

MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
AUGUST 18, 2009

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

District 1 Yvonne M. Barnes Robert Bless Anna May Miller Marc Munaretto	District 2 J.S. "Scott" Breeden James Heisler Kenneth Koehler Lyn Orphal	District 3 Mary L Donner Ed Dvorak Kathleen Bergan Schmidt Barbara Wheeler
District 4 Sue Draffkorn John Hammerand Pete Merkel Sandra Fay Salgado	District 5 Tina Hill James P Kennedy Virginia Peschke Paula Yensen	District 6 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, August 18, 2009.

Chairman Koehler called the meeting to order at 7:00 p.m. The Pledge of Allegiance to the Flag was led by Mr. Dvorak with Members of the Board, department heads and visitors participating. Mr. Heisler gave the invocation/personal remarks.

ROLL CALL

The roll was called by Deputy Clerk Linda FitzGerald. The following members responded: Ryan, Salgado, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke and Koehler. Absent: Schmidt. Parliamentarian Jamie Rein was present. Chairman Koehler declared a quorum present with twenty-three (23) members responding.

Chairman Koehler told those in attendance that the Public Comment sign in sheet has changed a little bit, noting there is now a column to check if you actually wish to speak. Also, he said that tonight's meeting includes an informational update from the DOT on the Alden Road Project and comment can be made on that during the public comment section of the meeting. There will be no back and forth dialogue with the public during the meeting as that is done during a public hearing. As this is informational for the County Board questions can be taken from the board members.

MINUTES

Ms. Yensen made a motion seconded by Ms. Donner to approve County Board minutes from August 4, 2009. Chairman Koehler asked if there were any changes or corrections, there were none. Chairman Koehler asked for a voice vote, the ayes having it, the motion to approve the minutes was passed.

CHAIRMAN'S REMARKS

Chairman Koehler thanked Mr. Heisler for leading the last County Board meeting in his absence.

SPECIAL RECOGNITION/REPORTS

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

Eric Wonneberger of Crystal Lake	Troop #158
Kai Volkhart of Crystal Lake	Troop #158
Joseph Mangano of Marengo	Troop #163

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

Ms. Schuster called a point of order and asked if we could find chairs for the people who were standing in the back of the room. Mr. Austin will check on this. Chairman Koehler asked people to move in or make room if there are empty chairs between them.

SPECIAL PRESENTATIONS

Recognition of John Green and Kimberly Hankins for their service on the McHenry County Conservation District Board

Chairman Koehler said both of these people retired off of the Conservation Board about 1-2 months ago. Ms. Hankins came forward and Chairman Koehler presented her with a plaque in appreciation of her service. He told the public that this is a position that is appointed by the board and has no compensation for all of the hours of work that is done. Ms. Hankins thanked the board for the opportunity to get to know the community and give back in the process. Mr. Merkel added that he spoke with Mr. Green today who was unable to attend this evening's meeting, and he thanked the board for the invitation to come and be recognized. Mr. Merkel said that the term they served was 5 years and involved a lot of hours and that they both did a fantastic job in their work with the MCCD.

Update on the Alden Road Project- Joe Korpalski, County Engineer and Jeff Young, Asst County Engineer

Mr. Korpalski explained the project and the direction in which it is taking. The DOT has been very excited that the public has engaged this project with the scrutiny it deserves and they and the County Board have listened. Mr. Young said the DOT received over 80 comments since the Public Hearing held on May 28th. The comments were broken down into eight categories, three of which were of biggest concern: project need, scope of project and right of way. Comments on these three categories represented 80% of the comments received. Based on the input, he said the most prudent thing to do would be to reevaluate the project's scope. He explained that certain roadway elements needed to be considered and other engineering options would be looked into. Mr. Young said a rough schedule has been developed from this point forward to complete the Phase I process. He said over the next 4-5 months they would work to develop a series of alternatives to address the comments received. From that point, a series of alternatives or options would be presented to engage in and solicit further refinement of the project. Finally, sometime next year the DOT would hold another public hearing where a plan would be brought forward that would ideally have the general consensus of the project stakeholders.

