

MCHENRY COUNTY BOARD  
MINUTES OF THE REGULAR SESSION MEETING  
MAY 5, 2009

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

<b>District 1</b> Yvonne M. Barnes Robert Bless Anna May Miller Marc Munaretto	<b>District 2</b> J.S. "Scott" Breeden James Heisler Kenneth Koehler Lyn Orphal	<b>District 3</b> Mary L Donner Ed Dvorak Kathleen Bergan Schmidt Barbara Wheeler
<b>District 4</b> Sue Draffkorn John Hammerand Pete Merkel Sandra Fay Salgado	<b>District 5</b> Tina Hill James P Kennedy Virginia Peschke Paula Yensen	<b>District 6</b> Randall Donley Mary T McCann Daniel P Ryan Ersel C Schuster

The Honorable County Board of McHenry County, Illinois met in Regular Session on Tuesday, May 5, 2009.

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 Schultz with Members of the Board, department heads and visitors participating. Mr. Bless gave the invocation/personal remarks.

ROLL CALL

The roll was called by County Clerk Katherine Schultz. The following members responded: Kennedy, McCann, Miller, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill and Koehler. Absent: Merkel and Munaretto. Chairman Koehler declared a quorum present with twenty-two (22) members responding.

MINUTES

Mr. Heisler made a motion seconded by Ms. Barnes to approve County Board minutes from April 21, 2009. Chairman Koehler asked if there were any corrections. Noting none, Chairman Koehler asked for a voice vote, the ayes having it, the motion to approve the minutes was approved.

CHAIRMAN'S REMARKS

Chairman Koehler said the Integrated Justice System is up in running in the Circuit Clerk's Office and the prior system is sitting as a backup source for documents. Despite some minor issues, some sixty million documents were transferred over the weekend. He commended Ms. Keefe and her staff for all of their work. The other issue he mentioned was the "Swine Flu" outbreak. He gave a lot of credit to the Public Health Department saying that we are prepared to handle this kind of situation.

SPECIAL RECOGNITION/REPORTS

None

SPECIAL PRESENTATIONS

**8.2 HUD-Neighborhood Stabilization Program (Ray Willis, Chicago Regional HUD office)**

Chairman Koehler asked Ms. Hill and Ms. Draffkorn to come forward as well as Mr. Willis for this presentation. Chairman Koehler said this is some funding which the County had applied for through HUD that has to do with the turnaround of foreclosed homes. He said the County will be involving other partners in the implementation of this using both CAMCO and some other organizations that work closely with people that are having financial problems. Mr. Willis, Director of the HUD office Community Planning and Development in Chicago, said their responsibility is to oversee the CDBG Program among other things. Today he is here to present part of the stimulus money that is designed to address issues related to foreclosures and abandonment. He presented a check in the amount of \$3.085 million dollars to the County of McHenry to be used to address the issue of foreclosure to purchase foreclosed and abandoned properties and in turn rent those properties out to low income households as well as sell those properties to individuals with incomes of up to 120% of the area needing income. This is not for assisting anyone that is involved in or having problems with paying their mortgage. That form of assistance will be out later coming from another entity. Mr. Willis said it was Congresses idea that through the acquisition of property to get people back into the homes and communities would go a long way in terms of stabilizing further decline of neighborhood communities.

Mr. Willis added that they do have a regular allocation of CDBG grant monies that are out on the streets as of yesterday which is something in the neighborhood of about \$1.3 million dollars. The other aspect is that NSP2 is coming which means that there will be other opportunities whereby the County as well as non-for-profit organizations are going to be able to apply for funding for projects that are shovel ready that create jobs and economic opportunities. He said those applications will be due in his office around July 17<sup>th</sup>. Mr. Willis said the money is here and is coming relative to the Neighborhood Stabilization Program of last year relative to the American Recovery and Reinvestment Act of this year. Chairman Koehler thanked Mr. Willis for coming out this morning.

### 8.1 "Look at Local History Month" – "This Place Counts" (Denise Collins)

Ms. Collins gave a power point presentation on integrating historic and natural features in a rapidly developing County and told the board and public about the open spaces and positive attributes in the County as well as defining the character of community and the county. She said she often gets asked about Peddler Pines; back when tin smiths and tinkers would come through the area they offered a premium and it was often a little seedling of a pine tree. You will see massive old pine trees left where old farm houses are long gone, you will know that is a Peddler Pine. Ms. Hill thanked the Historic Preservation Commission for their work. It was asked what townships have been inventoried? Ms. Collins said she wasn't sure as that was done years ago and they haven't been able to do anything on this because of no funding in so long. She said there have been many changes since it was completed years ago.

