

MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
MAY 20, 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, May 20, 2008.

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. Wheeler gave the invocation/personal remarks.

ROLL CALL

The roll was called by County Clerk Katherine C Schultz. The following members responded: Hill, Jung, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke, Provenzano, Shea, Wheeler, Zierer, Barnes, Chmiel, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler and Koehler. Absent: Ryan and Salgado. Chairman Koehler declared a quorum present with twenty-two (22) members responding. Mr. Ryan arrived after the roll call.

MINUTES

Mr. Shea made a motion seconded by Ms. Miller to approve County Board Regular Session minutes from May 6th. Chairman Koehler asked if there were any changes or corrections, there were none. Chairman Koehler asked for a voice vote, the ayes having it, Chairman Koehler declared the motion passed.

CHAIRMAN'S REMARKS

Chairman Koehler thanked everyone for the plant, cards and calls he received after his knee surgery. He said he is healing well and hoped to be back full time in about a week or so.

SPECIAL RECOGNITION/REPORTS

Ms. Orphal made a motion seconded by Mr. Heisler to approve the following Eagle Scout recognition:

David M Grojean of Crystal Lake Troop #347
Thaddeus J Ciochon of Crystal Lake Troop #347
Robert Wascher of Huntley Troop #167

Chairman Koehler asked for a voice vote, the ayes having it, Chairman Koehler declared the motion passed. Chairman Koehler asked David Grojean to come forward. He congratulated David for his accomplishment and presented him with a miniature County flag and Certificate on behalf of the County Board.

SPECIAL PRESENTATIONS

None

ZBA CONSENT AGENDA

Ms. Wheeler asked if any petitions needed to be removed, there were none.

Ms. Wheeler made a motion seconded by Ms. Chmiel to approve the following ZBA petitions:

Exb. #08-01; Seneca Twp; Purdom; reclass of A1 to A2
Exb. #08-02; Seneca Twp; Purdom; reclass of A1 to A2
Exb. #08-03; Seneca Twp; Purdom; reclass of A1 to A2
Exb. #08-04; Seneca Twp; Purdom; reclass of A1 to A2
Exb. #08-15; Dorr Twp; Tillman Trust; reclass of I1 to B3

Exb. #08-16; Greenwood Twp; Franz/Franz Trust; reclass of R1 to R1V

Chairman Koehler asked for a roll call vote. The following members responded aye: Hill, Jung, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke, Provenzano, Ryan, Shea, Wheeler, Zierer, Barnes, Chmiel, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler and Koehler. Absent: Salgado. 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. Zierer to approve the following Petition:
Exb. #07-89; Dunham Twp; Jose/Rose Michel; reclass of A2V to A2CV

Chairman Koehler asked for any discussion. Chairman Koehler said he received a letter from Dunham Township in opposition of this Petition and a letter from the City of Harvard who is in favor of this Petition. Although many board members were in favor of this, some were concerned about this becoming a commercial like business on AG zoned property. It was asked how this conditional use would be monitored. Ms. Wanaski from Planning and Development said they have an inventory of the Conditional Use permits and they are checked every summer through fall. It was asked if the Health department issues had been resolved, Ms. Wanaski said yes it has been resolved.

Ms. Donner made a **motion to amend** seconded by Mr. Dvorak to **change the time limit of the Conditional Use in Condition #1 from a term of ten (10) years to five (5) years.**

Chairman Koehler asked for any discussion on the motion to amend. Many board members were against changing the time limit on the Petition. Ms. Donner said she felt it needed to be watched closer over 5 years and if everything goes well then the Conditional Use can be extended for more.

Chairman Koehler asked for a voice vote on the motion to amend to change the time limit of the Condition Use from ten (10) years to five (5) years, the nays having it, Chairman Koehler declared the **motion to amend has failed.**

Chairman Koehler asked for any other comments on the main motion.

Mr. Hammerand made a **motion to amend** seconded by Ms. Peschke to change Condition #4 from "or" to "and" reading:

Seasonal events ~~or~~ **"and"** facility rental activities shall be conducted only within the structure.

Chairman Koehler asked for any discussion on the motion to amend. Mr. Hammerand said the events should be restricted to four per year including the rentals. His intent in changing this is to clarify what is being allowed. Ms. Wanaski verified with Ms. Kooistra from the ZBA about what was being requested saying the Petitioner is requesting four (4) seasonal events and the other condition pertains that any kind of rental facility or any kind of activity regarding the use of that facility, anything be conducted indoors. They are two separate and distinct conditions, everything is considered to be indoors. Ms. Wanaski suggested changing the word "seasonal" to "public". Ms. Kooistra from the ZBA said that from the hearing they were told there would be four (4) large events that would be publicized and as well beyond that the facility would be open for teas, bed and breakfast, for tours and that would be arranged with the owner of the home, and that is unlimited. The only thing being limited is four (4) large events that must be inside the home.

Mr. Hammerand said this clarified the use and he **withdrew his motion to amend**, the seconder agreed with the withdrawal.

Chairman Koehler asked for any other discussion on the main motion.