Mr. Korpalski took over saying that Alden Road is in need of repair and the engineering report shows that the existing pavement and sub-base are at the end of their useful life as verified by extensive evaluation and testing. It is the roll of the DOT to now evaluate the project to best address the comments from the public. Mr. Korpalski said based on the public input received to date, the DOT recommends that the project consultant redirect existing Phase I budgeted work hours to re-engage the project that was laid out. He said sufficient funds are available for this engineering within the existing contract. To summarize the steps he said; 1) re-engineer the project with an eye towards minimizing the impacts to adjacent property owners. This will be a continuation of the Phase I process resulting from the comments received. 2) Present the design options to the DOT Committee prior to holding a second public hearing next spring/summer; 3) Address any remaining outstanding comments from the second public hearing and submit a final project development report to the Federal Highway Administration and IL Department of Transportation (IDOT) for approval. Once design approval has been approved 4) bring forward Phase II engineering services, land acquisition services and plat and legal agreements for the DOT Committees and County Boards consideration. Mr. Korpalski said that if this is approved, Phase II which is the contract plan preparation and land acquisition, typically takes anywhere from 12-24 months to complete. Construction for the improvement is NOT fully funded in the approved 2009-2013 Highway Improvement Program therefore the project will likely be broken into multiple segments for construction. Based on available funding, the construction will be over several years.

Simplistically, **Mr. Korpalski said the design as proposed is not acceptable so the DOT is going back to the drawing board and starting from step one.** He thanked the board for allowing this presentation for explanation of the next steps.

Chairman Koehler asked if there were any questions from the County Board.

Ms. Donner asked if the options and plan that will be brought forward in 2010 will all come before the full board or just the Transportation Committee. Mr. Korpalski said the Committee usually gives direction and approval to go to a public hearing. After the public hearing, comments are shared with the Transportation Committee. He said any project that they submit where the federal process is followed, IDOT and the Federal Highway Administration must approve the project and its design. That does not come until after another public hearing is held on the project.

Mr. Merkel asked about the area north of Rte 173 that gradually falls down towards where the bridge is, where there is drainage down by curbing or rolled up asphalt, he said it is a mess. If this project is not going to be started for some time, he wondered what was going to be done about the drainage out there. Mr. Korpalski responded that that section is a separate project, the Alden Road Bridge project, this stretch is tied to the bridge that is going to be done. It is an omission section for the overall Alden Road project and they are hoping to move forward with a fall letting on that project because of the condition of the bridge.

Mr. Ryan asked about ownership of right of way and how it affects the DOT's acquisition of the property needed. Mr. Korpalski said that would be handled during the Phase II process when you go to get "fee simple" to that. Property owners involved will be notified.

Mr. Donley questioned why Alden Road was chosen for such an extensive project when there appears to be many other roads in much more dire need. Mr. Korpalski said Alden Road has been in the approved 5-year Highway Improvement Program since 1999. At that time it was because of the condition of the pavement that was out there. Outside of that he doesn't know, as none of them were around at that time. Mr. Donley asked about Fly Ash being toxic? Mr. Korpalski said he doesn't have that answer but will look into it, but noted it is a product that is used on every state project.

Ms. Schuster asked for clarification on his statement that the current design is not acceptable and if the DOT will be going back to the existing right of way. Mr. Korpalski said the intent is to pull it back as far as they can, a lot is dependent upon the existing topography, whether or not curb and gutter is used, and if you need to do retaining walls or use guard rails. There are many things that have to be factored in.

Ms. McCann asked if this project has been known about since 1999, why haven't we looked at securing federal funds up until now. Mr. Korpalski said we are not necessarily going after federal funds we are just giving ourselves the option to get them. That is a decision made when projects are brought forward. Ms. McCann asked if the DOT would be engaging the public earlier in the process this time. Mr. Korpalski said they can, comments have already been received and the public can also come to the Transportation Committee meetings where it will be on the agenda. Ms. McCann asked if there would be a written summary of the answers to questions in regard to the top three areas. Mr. Korpalski said every comment will be responded to in writing and if they were grouped together DOT will do a newsletter. Ms. McCann asked if the board would be able to see the responses to questions asked. Mr. Korpalski said that was not a problem.