### 8.3 Update on H1N1 Virus "Swine Flu" – Pat McNulty

Mr. McNulty said there has been quite a lot of activity on this since April 24<sup>th</sup> when we first activated our emergency operations center in the Health Department. He introduced key staff members, Fran Stanwood, Director of Nursing; MaryLou Luedtke, Communicable Disease Coordinator; Carrie Zuleski, Emergency Response Coordinator; Debra Quackenbush, Community Information Coordinator; Elizabeth Hackett, Medical Reserve Corp Coordinator; Kristin Harrison, Epidemiologist; and Joe Google, Manager for Administration who've all worked on this non-stop since we first became involved. Mr. McNulty said this is a new strain and we didn't have a lot of information on this when we first started, and our efforts are to prepare for the worst and hope for the best. Fortunately cases have been mild but there are things that they need to do. They are closely coordinating with the IL Department of Public Health and the Communicable Disease Center and Prevention in Atlanta, GA with almost non-stop information coming forward on this. They also work very closely within the region and neighboring counties.

Ms. Stanwood talked about this virus and how it got its name and reminded everyone of the symptoms and modes of prevention, first and foremost the washing of hands and staying home if you're sick. Ms. Zuleski talked about the anti-viral meds that were available and noted that each county in IL got a pallet of the meds. Ms. Peschke raised the question about the virus's possible return in the fall. Mr. McNulty said that a vaccine is being worked on right now so if there is an outbreak in the fall we will be prepared.

### PLATS

None

Before public comment Chairman Koehler talked about a resolution that is before the board today regarding the changing of hours of the Bolger-Stratton Lock and Dam in McHenry County and the financial effects it will have on business owners on the Fox. Jim Bishop and Phil Bartmann came forward and said they represent dozens of people and businesses on the water, all of who are very upset about this proposed change. The changing of hours being recommended by the State is a budgetary move and will affect McHenry County economically. Chairman Koehler said we will be sending legislators a copy of the Resolution that is on the agenda today and that MCCOG is in support of our resolution as well.

### PUBLIC COMMENT

Chairman Koehler explained the rules of public comment and reminded those wishing to speak on a zoning issue to be cautious because we can't have anything that is considered testimony, as it could be use against either side once the County Board actually votes on the petition if there were to be any legal action. Both parties in the Resurrection Center petition were represented by counsel at the ZBA hearings and if testimony is given it could complicate issues.

The following people spoke:

Bob & Jane Barkei of Marengo	for	Resurrection Village
Ed & Geri McKeown of Lakewood	for	Resurrection Village
Ed Ellinghausen of Woodstock	against	Resurrection Village
John O'Neill of McHenry	for	Resurrection Village
Fr. Robert Sherry of McHenry	for	Resurrection Village
Fr. David Kagan of Rockford	for	Resurrection Village

Barbara Rill of Crystal Lake	for	Resurrection Village
Tom Landers of Woodstock	for	Resurrection Village
Nancy Schietzelt of Crystal Lake	against	Resurrection Village
John Sterling of Woodstock	regarding	Resurrection Village
Lorence Brown of Marengo	regarding	Resurrection Village
Don Kaminski of Harvard	for	Resurrection Village

Chairman Koehler noted that the 30 minute allotted time for public comment had elapsed and asked the board to extend. Ms. Hill made a motion seconded by Ms. Schuster to extend public comment for 30 minutes.

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

The following people spoke:

Kevin Eldridge of Woodstock	for	Resurrection Village
Michael Skala of Huntley	regarding	Resurrection Village
Robert Kessler of Crystal Lake	for	Resurrection Village
Jim Hall of Woodstock	for	Resurrection Village
Nick Kockler of Woodstock	for	Resurrection Village
Trudy Hayna of Woodstock	against	Resurrection Village
Wayne Manning of Woodstock	for	Resurrection Village
Thomas Abraham of Lakewood	for	Resurrection Village
Fr. James McLoughlin of Richmond	for	Resurrection Village
Nick Provenzano of McHenry	for	Resurrection Village
Rick O'Conner of Woodstock	against	Resurrection Village
Kelly Harris of Woodstock	against	Resurrection Village
Todd Giese MD of Woodstock	against	Resurrection Village

Chairman Koehler noted that the 30 minute extension of time for public comment had elapsed and asked the board to extend. Ms. Miller made a motion seconded by Ms. Barnes to extend public comment for 30 minutes.