Ms. Hill made a **motion to amend** seconded by Mr. Provenzano to **change the word "seasonal" to "public" in Conditions #3 and #4.**

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

Chairman Koehler asked for any other discussion on the main motion, noting none, Chairman Koehler asked for a roll call vote. The following members responded aye: Hill, Jung, McCann, Merkel, Miller, Munaretto, Orphal, Provenzano, Ryan, Shea, Wheeler, Zierer, Barnes, Chmiel, Donley, Draffkorn, Dvorak and Koehler. Nay: Kennedy, Peschke, Donner, Hammerand and Heisler. Absent: Salgado. The vote being eighteen (18) ayes and five (5) nays noting one (1) absent, Chairman Koehler declared the motion to approve **Petition #07-89 as amended has passed.**

PLATS

None

PUBLIC COMMENT

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

Thomas J Roti of Crystal Lake	regarding	Immigration
Lisa Haderlein of Harvard	regarding	Conservation Design
Kim Willis of Woodstock	regarding	2030 RPC
Tammy Valentine-Garza of Richmond	general comments	
Randy Stowe of Harvard	regarding	land use
Patricia Kennedy of Harvard	against	Petition #07-89
John Berry of Marengo	regarding	Conservation Design

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

NEW AND UNFINISHED BUSINESS

Chairman Koehler told the board that Petition #07-68 was supposed to be brought back for vote this evening, however the Petitioner's attorney requested that this be brought back on July 17th.

APPOINTMENTS

Mr. Jung made a motion seconded by Ms. Donner to approve the following Appointments:

Ethics Commission

Tim Savage Village of Richmond term to 02/01/2013

Lake in the Hills Sanitary District

David McPhee term to 05/01/2009

Senior Services Grant Commission

Ed Beckstrom term to 10/01/2009

TB Board

James Mowery term to 06/30/2011

Upper IL River Valley Development Authority

Blake Hobson term to 01/19/2009

Chairman Koehler asked for any discussion. Ms. Hill asked how Mr. Hobson would be representing us on the Upper IL River Valley Development Authority. Chairman Koehler said there are some major funding opportunities that are available through this, it is funding available for major industrial projects throughout the entire corridor.

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

STANDING COMMITTEE CHAIRMAN UPDATE

Ms. Zierer told the board that many things have been heard and read about things happening out at Valley Hi and she noted that their main concern is the care of the residents and the food that they are receiving. Revere has promised that these things will be taken care of.

Ms. Peschke said that at the Board of Health meeting they approved some changes to the Pool Barrier Ordinance. If anyone has any questions on this let her know or come to the meeting and she noted she will be asking that at our first meeting in June to waive the 30-day review as it is pool construction season.

Mr. Hammerand said at the Liquor License Committee meeting a question was brought up about a raffle wherein a person was going to raffle a piece of property. He said that the Raffler must have title to the property; you can't raffle someone else's property and then later on transfer it. You can only do the raffles as a non-profit organization.

Ms. Wheeler said in the Planning and Development Committee (P & D) there are two openings on the Regional Planning Commission. One is from District 1 and the other is from District 3. She said they did an advertisement for District 1 for a very long time and they didn't receive any applications. At the last Regional Planning Commission they took a consensus as to whether they wanted to fill those two positions and it was the consensus of them not to fill them. The problem is that no one has applied. It was determined at their last P & D meeting that we would see if there were applications and determine at that point whether we would have interviews in July for District 1 and 3.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Routine Consent Agenda, there were none. Mr. Shea made a motion seconded by Mr. Ryan to approve the Routine Consent Agenda as presented.

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

ORDINANCES

For Action:

Ordinance amending Ordinance No. O-200305-10-031 as it pertains to Section R113.4

Ms. Wheeler made a motion seconded by Ms. Donner to approve the above-named amended ordinance.

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

ADMINISTRATOR'S REPORT

Mr. Austin said last Friday night there was a small fire in the Assessments office from a piece of carpet cleaning equipment at about 6:05 p.m.. He said he was very proud of the staff that were here to assess damage and those that were here on the weekend working on the computers and they were back up and running by 11 a.m. Monday morning. Secondly, Mr. Austin pointed out the resolution approved this evening (#15.2 D(1)) an agreement with the National Center for State Courts. He is excited about this as it is the time to really look hard at the Court Administrator position and how we want it to fit into the larger organization.

EXECUTIVE SESSION

Chairman Koehler said there was a need to go into Executive Session to discussion Personnel issue(s).

Ms. Barnes made a motion seconded by Ms. Chmiel to go into Executive Session.

Mr. Dvorak made a motion seconded by Mr. Heisler to return to Regular Session.

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

Executive Session ran from 8:25 p.m. to 9:45 p.m. There was no action taken in Executive Session.

COMMUNICATIONS

None

COMMENTS

Mr. Merkel commented that Mr. Jung was appointed as the McHenry County representative for the Metropolitan Mayors Caucus for the 2016 Olympics. There have been a couple of meetings with the next meeting being in June. In June the International Olympic Committee will be meeting and they will be taking the list down to 4-5 finalist cities and if Chicago is in the running, they are going to step up their Olympic campaign with public awareness and promotions. He and/or Mr. Jung will keep the board up to date.

Ms. Zierer noted that former board member Rolly Neumaier passed away a while back and felt that this should be mentioned. Chairman Koehler thanked Ms. Zierer for letting him know, he was not aware of this.

Mr. Munaretto said Cort Carlson is preparing a letter to go to the board members informing you that the State of Illinois has awarded certification to the McHenry County Convention & Visitors Bureau. We are now officially a certified CVB. He said when we originally submitter our application we asked the state to calculate what our portion of the LTCB Grant would be and they thought it would be around \$30,000 dollars. Mr. Munaretto said we received a confirmation today from the Illinois Bureau of Tourism that we have been awarded \$134,000 dollars. He had some concerns about permanent financing for the McHenry County Convention & Visitors Bureau and this money will go a long way.

ADJOURNMENT

Ms. Hill made a motion seconded by Mr. Heisler to adjourn at 9:50 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 3rd day of June, A.D., 2008.

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

ATTEST:

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