Ms. Hill asked if the 60 foot right of way is possible without further engineering studies? Mr. Korpalski said they will not know until they get into the engineering. Alden Road is a primary arterial road which Mr. Korpalski said is a road that is a balance between access and moving cars from one point to another. Ms. Hill asked if this type of road is what precipitated us to have to go to these federal standards. Mr. Korpalski said federal standards are used for every project when they are designed and that is why there are changes proposed. He said you don't engineer for the smallest foot print. He explained the process of the standards that have to be done and the NEPA process that must be followed on all projects.

Ms. Salgado thanked the DOT for this learning experience and for listening to the public and board member's concerns about this project.

Mr. Donley asked why Alden Road couldn't just be repaved. Mr. Korpalski responded that the sub-base that is supporting the pavement is structurally insufficient and they are trying to be proactive in addressing the problem. If you just resurface and fill in cracks you're not addressing the actual problem. The pavement condition report that DOT has shows them where they should be coring out up to two feet deep if not more because of bad soils and the bad sub-base. A failure, pothole or heaving in the pavement, will occur in the road if it is not fixed properly.

Mr. Ryan asked about using Context Sensitive Solution (CSS) and how we can use this to apply for state and federal funds. Mr. Korpalski said as far as he knows CSS has no impact on securing funds.

Ms. Schuster asked about some old unresolved right of way issues on Alden Road. Mr. Korpalski said he didn't know that they had ever come across that. Mr. Young said if there is a recorded document they use that to establish the existing right of way but often in the rural areas if there is no right of way documentation, by the use of the land inherent has become that roadway agencies property. Often you end up looking at a fence line or row of crops, and that, in essence, has established the existing right of way if there is no documentation, this is called Prescriptive Right of Way. The property owner still has title to the underlying road but they don't have the same rights to it. The roadway agency has the statutory authority to maintain and operate that road even though they don't own title to the land. Mr. Young said their objective is to be able to reconstruct the road as the plans are laid out and work with the property owner to best accommodate them with the acquisition.

Ms. Barnes asked about the change in standards and if these standards are required with any projects. Mr. Korpalski said the standards are evaluated by a design guide and all local standards that they have to follow through the state

are based off of those national standards, which is engineering that has been used throughout the country in different situations and is what guides us in how we design a project. It could impact funding if you are going for it but MCDOT follows these standards no matter what. Ms. Barnes said then it is to make the roadway a better, safer, longer lasting project and has nothing to do with obtaining money, Mr. Korpalski agreed.

Mr. Donley asked about the intersection of O'Brien Road and Alden Road and the proposed improvements to be done after 2012. Mr. Korpalski said he didn't know what those improvements were at this time. Mr. Young thought it could be a separate intersection/safety project that has been identified.

Mr. Korpalski explained that Phase I is preliminary engineering where you gather your environmental data, come up with cross sections which helps you set your right of way, you come up with your geometric design, horizontal and vertical, then it's the complete package. Once you complete that and you get sign off on it, you take that preliminary engineering and go into Phase II, which is preparing contract plans so that a contractor can bid on the project and how to build it.

Chairman Koehler said looking at the Alden Road project from North of 173, he questioned the need for a tremendous amount of improvement there because it's in good shape. The roads in bad shape are State Line Road and the road that extends North of Alden Road. The Chairman asked if DOT would reevaluate doing the project north of 173. Mr. Korpalski said they would have to see what the pavement condition is on that stretch of road. He believed there were some safety concerns with the existing horizontal and possibly vertical geometry at the north end that have to be addressed. It is possible that this will be broken up into various sections. The Chairman talked about the DOT wanting to construct a road based on the best practices and standards with everything that they have available to them. He asked if there would have been sections that would have only been sixty feet, with different sections being variable depending on individual situation. Mr. Korpalski said yes it could be variable. It's probably going to be done on a cross-section basis and evaluating where the right of way can be minimized. Chairman Koehler asked how many spots actually showed a great potential of hazard. Mr. Korpalski said he didn't know off hand. Chairman Koehler reiterated for everyone that there will be a variable amount of right of way depending on the segment of road. Mr. Korpalski said that was correct.

