

NATURAL AND ENVIRONMENTAL RESOURCES COMMITTEE
McHenry County Administration Building
667 Ware Road, Woodstock, IL 60098

MINUTES OF WEDNESDAY, JANUARY 11, 2012:

Chairman McCann called the committee meeting to order at 8:36 a.m. The following members were present: Mary McCann, Chairman; Donna Kurtz; Virginia Peschke and Kathleen Bergan Schmidt. Marc Munaretto was absent and Bob Nowak arrived at 9:11 a.m. Also in attendance: Peter Austin, County Administrator; Pat McNulty, Patti Nomm and Kristi Hecke, Health Department; Dennis Sandquist, Darrell Moore, Kim Kolner, and Cassandra McKinney, Planning & Development; and interested public.

	Mary McCann, Chairman	
Donna Kurtz		Pete Merkel
Marc Munaretto		Bob Nowak
Virginia Peschke		Kathleen Bergan Schmidt

MINUTES: Ms. Schmidt made a motion, seconded by Ms. Kurtz, to approve the minutes of November 9, 2011. The minutes were approved with a unanimous voice vote of all ayes.

PUBLIC COMMENT: Chairman McCann requested that public comments be made after the presentation by the Health Department.

PRESENTATION: None.

OLD BUSINESS: None.

NEW BUSINESS:

RFP 11-50 Franchised Solid Waste Removal Program: Ms. Nomm and Ms. Hecke joined committee members for a discussion regarding the franchised solid waste removal program. Ms. Nomm mentioned that they are looking at three areas to provide franchised solid waste removal services. Many residents in the following areas requested these services which include the Covered Bridge area in Crystal Lake; the Crystal Lake Manor subdivision in Crystal Lake; and the Fox Lake Vista area in Spring Grove. The total of all of these three areas is just under 1500 residents that would be impacted. The Health Department has gone through the notification process for the residents. Staff has encouraged comments from the residents more than one time, along with having public meetings for each of the three areas. Staff has worked with the Purchasing Department and went through the RFP (Request for Proposal) process and received five bids from five vendors and all of the bids were very competitive. After interviewing the five vendors and reviewing the services they can provide, staff recommends Prairieland Disposal & Recycling from Lake Barrington for the three-year contract. Staff has received comments from all three areas based on the specific bids that were provided. They received many comments from the Crystal Lake Covered Bridge area, and only a few comments from the two other areas. One subdivision that has been quite vocal about the proposed program is the Fox Fire subdivision. There are 82 residents in this subdivision and the Health Department received comments from approximately 20-25 residents. 19 comments were in opposition to the program and requested to be excluded from the solid waste franchise program.

The Public Health and Human Services (PHHS) Committee requested staff obtain additional information with regard to excluding specific residents from the proposed program. PHHS suggested contacting the vendor and find out what the price structure would be if the Fox Fire Subdivision were removed from the proposal. Staff has spoken with the vendor and Prairieland Disposal indicated that the price would be negligible; it would be cents per quarter that would impact the bid. Staff anticipates receiving their revised proposal in the next week or two. PHHS also directed staff to solicit comments directly from the Fox Fire residents, which staff is doing. Today staff will be mailing postcards to these residents which will allow all of the residents one more opportunity to respond concerning the proposal.

PUBLIC COMMENT (continued):

The following persons spoke during public comment concerning the franchised solid waste removal program:

Edward Surges, Crystal Lake	for	RFP 11-50 Franchised Solid Waste Removal Program
Tom Palmer, Covered Bridge Trails		
Homeowners Association	for	RFP 11-50 Franchised Solid Waste Removal Program
Dolores Wilson, Crystal Lake	against	RFP 11-50 Franchised Solid Waste Removal Program

Josh Molnar with Groot Industries, one of the bidders that bid the project, provided committee members with a handout outlining an alternate proposal to their original bid. Chairman McCann stated that the Health Department and Purchasing Department will review Groot's alternate proposal.

