

MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
DECEMBER 1, 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, December 1st, 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. Chairman Koehler asked for a moment of silence in remembrance Sgt Jason McLeod of Crystal Lake who was killed in Afghanistan. Ms. Orphal gave the invocation/personal remarks.

ROLL CALL

The roll was called by County Clerk Katherine Schultz. The following members responded: Bless, Breeden, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes and Koehler. Parliamentarian Jamie Rein was present. Chairman Koehler declared a quorum present with twenty-four (24) members responding.

MINUTES

Chairman Koehler asked if there were any changes/corrections to the minutes, there were none. Ms. Miller made a motion seconded by Mr. Dvorak to approve County Board minutes from November 3rd, 2009.

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

CHAIRMAN'S REMARKS

Chairman Koehler congratulated the sports teams from Cary Grove on their recent success down State, winning their first title in football and volleyball. On December 15th we will have resolutions to bring forward honoring their success. Hopefully some of the team will be able to be present to accept the resolutions.

SPECIAL RECOGNITION/REPORTS

None

SPECIAL PRESENTATIONS

8.1 McHenry Co Economic Development Corporation Update – Pam Cumpata, President EDC

Ms. Cumpata said at the EDC they have set goals to stay on course and she reflected back that in 2009 economics and unemployment posed a challenge for all of us. She said employers are re-accessing their businesses and employees are retraining in hopes of getting employment or keeping the employment they have. In January the EDC Board took a bold step given the economy and went forward with the Capitol Campaign. Even more impressive was when 22 of our local businesses said they were in. They've met for the first time and have decided on two priorities: 1) to become the voice of business and to get back to the basics in the mission of the EDC, which is creating primary jobs, wealth and a quality of life; and 2) more marketing and communication and making sure that both internally and externally we look outside of the county to bring companies in. Ms. Cumpata said the EDC will get back to focusing on the businesses that we have, making sure that they are well taken care of and making sure we are building relationships to raise the company's revenues and awareness. She said that the EDC will be working on building capacity and knowledge in 2010, and that is done through the collaboration with the board, the districts etc. She talked about grant funding and the proposed capital bill in Springfield. She also mentioned the Careers in our

County Program which is in collaboration with the Workforce Investment Board, high schools, the EDC and local businesses. They are our future and making sure that our high school students understand what their opportunities are is only going to help them and help us. There will be another Careers in our County event on April 29, 2010 at Woodstock North High School. She said the EDC is excited about what they are hearing. On the real estate side they are working with commercial realtors to back fill the empty locations that we have today. This is an example on how McHenry County works with people and businesses to make things better for all of us. In seeing how well the recent matchmaking event went with businesses, the EDC has heard back that they would like to get together more frequently and on a smaller basis and in specific topics. In 2010 they are looking to have manufacturing round tables on a quarterly basis. In addition to that, there will be monthly calling and communications to those manufacturers. The EDC is also collaborating with municipalities to get their vision for business and industry and understanding what they're looking for in the capacity that they have. They are also identifying specific targeted industries that will complement McHenry County in our quality of life, our preservation of open space and what we are looking for in our 2030 plan.

Chairman Koehler asked if there were any questions. Ms. Wheeler asked when we will be able to see numbers in where we were and where we are right now in regard to business, dollars, percentages and increases, losing or gaining manufacturers, the building industry; how do we measure our success at this point. Ms. Cumpata said the numbers are misleading because at some point people fall off of the unemployment roll and they have to get that baseline pulled together. From the manufacturing standpoint we are seeing stabilization but she doesn't have numbers to give specifics. She will work on getting these together. Ms. Wheeler said she is starting to hear about the commercial side of things being in crisis now, she wondered how or when this might affect McHenry County. Ms. Cumpata said the EDC's chairman is a banker and he says it is ugly out there, and she said we will probably see a bit of a hurt in commercial real estate we just don't know to what degree. Lastly, Ms. Wheeler asked about retail businesses and their numbers as there appears to be a lot of retail open. Ms. Cumpata said the retail world falls outside of the EDC as it is a secondary type job rather than a primary job. She said she will work with the municipalities to get that information put together, as their EDC's focus on that. Ms. Yensen asked if a report was going to be put together so that the board can get a demographic profile as to what is going on in the county. She also asked if the EDC would be working with the Chambers at all. Lastly, she asked if there was going to be any kind of survey done in regard to industry to get a handle on what is going on in the county. Ms. Cumpata responded that labor and employment statistics are out there done by the state. She said that the manufacturing jobs that we had will not be coming back, but we need to look toward what the future is, which will probably be green technology jobs. Ms. Cumpata asked Mr. Munaretto to come forward and presented him an award in recognition for 10 years of being the liaison to the EDC. Mr. Munaretto thanked Ms. Cumpata and the EDC for this recognition and said he is excited about the changes going on within the organization and that they will be focusing on the core mission which is retaining businesses and attracting new businesses. Chairman Koehler added that he, Mr. Austin and Ms. Cumpata will be attending a meeting tomorrow that may help the future of McHenry County. If it has merit, in the near future they will bring it to the board.

