reclass of A1 to A2
- Exb. #07-80; Greenwood Twp; Manke Trust; reclass of A1 to A2
- Exb. #07-81; Algonquin Twp; John Schermer; reclass of A1 to A1V
- Exb. #07-93; McHenry Twp; Charles Redmond; reclass of R1 to R1V

Noting no discussion, Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Dvorak, Hammerand, Hill, Jung, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke, Provenzano, Ryan, Salgado, Shea, Wheeler, Zierer, Barnes, Chmiel, Donner and Koehler. Absent: Heisler and Donley. The vote being twenty-two (22) ayes, noting two (2) absent, Chairman Koehler declared the motion approved.

ZBA REGULAR AGENDA

None

PLATS

None

PUBLIC COMMENT

Chairman Koehler explained the rules of Public Comment. The following people spoke:

Jeff Gerhardt of Wonder Lake	for	SSA in Wonder Lake
Rainy Gerhardt of Wonder Lake	for	SSA in Wonder Lake
Chester Bahrke of Wonder Lake	against	SSA in Wonder Lake
Arline Bahrke of Wonder Lake	against	SSA in Wonder Lake
Elmer Glosson of Wonder Lake	against	SSA in Wonder Lake
Brenda Metcalf of Wonder Lake	against	SSA in Wonder Lake
Robert Heuck of Wonder Lake	against	SSA in Wonder Lake
Kevin Winkler of Wonder Lake	against	SSA in Wonder Lake
Jan Flade of Wonder Lake	against	SSA in Wonder Lake
Herb Zabroski of Wonder Lake	against	SSA in Wonder Lake
Joseph Interligi of Wonder Lake	against	SSA in Wonder Lake
Jim Mazan of Wonder Lake	against	SSA in Wonder Lake
Ed Stygar of Wonder Lake	for	SSA in Wonder Lake
Bill Arnos of Wonder Lake	for	SSA in Wonder Lake

Chairman Koehler said the 30-minute allotted time for Public Comment had passed and asked the board if they would extend the time limit.

Mr. Shea made a motion seconded by Ms. Hill to extend Public Comment for 30 minutes. Chairman Koehler asked for a voice vote, the ayes having it, Chairman Koehler declared the motion passed.

The following people spoke:

Karen Lavin of Wonder Lake	for	SSA in Wonder Lake
Anthony Topf of Wonder Lake	for	SSA in Wonder Lake
Max Savalick of Wonder Lake	against	SSA in Wonder Lake
Arlene Pedersen of Wonder Lake	for	SSA in Wonder Lake
Arthur Stoike of Wonder Lake	for	SSA in Wonder Lake
Richard A Hilton of Wonder Lake	for	SSA in Wonder Lake
Kathy Hunt of Wonder Lake	against	SSA in Wonder Lake
Laureen Slater of Wonder Lake	against	SSA in Wonder Lake
Mike Rakestraw of Wonder Lake	against	SSA in Wonder Lake
Dorothy Switzer of Wonder Lake	regarding	SSA in Wonder Lake
Kathy Blum of Wonder Lake	for	SSA in Wonder Lake

Noting no other persons wishing to speak, Chairman Koehler closed Public Comment. Survey results from Hickory Falls Unit #3 in Wonder Lake are filed in the County Board file.

NEW AND UNFINISHED BUSINESS

None

APPOINTMENTS

Chairman Koehler said he has been asked to split this up so that the RTA Appointment is voted on by itself. Mr. Provenzano made a motion seconded by Mr. Dvorak to approve the following Appointments except the RTA Appointment:

Sheriff's Merit Commission

Bill Mack term to expire 04/01/2014

Board of Review Hearing Officers

Robin Brunshon term to expire 05/31/2010

Mary Mahady term to expire 05/31/2010

Community Development Block Grant Commission

Mark Ruda term to expire 02/01/2010

Historic Preservation Commission

Dorothy Otis term to expire 11/26/2010

Dorothy Scherschel term to expire 11/26/2012

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

Chairman Koehler said this is a historic appointment for this board as McHenry County will now have its own member to sit on the RTA board instead of splitting it with other counties.

Mr. Jung made a motion seconded by Ms. Zierer to approve the following Appointment:

Regional Transportation Authority (RTA)

Albert Jourdan term to expire 04/01/2013

Chairman Koehler asked for any discussion. Some board members commented for this appointment and some commented against this appointment.

Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Dvorak, Hammerand, Hill, Jung, McCann, Merkel, Miller, Munaretto, Peschke, Provenzano, Ryan, Shea, Wheeler, Zierer, Barnes, Chmiel, Donley, Donner and Koehler. Nay: Kennedy, Orphal and Salgado. Absent: Heisler. The vote being twenty (20) ayes and three (3) nays, noting one (1) absent, Chairman Koehler declared the motion passed.