Mr. Hammerand asked Mr. Korpalski about the designation of Alden Road, principal arterial, and how the DOT or the people can change the rating of the road so that they wouldn't see the 120 foot right of way discussion again. Mr. Korpalski said originally every road was underneath the federal government's control and then they created this designation system where certain roads were given to the state, certain roads to the counties and certain roads to the townships and municipalities.

Board members and Chairman Koehler thanked Mr. Korpalski and his staff for their presentation and answering all of their questions. Chairman Koehler told the public that there are cards outside of the board room in the hall, if they have any questions on the Alden Road project presentation that was given tonight, they can write those questions down and give their name and address or preferably, their e-mail address and the questions will be answered. Mr. Austin asked that any questions be focused on the process as staff is aware of the concerns on the project.

ZBA CONSENT AGENDA

Chairman Koehler asked if any petitions needed to be removed. Ms. Schuster removed #09-13 and #09-14.

Ms. Hill made a motion seconded by Ms. Donner to approve the following Petitions:

- Exb #08-72; Algonquin Twp; Kurt Krueger; reclass A1 to A1V
- Exb #09-23; Alden Twp; Worcester/Galler; reclass A1 to A1V
- Exb #09-29; Algonquin Twp; Urbanski/Hellenga; reclass A1 to A1V

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

Ms. Hill made a motion seconded by Ms. Orphal to approve the following Petitions:

- Exb #09-13; Coral Twp; Rivera/Aguirre; reclass A1 to A2
- Exb #09-14; Coral Twp; Rivera/Aguirre; reclass A1 to A2

Chairman Koehler asked for any discussion. Ms. Schuster asked about the remaining 19 acres, if this will leave an illegal non-conforming unbuildable lot. ZBA Chairman Kelly responded that it will leave the remaining parcel for agricultural purposes only; it will be a land locked agricultural parcel.

Chairman Koehler asked for a roll call vote. The following members responded aye: Ryan, Salgado, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke and Koehler. Nay: Schuster. Absent: Schmidt. The vote being twenty-two (22) ayes and one (1) nay noting one (1) absent, Chairman Koehler declared the motion passed.

ZBA REGULAR AGENDA

Noting no recommendation from the ZBA, Ms. Hill made a motion seconded by Mr. Donley to approve the following Petition:

Exb #09-25; Hartland Twp; Sword Trust; reclass A1 to E3

Chairman Koehler asked for any discussion. ZBA Chairman Mr. Kelly explained that this came with no recommendation from the ZBA because one of the ZBA members misunderstood thinking that an E5 zoning would allow for an additional house on the property, which is incorrect because the parcel itself is only 9 acres which means that they would require at least 10 acres to have two houses on the property. The E3 that is being requested theoretically might allow for two additional houses, but based on the road frontage and amount of property that would have to be surrendered due to owning half way to the middle of the road, it's unlikely that would allow anything in addition to just the one additional house which is what the board member was contemplating when they voted against this. Ms. Peschke said she would be voting no on this because it is a rural area and she feels that the addition of another house will have a negative impact on the neighbors. Ms. McCann had concerns that there could be storm water issues.

Chairman Koehler asked for a roll call vote, noting that thirteen (13) aye votes were needed to pass the request. The following members responded aye: Ryan, Wheeler, Barnes, Bless, Breeden, Donley, Donner, Dvorak, Hill, Merkel, Miller, Munaretto, Orphal and Koehler. Nay: Salgado, Schuster, Yensen, Draffkorn, Hammerand, Heisler, Kennedy, McCann and Peschke. Absent: Schmidt. The vote being fourteen (14) ayes and nine (9) nays, noting one (1) absent, Chairman Koehler declared the motion passed.

PLATS

None

PUBLIC COMMENT

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

Darlene Cools of Woodstock	against	Alden Road project
Kurt Beystehner of Harvard	against	Alden Road project
Alan Plane of Harvard	against	Alden Road project
David Frederick of Woodstock	for	posted speed limits on county roads
John Kavalunas of Crystal Lake	for	posted speed limits on county roads
Sheila Vance of Woodstock	against	Alden Road project and speed enforcement
Richard Vance of Woodstock	against	Alden Road project and speed enforcement
Roseanne Frederick of Woodstock	for	posted speed limits on county roads
Blake DePaul of Crystal Lake	for	posted speed limits on county roads
Thomas Frederick of Woodstock	for	posted speed limits on county roads
Jason Nadolski of Wonder Lake	against	Verizon tower in Wonder Lake
Rick Tomlinson of Wonder Lake	against	Verizon tower in Wonder Lake

Noting the allotted time passed, Chairman Koehler asked the board for a motion to extend public comment. Ms. Barnes made a motion seconded by Mr. Kennedy to extend public comment 30 minutes.