8.2 McHenry County Housing Commission – Sarah Ciampi & MaryLou Seidel

Chairman Koehler said this goes back to last year when studies were brought forward on housing opportunities in McHenry County and then the conference that was put together in regard to foreclosures that were taking place here and the concern of everyone of what could be done. Out of that initiative there stemmed a group of people who began to work on a Housing Commission for McHenry County.

Mr. Sandquist came forward and introduced Sarah Ciampi. She is new to the Planning & Development staff having recently graduated from U of I in Chicago. He said this presentation is provided for information as there is an ordinance up for review on today's agenda pertaining to this.

Ms. Ciampi came forward and talked about housing in McHenry County. She said when the Adhoc Committee was formed they were to study the housing issues that were occurring in the county in relation to foreclosures and people losing their homes and lack of rental housing. In the last month they have been working on developing an ordinance setting forth how the Housing Commission will function and how it functions within the realm of already existing capacities that we have in McHenry County, particularly with the CDBG Commission and also the Planning & Development Committee.

Ms. Ciampi introduced Ms. Seidel, here on behalf of the housing committee, who will talk about housing needs from different perspectives. They have met with different entities and groups to understand how wide spread housing needs are and developing mixed income housing and also looking at mixed development and understanding where housing and economy stimulate each other. Ms. Seidel said affordable rental housing in the county is in short supply and market rental rates in the county are above what most can afford. She said that jobs and housing in the economy go hand in hand because if you have jobs but no place to house the employees or employers, you are less likely to recruit new employers to McHenry County. Ms. Seidel said the housing study identified a significant gap and

now we need to address it. The mission is to promote and plan for housing in mixed income development, not just affordable housing but a comprehensive housing commission that can address a range of housing needs and sensible growth goals. She added that they did meet with township supervisors last week that went well. The county can play a leadership role in promoting and advocating and advancing sensible, viable and a healthy mix of housing options for the population of McHenry County.

Ms. Ciampi wrapped up by saying the Housing Commission is looking to establish a two year term by which the Housing Commission will start to develop its capacity and what its role will be in the county. All of that will be before the board for review as well as the Planning & Development Committee and the CDBG. Some ideas that the staff has targeted for the Housing Commission is to work in an advisory capacity to the CDBG as it relates to housing specific petitions that appear before the commission for funding, so it's looking at how we're using our federal HUD funds for housing projects. The commission will also start doing studies as they relate to housing impediments that are in the county which are items required for federal funding. She noted that the commission will also be fully federally funded and no county money will be expended in the formation of this commission. Ms. Ciampi said we have many opportunities as a county to work on establishing housing at different income levels that will also help stimulate economy and retain people here.

Chairman Koehler asked for any questions. Ms. Wheeler asked about what we and the commissions are going to do to provide incentives for our businesses and our housing builders so that they choose McHenry County.

Ms. Ciampi responded that part of what will be developed is an annual work plan that can look at these things and where the housing needs are in the county. Ms. Cumpata noted that the EDC gets into this with the businesses which she feels we really need to focus on too. Ms. Ciampi said part of her presentation to the EDC was discussing employer assisted housing and how the Housing Commission can function in that capacity to work in a partnership to understand how those programs work. Ms. Cumpata said the Sustainable Community Initiative combines the housing, the transportation and economic development all together and there are federal funds out there to do that.