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

The following people spoke:

Terry Giese of Woodstock	against	Resurrection Village
Michele Drennen of Woodstock	for	Resurrection Village
James Pitsch of Bull Valley	against	Resurrection Village
Kenneth E Cox of Woodstock	against	Resurrection Village
James Ratway of Woodstock	against	Resurrection Village
Jim Ivers of Woodstock	for	Resurrection Village
Nancy Jung of Woodstock	against	Resurrection Village
Greg Downs of Woodstock	against	Resurrection Village
Janice Levernier of Woodstock	against	Resurrection Village
Dave Boger of McHenry	for	Resurrection Village

Chairman Koehler noted that the 30 minute extension of time for public comment had elapsed and asked the board to extend. Ms. Yensen made a motion seconded by Mr. Kennedy to extend public comment for 30 minutes.

Mr. Hammerand made a **motion to amend** seconded by Ms. Yensen **to finish public comment after the Board conducts its business on the Agenda** so that a quorum is not lost by those having to leave.

Chairman Koehler asked for a voice vote then a hand count, the ayes having it, the **motion to amend** to finish public comment after the Board conducts its business on the Agenda **has passed**.

Chairman Koehler asked for a voice vote on the original motion to extend another 30 minutes for public comment, the ayes having it, the motion to extend has passed.

#### NEW AND UNFINISHED BUSINESS

##### **11.1 Resolution to approve the acquisition of right of way for highway purposes**

Ms. Miller made a motion seconded by Ms. Salgado to approve the above-named resolution.

Noting no discussion, Chairman Koehler asked for a roll call vote. The following members responded aye: Kennedy, McCann, Miller, Peschke, Ryan, Salgado, Schmidt, Schuster, Yensen, Barnes, Bless, Breeden, Donley, Donner,

Draffkorn, Dvorak, Hammerand, Hill and Koehler. Absent: Merkel, Munaretto, Orphal, Wheeler and Heisler. The vote being nineteen (19) ayes and five (5) absent, Chairman Koehler declared the motion passed.

**11.2 Resolution in support of continuation of the existing days and hours of operation of the Bolger-Stratton Lock and Dam in McHenry County**

Ms. Hill made a motion seconded by Ms. Peschke to approve the above-named resolution.

Noting no discussion, Chairman Koehler asked for a voice vote, the ayes having it, Chairman Koehler declared the motion passed.

APPOINTMENTS

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

Board of Review

Jan Hervert term to 05/31/2011

Historic Preservation Commission

Bruce Randall term to 11/26/2012

Chairman Koehler asked for a roll call vote. The following members responded aye: Kennedy, McCann, Miller, Peschke, Ryan, Salgado, Schmidt, Schuster, Yensen, Barnes, Bless, Breeden, Donley, Donner, Draffkorn, Hammerand, Heisler and Koehler. Absent: Merkel, Munaretto, Orphal, Wheeler, Dvorak and Hill. The vote being eighteen (18) ayes and six (6) absent, Chairman Koehler declared the motion passed.

STANDING COMMITTEE CHAIRMAN UPDATES

Ms. Hill said that by the end of the day tomorrow the Resurrection Center packets will be to board members via e-mail so that the board has additional time to review all of the transcripts. Secondly, she thanked staff for all of the work they have done on the CDBG with the HUD money and proceeding to get that money for the citizens of McHenry County. Also, this Thursday morning at the P&D Committee meeting they will be discussing changing their meeting date the following two weeks to meet jointly with the RPC Committee. They had a get together to try to start bringing the two committees together to be working on the 2030 Plan.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Consent Agenda. Ms. Peschke asked to remove 14.2 H(2) as she needs to abstain from voting as her agency is involved with this.

Ms. Donner made a motion seconded by Ms. Miller to approve the Routine Consent Agenda with one item removed.

Noting no discussion, Chairman Koehler asked for a roll call vote. The following members responded aye: Kennedy, McCann, Miller, Peschke, Ryan, Salgado, Schmidt, Schuster, Yensen, Barnes, Bless, Breeden, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler and Koehler. Absent: Merkel, Munaretto, Orphal, Wheeler and Hill. The vote being nineteen (19) ayes and five (5) absent, Chairman Koehler declared the motion passed.

**14.2 H(2) Resolution authorizing application for the Homelessness Prevention and Rapid Re-Housing Program (HPRP) funds and substantial amendment of the CDBG Action Plan for program year 2008.**

Ms. Hill made a motion seconded by Ms. Yensen to approve the above-named resolution.