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

The following people spoke:

Marcia McKim of Wonder Lake	against	Verizon tower in Wonder Lake
Connie Jones of Harvard	against	Alden Road project
Lynne Popilek of Harvard	against	Alden Road project

Public Comment continued:

John Vrett of Woodstock	for	posting of speed limits on county roads
Jerry Benedetto of Harvard	against	Alden Road project
Dianne Paschen of Harvard	against	Alden Road project
Preston Rea of Harvard	against	Alden Road project
Chris O'Dea of Harvard	against	Alden Road project
Jim May of Harvard	against	Alden Road project

Noting no others wishing to speak, Chairman Koehler closed Public Comment.

NEW AND UNFINISHED BUSINESS

None

APPOINTMENTS

Ms. Schuster made a motion seconded by Mr. Ryan to approve the following appointment:

Public Building Commission
Michael Lewis Klepitsch term to 09/01/2014

Chairman Koehler asked for a roll call vote. The following members responded aye: Ryan, Salgado, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner, Draffkorn, Hammerand, Heisler, Hill, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke and Koehler. Absent: Schmidt and Dvorak. The vote being twenty-two (22) ayes noting two (2) absent, Chairman Koehler declared the motion passed. Mr. Dvorak stepped out of the room.

STANDING COMMITTEE CHAIRMAN UPDATES

Ms. Barnes said that Law & Justice Committee will be having their third August meeting on August 31st at 8:30 am.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Consent Agenda. Ms. Donner removed #15.2 I1; Ms. McCann removed #15.2 K1; and Ms. Schuster removed #15.2 B3.

Ms. Peschke made a motion seconded by Ms. Barnes to approve the Routine Consent Agenda with three items removed.

Chairman Koehler asked for a roll call vote. The following members responded aye: Ryan, Salgado, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner, Draffkorn, Hammerand, Heisler, Hill, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke and Koehler. Absent: Schmidt and Dvorak. The vote being twenty-two (22) ayes noting two (2) absent, Chairman Koehler declared the motion passed.

15.2 B3 *Resolution authorizing allocating recovery zone volume cap and approving projects for purposes of the American Recovery and Reinvestment Tax Act of 2009*

Mr. Munaretto made a motion seconded by Ms. Orphal to approve the above-named resolution.

Chairman Koehler asked for any discussion. Ms. Schuster asked about the Village of Cary's request of a \$5 million dollar loan and the background of the program. Mr. Munaretto explained the program and the responsibility of the Village for repayment of the money. A representative from the Village of Cary said the project that they are using the money for is shovel ready and there is no risk of not using the money being asked for.

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

15.2 I1 *Resolution to accept PACE locally based service program agreement on behalf of the Veterans Assistance Commission of McHenry County, Illinois.*

Ms. Orphal made a motion seconded by Ms. Draffkorn to approve the above-named resolution.

Chairman Koehler asked for any discussion. Ms. Donner asked to abstain from the vote as she is an employee of PACE.

Chairman Koehler asked for a roll call vote. The following members responded aye: Ryan, Salgado, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke and Koehler. Abstain: Donner. Absent: Schmidt. The vote being twenty-two (22) ayes noting one (1) abstention and one (1) absent, Chairman Koehler declared the motion passed.

15.2 K1 Resolution authorizing entering into a contract extension agreement with Revere Healthcare, Ltd. To provide management services for Valley Hi Nursing Home

Mr. Dvorak made a motion seconded by Mr. Heisler to approve the above-named resolution.