Ms. Yensen asked what is being done with the \$10 recorder's fee. Ms. Seidel said the real estate transfer tax funds go to the IL Housing Development Authority's Trust Fund. She said CAMCO just got a trust fund loan grant from the Housing Authority to provide down payment and closing cost assistance. They are administered by the IL Housing Development Authority. She said they can only apply for these funds and try to get them. Ms. Yensen said in St. Charles where she works they have been working with the business community in finding ways where people can access housing, a private/public partnership where people work and they can put money aside and some of the businesses help with matching funds. Ms. Ciampi said that we do have a community housing development organization that does have an employer assisted housing program and they are working on expanding that. Ms. Seidel said the companies are Medela and Seaquist. Chairman Koehler thanked Ms. Ciampi and Ms. Seidel for their presentation today. He said both Ms. Ciampi and Ms. Seidel will be available after the meeting if there are any more questions.

PLATS

None

PUBLIC COMMENT

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

Fred Brendel of Lakewood	for	video gaming
Veronica Armstrong of Crystal Lake	against	video gaming
Karen Ulrich of Woodstock	against	video gaming
Larry West of Harvard	against	franchise for waste removal in Wonder Lake
Emily Berendt of Woodstock	for	transparency in government
Patricia Kennedy of Harvard	against	video gaming
	for	transparency in government
Joyce Story of McHenry	against	video gaming
David Frederick of Woodstock	against	video gaming
	against	Mental Health Board expansion
	for	posted speed limits
Bob McDaniel of Woodstock	for	video gaming
Chris Hesch of Woodstock	for	video gaming
Chris McSwain of Crystal Lake	for	video gaming
Adam Pringle of McHenry	for	video gaming
Sandy DePaul of Crystal Lake	against	video gaming

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

NEW AND UNFINISHED BUSINESS

None

APPOINTMENTS

None

STANDING COMMITTEE CHAIRMAN UPDATES

Mr. Munaretto wanted to call attention to an e-mail he sent board members yesterday that provides information about the way that we have institutionalized the process of borrowing money as a county. He is linking that conversation with some issues related to the statutory authority of the McHenry County Board as it relates to the Mental Health Board of the Community Mental Health Act. Discussion will be taken up at their meeting on December 8th and he encouraged board members to attend and if there are any questions about the process to please call him in advance. Chairman Koehler said the document is excellent as it explains everything in very good detail.

Ms. Hill said the Planning & Development Committee continues to review the 2030 Plan as presented to them by the RPC. The overview has been done with the Chair and Vice Chair of RPC giving their input on various areas and answering questions about the plan. It has now been posted on line. There are about 50 concerns that the committee wants to start addressing this Thursday morning at 8:30.

Ms. McCann said they had the first meeting of the Natural Hazard and Mitigation Planning a couple of weeks ago and they are looking at nine months out to put a plan together; they do have a consultant. She said 90% of the plan will deal with flooding throughout McHenry County. She said if you know of an area that gets flooded in unincorporated McHenry County please let her know or Mark Phipps so they can add it to the list and follow up on it. The GIS will be mapping all of the areas for them. This will give municipalities and other areas the opportunity for some federal funding to put in some mitigation facilities. Also, she let the Environmental Committee know that the December 11th meeting will be canceled because staff will not be available. They are trying to reschedule for 3 or 4 p.m. before the Christmas party and board meeting. Please let her or Mr. Austin know if this time works.

Ms. Draffkorn reminded the members of the CDBG Commission that there will be a meeting in December to take care of some issues before the end of the year. She asked members to let the CDBG staff know if you won't be able to attend on December 16th.

Mr. Merkel said the Building Projects Committee will be having a brief meeting on December 15th at 4 p.m. being held at the new Treasurer's building. This project is on time and under budget. It will be substantially completed by that time so there will be an opportunity for committee members and board members to take a look at the building between 4 & 5 p.m.