Noting no discussion, Chairman Koehler asked for a roll call vote. The following members responded aye: Kennedy, McCann, Miller, Ryan, Salgado, Schmidt, Schuster, Yensen, Barnes, Bless, Breeden, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler and Koehler. Abstain: Peschke. Absent: Merkel, Munaretto, Orphal, Wheeler and Hill. The vote being eighteen (18) ayes, one (1) abstention and five (5) absent, Chairman Koehler declared the motion passed.

ORDINANCES

For Action:

**15.2 A Ordinance amending Article 10, School Developer Donation Requirements of the McHenry County Subdivision Ordinance to include the Annual "CPI" Adjustment and Amending Section 1003.1 Fair Market Value**

Ms. Hill made a motion seconded by Ms. Donner to approve the above-named amended Ordinance.

Noting no discussion, Chairman Koehler asked for a voice vote, the ayes having it, the motion is passed.

**15.2 B Ordinance – Recertification of Zoning Maps**

Ms. Hill made a motion seconded by Mr. Ryan to approve the above-named Ordinance noting that the McHenry County Township Zoning Maps are in the room and have been verified by Ms. Hill and Mr. Donley.

Noting no discussion, Chairman Koehler asked for a voice vote, the ayes having it, the motion is passed.

PUBLIC COMMENT CONTD.

Chairman Koehler said public comment had been extended, the following people spoke:

Bill Levernier of Woodstock	against	Resurrection Village
Brother Chris Trinkie of Woodstock	for	Resurrection Village
Emily Berendt of Woodstock	against	Resurrection Village
Bill Nemmers of Woodstock	for	Resurrection Village
Sara Cook of Crystal Lake	for	Resurrection Village
Carol Kelly of Woodstock	against	Resurrection Village
Bob Kelly of Woodstock	against	Resurrection Village
Jim Schultz of Woodstock	against	Resurrection Village
Kim Ratway of Woodstock	against	Resurrection Village
Alan Oliver of Woodstock	against	Resurrection Village
Lorna Reschke of Woodstock	for	Resurrection Village
John B Thennes of McHenry	for	Resurrection Village

Chairman Koehler noted that the 30 minute extension of time for public comment had elapsed and asked the board to extend. Ms. Barnes made a motion seconded by Mr. Kennedy to extend public comment for 30 minutes more.

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

The following people spoke:

Patricia Kennedy of Harvard	against	Resurrection Village
Judy Norys of Woodstock	for	Resurrection Village

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

ADMINISTRATOR'S REPORT

Mr. Austin said John Labaj e-mailed board members a copy of the draft of the Strategic Plan that was prepared. It was presented to Management Services in paper form, let him know if anyone else would like a paper copy. Now they are hoping to go to Management Services next Tuesday to talk about the plan, so if there are any comments or questions get them to Management Services. Assuming there will be a favorable review by Management Services they will then forward the Plan to the full board for consideration on May 19<sup>th</sup>. Mr. Austin said regarding the Integrated Justice System that it is moving along well.

EXECUTIVE SESSION

None

MEMBERS' COMMENTS

Chairman Koehler noted that several board members have had some questions regarding the Resurrection issue and the lobbying etc. that has been going on. Ms. Rein of the State's Attorney's office said that when talking on this issue it would be prudent to speak on the ZBA and what the conditions are and how they will be met. It's o.k. for board members to visit the Center, some have already done so, and it is o.k. to listen to the comments. She asked the board to keep in mind the due process of both sides and take into consideration what was presented as testimony that was presented at the ZBA Hearings. Ms. Rein noted that if anyone had any questions or clarifications on things, you should contact Planning and Development or her office. Chairman Koehler noted said in this case if you have questions you can call Ms. Rein directly to try to get clarity. Ms. Hill asked Ms. Rein to send an e-mail to board members as many have already left. Ms. Rein agreed to do so. Ms. Donner said there was some commotion during one point of Public Comment where an attorney was speaking and suggested what he was saying today was testimony. Ms. Rein said the issue there was that he did present testimony and a document at the ZBA hearings, which he is providing for the board today, and since it was presented at the hearings she felt it was o.k. to present here today.

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Ms. Schuster asked in reference to the Strategic Plan since so many members are not here, she asked that an e-mail be sent to all board members on the information Mr. Austin provided here this morning.

ADJOURNMENT

Ms. Barnes made a motion seconded by Mr. Hammerand to adjourn at 12:28 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 19<sup>th</sup> day of May, A.D., 2009.

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

ATTEST:

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