Chairman Koehler asked for any discussion on 15.2 K1. Ms. McCann talked about the handout that was given and also said that Revere has improved the revenues collected by Valley Hi and in doing that they have covered many of the costs that they have incurred through their contract. Part of Revere's contract said that it would provide for the county someone who would be in a position to move ahead. Revere has provided for the transition by creating the position of Quality Assurance Director. The person, Miss Nelson, is an RN who works the floor and has patient contact etc. The doctor's that come into Valley Hi have given Ms. Nelson very high marks. Ms. McCann said she asked if Ms. Nelson was pursuing a certificate for Nursing Home Management and she said yes. Ms. McCann was hoping that Ms. Nelson could provide the transition that we are looking for, from Revere to a self management company. Ms. McCann suggested that the county not renew Revere's contract because we do have someone in line that can move up to become the administrator. We can operate for 120 days without a certified administrator. Ms. McCann suggested that we look for a professional group to come in and help us develop a well defined business plan that will take Valley Hi through five to ten years; a plan that will grow with our needs based on the financial situation that we will present them.

Mr. Austin said that Revere's contract is good thru October and the renewal contract is for 12 months with a 60 day out clause. There was extensive discussion pro and con about renewing Revere's contract and if they actually did what they were hired to do.

Chairman Koehler asked for a roll call vote. The following members responded aye: Ryan, Salgado, Schuster, Bless, Draffkorn, Dvorak, Heisler, Hill, Kennedy, Merkel, Miller, Munaretto, Orphal, Peschke and Koehler. Nay: Wheeler, Yensen, Barnes, Breeden, Donley, Donner, Hammerand and McCann. Absent: Schmidt. The vote being fifteen (15) ayes and eight (8) nays, noting one (1) absent, Chairman Koehler declared the motion passed.

ORDINANCES

For Review: Ordinance designating the Barber Burying Ground as a local landmark

Miss Hill put the above-named ordinance up for 30-day review and talked a little about those buried there.

Mr. Sandquist said the cemetery is located in District 6, on Hartmann Road just west of Karl Road which you would take north from Rte. 23 in the far southwest corner of the county. It sits about 500 feet back off of the road.

For Action: Ordinance amending the Conservation Design Addendum to the McHenry County Subdivision Ordinance adopted under Ordinance #0-200802-10-007

Ms. Hill made a motion seconded by Ms. Peschke to **remove the above-named Ordinance for action today and put it back on 30-day review**. Ms. Hill said there are some items that need to be included from the Health Department regarding concerns about septic systems in open spaces.

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

ADMINISTRATOR'S REPORT

Mr. Austin encouraged everyone to check out the county's new web page, it went live today.

In regard to our Recovery Act funds, Mr. Austin said he has some updates on the Recovery Act funds and where we are on some of the applications. He had a good meeting this afternoon with our offices and departments that are involved in searching for Recovery Act funds. If anyone is interested in seeing what they have, let him know.

EXECUTIVE SESSION

Chairman Koehler said there was a need to into executive session to discuss Litigation.

Ms. Salgado made a motion seconded by Ms. Peschke to go into executive session.

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

Executive session ran from 10:20 p.m. to 10:50 p.m.

Ms. Peschke made a motion seconded by Ms. Salgado to go back into open session.

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

COMMUNICATIONS

None

MEMBERS' COMMENTS

Ms. Orphal said in regard to the MCEDC, the annual EDC dinner is on September 17th and on October 20th the EDC will be doing the County Board reception prior to the board meeting that evening, she hopes everyone will be able to attend.

Ms. Wheeler said last week she was at the Regional Planning Commission (RPC) and they are working on the maps. They have done a good portion of the southeast and northeast corner and on Thursday will be continuing on a good portion of District 6. If anyone is able to attend, she recommended going as it is a very interesting process.

Ms. Salgado said Senior Services Grant Commission is meeting again this Friday. It is the last round of application interviews and then they will be back on the 28th to allocate the money.

Ms. McCann asked if someone could give the board an overview about the construction of cell towers and any restrictions that are on us regarding their construction. Ms. Hill said she has done some research into cell towers. As a legislative assistant she sees the state representatives get notice when the cell towers come in and she gets phone calls. She's talked with Planning & Development and Springfield staff and the county does not vote on those towers. They just go to P & D for permitting and if they meet the certain required, P & D must issue the permit

ADJOURNMENT

Ms. Donner made a motion seconded by Ms. Orphal to adjourn at 10:55 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 15th day of September, A.D., 2009.

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

ATTEST:

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