Ms. Barnes said she has been asked to be on the new drug court planning team, so one of the topics on the Law & Justice Committee agenda will be that process and what's going on. The meeting is on Monday and it will be a full agenda, so if members can't attend please let her or someone else know so the meeting will not have to be canceled.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Consent Agenda, there were none.

Ms. Miller made a motion seconded by Ms. Donner to approve the Routine Consent Agenda with the exception of 14.2 J2 that was pulled.

Chairman Koehler asked for a roll call vote. The following members responded aye: Bless, Breeden, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes and Koehler. The vote being twenty-four (24) aye, Chairman Koehler declared the motion passed.

Mr. Munaretto noted that on item 14.2 B2 there is a point of clarification, that the "to and from" in the body of the resolution were reversed and a new resolution has been done that switches those so the appropriate sources and uses which are reflected in the resolution.

ORDINANCES

For Review: **Ordinance adopting and implementing the McHenry County Housing Commission**

Ms. Hill brought the above-named ordinance forward placing it on 30-day review. If there are any questions or possible changes please let her know or contact staff.

For Action:

15.2 A **Ordinance prohibiting video gaming within unincorporated area of McHenry County**

Mr. Hammerand made a motion seconded by Ms. Wheeler to approve the above-named ordinance.

Chairman Koehler asked for any discussion. Mr. Munaretto reminded the board of Senator Althoff's comments on waiting to make a decision on this until the state brings forth its gaming rules.

Mr. Munaretto made a **motion** seconded by Ms. Donner to **postpone** voting on this **until March 2, 2010**.

Chairman Koehler asked for any discussion on the motion to postpone. Board members spoke for and against postponing this, many saying they were ready to vote on this issue now. Mr. Donley asked if he was allowed to vote on the motion to postpone. Ms. Rein of the State's Attorney's office said no he would have to abstain.

Chairman Koehler asked for a voice vote. Mr. Munaretto asked for a roll call vote.

Chairman Koehler asked for a roll call vote on the motion to postpone. The following members responded aye: Bless, Donner, Heisler, Hill, Merkel, Miller, Munaretto, Orphal, Ryan and Koehler. Nay: Breedon, Draffkorn, Dvorak, Hammerand, Kennedy, McCann, Peschke, Salgado, Schmidt, Schuster, Wheeler, Yensen and Barnes. Abstain: Donley. The vote being ten (10) ayes, thirteen (13) nays and one (1) abstention, Chairman Koehler declared the **motion to postpone failed**.

Chairman Koehler asked for any other discussion on the main motion. Board members spoke for and against this Ordinance many noting they are ready to vote on this issue. Mr. Hammerand noted what the state has already given us i.e. riverboat gambling, lottery etc. which was supposed to help with monetary shortages. The state didn't ask townships, counties or municipalities for their input on wanting these things; this is the first question that actually went to the local bodies to find out what they thought of gambling. All that the state is looking for is tax dollars at an individual's personal and financial expense and it is time for IL to find another way. He said the state has already imposed a liquor tax on our local establishments without asking, which accounts for 70% of the tax they want. He hopes that McHenry County says no to video gaming sending a message we don't want this in our county. Many board members agreed that this could be a real problem for society in general and felt this needed to be voted on now. We live in a family based community and businesses wanting to come into the county will look at that. Of note Ms. Yensen said is that there currently are 7,000 IL gambling addicts who voluntarily placed their names on a self exclusion list which prohibits them from entering any of the state's nine closely watched and controlled casinos. Legalizing video gambling would make it nearly impossible for them to avoid the one thing they can't resist. Some board members said they were disappointed in our legislators for not making this decision on their own because they want to keep their job. It was pointed out that so far Cook, Lake, DuPage and probably Will County in the near future have already opted out of video gambling. Ms. Wheeler said people have no extra money in these hard economic times and feels there will be nothing good coming from this. Mr., Kennedy talked about the increase in crime associated with gambling and said Representative Franks sent a copy of a survey that found 61% of 1,000 people surveyed were against video gambling. Ms. Schuster said the challenge as a board member and for state legislators is that we start getting a grip on our appetite for more and more government as the state can't afford any more taxes.