STANDING COMMITTEE CHAIRMAN UPDATES

Mr. Jung said the Regional Planning Commission (RPC) met last week with the Water Resource Committee. He added that there have been some resignations from the Planning Commission recently due to personal reasons and time restrictions. They are looking for candidates to fill the spots. He encouraged everyone to attend the next meeting on March 27th.

Ms. Peschke said the Public Health and Human Services meeting scheduled for the 28th has been canceled and the two items that were on this agenda will be addressed on April 11th.

Ms. Hill said the Management Services meeting schedule on the 25th has been canceled. Also, she noted that with the development that is east of here, at Raffle and Ware Roads, it is difficult to find the street to turn on to get up here. They have the DOT working on creating a sign for down there telling you where to turn. Lastly she asked board members to consider attending MCCOG meetings and especially when it is being hosted by your district.

Ms. Wheeler said that with RPC losing two of its members, the Planning and Development Committee is looking for people to fill these spots. She asked board members to reach out to their constituents to see if they would be interested in participating as well she asked board members to consider attending some of these meetings to provide input. Ms. Wheeler talked about the Multi Purpose event venue that some people have heard about. This is not a County project but a project she is trying to help facilitate for the County with the cooperation of the McHenry County Community Foundation, they are the lead agency. If anyone is getting questions about this event you should direct those questions to Kate Halma at the McHenry County Community Foundation. Ms. Wheeler asked Ms. Hill to talk about the CDBG position(s) resolutions that are on the agenda today. Ms. Hill said the CDBG Committee has recently gotten an update from staff. CDBG is money we get from HUD to help with housing and social services in the County, we get about \$1.2 million dollars a year that has to be doled out. In the monitoring letter from HUD they were not happy with how we were handling the administration of it and that we did not have enough staff. Ms. Hill said we thought we were conservative and spending the money where the projects were needed vs. spending it on administration and the federal government thinks otherwise. In that light she said we will be hiring an additional staff member or two to comply with the monitoring level. The money comes out of the HUD funds so there will be less money to give to the projects.

Mr. Hammerand said the Liquor and License Committee will be reviewing with the licensees that failed to check the age of certain customers after their criminal cases are over to find out what procedures and processes will be put in place to stop the sale of liquor to minors.

Ms. Zierer thanked board members that came to the COW meeting tonight to get an update on Valley Hi and the work Revere is doing out there.

Mr. Shea reminded everyone that the Rakow Road Public Hearing is tomorrow night at Crystal Lake South from 4-7 p.m.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Routine Consent Agenda. Mr. Shea asked to remove 15.2 I(9) and Mr. Hammerand asked to remove 15.2 G(1).

Ms. Wheeler made a motion seconded by Mr. Provenzano to approve the Routine Consent Agenda with two items removed.

Mr. Kennedy commented on 15.2 B(3) and B(4) talking about the importance of this grant and the SCAAP award.

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

*15.2 G(1) Resolution consenting to the creation of a special service area by the Village of Wonder Lake
Ms. Wheeler made a motion seconded by Ms. Salgado to approve the above-named Resolution.*

Chairman Koehler asked for any discussion. Board members commented both pro and con on this resolution. Some feel that that this is a good project but the decision on how to fund it needs to be made by the residents of Wonder Lake and not the County Board. There should not be taxation without representation. Mr. Hammerand said about a year ago he got together with Planning and Development and the State's Attorney's office to try and find a way to put a referendum on the ballot, which he would have been in favor of whatever the result of that referendum would be. He feels that the project needs to be done, except perhaps West Bay which has shown some problems by EPA standards. In regard to the process of getting 51% of the homeowners to sign petitions, this he feels is next to impossible. One of the problems he sees is the Motor Voter Law which he has talked with County Clerk Katherine Schultz about over the years. It's hard to get accurate voter lists because people move and pass away and renters come and go and sell homes. If you can't get someone to sign the petition because they don't live at the property, they are a "yes" vote. Mr. Hammerand said he thinks the process should be delayed and try to get a referendum in two years, as there is legislation in process now. He is against passing this resolution this

evening. Ms. Draffkorn said she lives in Wonder Lake and feels the MPOA has done their duty and the public had opportunity to attend open houses and voting processes, Ms. Salgado thanked all of the people for their recent e-mails and phone calls on this issue but agrees that residents had opportunity to participate and learn the facts. The Village of Wonder Lake MPOA, an appointed governing body, has said they are in favor of this and she does not believe we should be making a decision for them. Ms. Wheeler noted that there are 65 deeded lots that have lake access or are on the lake front. Per every 100 there is a delegate for the MPOA and you can't get more local than that and 60% of these people voted for the SSA. This continued to Planning & Development where it was decided that a piece of information was missing and that was Wonder Lake's ability to borrow that type of money, which they were able to. Ms. Wheeler said there have been talks about the poisons and metals in Wonder Lake and Mr. Brandt, a Wonder Lake resident and an employee of the United States Soil & Water, has read many things in regard to that but nothing substantial. If within the dredging something was found they would put things on hold and do what they needed to do to mitigate that problem. Ms. Wheeler said there is never a right time to tax the public but this project is a good project and needs to be done.