Chairman Koehler asked for a voice vote. Mr. Hammerand asked that a roll call vote be taken with Mr. Kennedy seconding that request.

Chairman Koehler asked for a roll call vote. He said a **Yes vote is to Prohibit** Video Gaming in Unincorporated McHenry County, a **No vote is to allow Video Gaming in Unincorporated McHenry County**. The following members responded aye: Draffkorn, Hammerand, Heisler, Kennedy, McCann, Peschke, Salgado, Schmidt, Schuster, Wheeler, Yensen and Barnes. Nay: Bless, Breedon, Donner, Dvorak, Hill, Merkel, Miller, Munaretto, Orphal, Ryan and Koehler. Abstain: Donley. The vote being twelve (12) ayes and eleven (11) nays noting one (1) abstention, Chairman Koehler declared the motion to **Prohibit Video Gaming in Unincorporated McHenry County has passed**.

15.2 B **Ordinance adopting the establishment of an altered speed zone (waiver of 30 day review requested)**
Ms. Miller made a motion seconded by Ms. Peschke to approve the above-named ordinance.

Chairman Koehler asked for any discussion. Mr. Kennedy said he would be against changing the speed limit at this time until the lane increases are completed. Ms. McCann asked some questions about the area getting the change. The DOT explained where the area was and where the speed limit was changing.

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

At this time, Mr. Dvorak asked if the board could revote on the video gaming issue as he meant to vote yes and voted no. Chairman Koehler said a motion would be needed from a member of the winning side to call for a revote.

Ms. Wheeler made a motion seconded by Mr. Kennedy to allow a **revote on the Ordinance to Prohibit Video Gaming in Unincorporated McHenry County.**

Chairman Koehler asked for any discussion on the motion to revote. Ms. Hill commented that this was a good idea as there seemed to be some confusion.

Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Dvorak, Hammerand, Heisler, Kennedy, McCann, Peschke, Salgado, Schmidt, Schuster, Wheeler, Yensen and Barnes. Nay: Bless, Breeden, Donner, Hill, Merkel, Miller, Munaretto, Orphal, Ryan and Koehler. Abstain: Donley. The vote being thirteen (13) ayes and ten (10) nays noting one (1) abstention, Chairman Koehler declared the motion to **Prohibit Video Gaming in Unincorporated McHenry County has passed.**

ADMINISTRATOR'S REPORT

Mr. Austin said that the draft version of the Highway Improvement Plan is out and the DOT staff would like board members to join their meetings over the next few days. He is reviewing work plans with department heads this week in terms of what has been accomplished in the last year and next week will be setting goals for the coming year. Mr. Austin said he has a draft version of the bronze plaque that will go in the Treasurer's office. He asked each board member to verify the spelling of their name and sign off on it.

EXECUTIVE SESSION

None

MEMBERS' COMMENTS

Ms. Yensen said her trip to Washington D.C. was a great experience. She was invited to the West wing of the White House and met with Mr. Axelrod for an informative briefing about the nature of jobs in this country. They also talked about healthcare reform, the stimulus package and joblessness.

Mr. Kennedy talked about the four police officers who were killed in Washington State. He extended his thoughts for safety to all law enforcement officers that they remain safe on the street.

Mr. Hammerand said he hopes that we give consideration to the Ethics Ordinance that was handed in. He thinks there are interests that need to be clarified so that the public knows where we are financially on some votes. Ms. Schmidt agreed saying she looks forward to Management Services looking at the work that has been done.

Ms. Yensen asked the women of the board to stay after the meeting for a few minutes to finalize plans for the board Christmas party. Also, there will be a \$15 per person fee collected for the dinner, you can pay her.

Ms. McCann complimented the Housing Commission on the work that is being done as it is something we need.

Mr. Austin said the employee Christmas luncheon which board members are invited to is December 18th from 11 – 1 here in the Administration Building. They will be putting emphasis on employee recognition this year and will acknowledge some of our long time employees.

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ADJOURNMENT

Ms. Donner made a motion seconded by Ms. Yensen to adjourn at 11:25 a.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

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

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

ATTEST:

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