Ms. Zierer asked to call the question and have a vote on this resolution.

Mr. Hammerand called a Point of Order and asked if he could vote on this since he is a tax payer in Wonder Lake. Chairman Koehler checked with the Asst State's Attorney who said it is not distinguished from any other member of the general public unless there is direct economic interest such as a relative of the MPOA, so Chairman Koehler felt that Mr. Hammerand could vote on this.

Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Hill, Jung, McCann, Miller, Munaretto, Orphal, Provenzano, Ryan, Salgado, Shea, Wheeler, Chmiel, Donley, Donner and Koehler. Nay: Dvorak, Hammerand, Kennedy, Merkel, Peschke, Zierer and Barnes. Absent: Heisler. The vote being sixteen (16) ayes and seven (7) nays noting one (1) absent, Chairman Koehler declared the motion consenting to the creation of a Special Service Area (SSA) by the Village of Wonder Lake has passed.

15.2 I(9) *Resolution to approve an Intergovernmental Agreement between the Village of Union and McHenry County for a traffic flow improvement project as revised.*

Mr. Shea made a motion seconded by Ms. Miller to approve the above resolution as revised.

Mr. Shea commented that funds do not have to be appropriated for this and a spelling error was corrected.

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

ORDINANCES

For Review: A. Ordinance Amending the McHenry County Stormwater Management Ordinance
#O-200401-10-009 adopted January 20, 2004

B. Ordinance adopting Cable and Video Customer Protection law

C. Ordinance establishing cable/video service provider fee

For Action: *Ordinance authorizing an extension to the Cable Television Franchise Agreement with Comcast of Northern Illinois, Inc. and Comcast of Illinois/Texas, Inc. (Waiver of 30-day Review requested)*

Ms. Hill made a motion seconded by Ms. Chmiel to approve the above-named ordinance For Action. Ms. Hill noted that the 30-day review is being requested because the existing agreement for this expired three days ago, however we are covered by Ordinance but didn't want to go for 30 more days.

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

ADMINISTRATOR'S REPORT

Mr. Austin put on board member desks an information piece on the Chicago Community Trust, it is a privately held and administered grant foundation. This is something to keep in mind when we are looking for money for projects. Also on desks is a copy of the County Administrator's report which was also e-mailed.

The most noteworthy piece in the report was about the Sheriff's office securing an increase in their per diem rates from the ICE detainees, from \$74.19 per day to \$85 per day. Lastly, Mr. Austin said he will be gone from Tuesday to Tuesday on spring break with his family.

EXECUTIVE SESSION

None

MEMBERS COMMENTS

Mr. Hammerand told the board that the 4-H and the Woodstock Rotary provided the candy for members today. They had some extras from the gathering that was sponsored by the Extension Service.

Ms. Salgado said everyone received a press release on the Mental Health Court. On April 4th it will be their 1 year anniversary and consequently they will be having a court date on that day at 1:30 and everyone is invited to come afterward to the State's Attorney's office to talk to team members and find out what has been going on. She added that they now are doing 2 court dates and have 16 participants and pretty soon it will be a full time thing.

Ms. Peschke spoke regarding the MCCOG dinners saying she used to go but now finds she has meetings on those evenings and can't go to them and also the cost of \$30 seems quite high. She said they should advertise that you can go to the meetings without eating dinner. Chairman Koehler responded that MCCOG generally runs their program for an hour or two prior to the dinner and the rest is really the business meeting.

Ms. Hill agreed that you can attend the MCCOG program without having to have dinner. Also, she thanked IT for a smooth transition into the new computers.

Mr. Provenzano thanked everyone who participated in the campus planning meeting. One of the things debated was the concept of building out extra space so that we can grow into our buildings. The third floor jail build out is a prime example of how planning for the future can be good.

Mr. Kennedy said Saturday he attended a program sponsored by the American Association of University Women, Huntley branch. They talked about open lands, conservation and water preservation in the County and what we can do in the future. Lastly, from the Chicago Tribune editorial section on the 13th, he read a piece called "How to Honor a Vet" and dedicated it to all veterans.

COMMUNICATIONS

None

ADJOURNMENT

Ms. Donner made a motion seconded by Mr. Kennedy to adjourn at 9:45 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 15th day of April, A.D., 2008.

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

ATTEST:

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