William Patterson, Crystal Lake	for	RFP 11-50 Franchised Solid Waste Removal Program
Glenn Lingle, Spring Grove	for	RFP 11-50 Franchised Solid Waste Removal Program
Debbi Lingle, Spring Grove	for	RFP 11-50 Franchised Solid Waste Removal Program
Nancy Schietzell, Crystal Lake	for	RFP 11-50 Franchised Solid Waste Removal Program
R.A. Trenn, Crystal Lake	for	RFP 11-50 Franchised Solid Waste Removal Program
Donald Doul, Crystal Lake	against	RFP 11-50 Franchised Solid Waste Removal Program
Dave Howard, Crystal Lake	for	RFP 11-50 Franchised Solid Waste Removal Program

Chairman McCann stated that she was pleased to hear from the constituents addressing the committee today that they understand the proposed program. She summarized that staff will send out another postcard to the Fox Fire subdivision residents requesting feedback concerning the proposed program. Staff will provide this committee with a summary of their findings at their next meeting. Ms. Schmidt mentioned that committee members were provided with emails from several residents of the Fox Fire subdivision who objected to the program, along with signed petitions against the program. 18 residents of the subdivision, out of a total of 82 households, object to this program. She questioned if Fox Fire has a homeowner's association and the answer was no. She mentioned that there is no central point of contact for the Fox Fire subdivision residents. Staff and committee members may want to rethink how they contact areas that do not have a central point of contact. She did not attend the public meeting, and she feels they need to strengthen the benefits of the program in the future. Many of the materials provided by the Health Department explained how the program worked, but in her opinion the benefits of the program need to be explained better in materials provided to residents. She feels this program will promote the general welfare of County residents.

Mr. Nowak arrived at 9:11 a.m.

Ms. Peschke questioned if the revised proposal from Groot will be reviewed by this committee. Ms. Nomm mentioned that staff and the Purchasing Department will review Groot's revised proposal and will bring back a recommendation to this committee at their next meeting. Chairman McCann stated that this matter will be placed on the committee's February 8, 2012 agenda. Ms. Kurtz stated that there were a minority of people today that brought up the issue of government intrusion and she respects their concern and that was a good point for all of them to hear. She feels that this is an essential service, and her principles are that government should not be involved in matters that are outside of essential services. This program introduces health issues as a component as a rationale why the government should be involved. Ms. Kurtz stated that if we do not have effective garbage disposal, it will promote disease. She was glad to hear the diversity of opinions today and because of health issues, she is pleased that there is a proposed end result that will overall provide some cost-effective results, and believes this is an essential service.

Chairman McCann thanked residents for attending the meeting and providing both their positive and negative comments concerning this program.

Chairman McCann requested that Item No. 7.15 be discussed next.

REPORTS TO COMMITTEE:

Agricultural Conservation Easement Farmland Protection Commission (ACE): Direction for ACE: Ms. Kolner and Mr. Sandquist joined committee members to discuss ACE. Ms. Kolner mentioned that because of the lack of funding for ACE, this past year ACE has explored other options. ACE's mission is to preserve farmland through the process of purchasing development rights. Because the ACE Commission does not have any funds directly allocated to it, they have been waiting for legislation that would allow the County to have a referendum to be able to obtain funds through taxes for this program. This was recently discussed at the Legislative and Intergovernmental Affairs (LIA) Committee and the LIA Committee did not want to add it to their agenda for 2012. ACE does not have any funding, nor support for legislation, and they are requesting direction from this committee. She mentioned that attendance this past year at ACE meetings by its members has been low. She questioned if there are ways they can improve attendance, or possibly amend the

membership to better suit ACE's future needs. Chairman McCann mentioned that ACE's mission is to protect farmland through an easement program and ACE's objective is to acquire agricultural conservation easements by the purchase or donation of development rights. Peggy Lackman from Algonquin mentioned that she recently became involved in the Farmers Market in Algonquin. She questioned how the ACE program works and how many farms are in the program. Ms. Kolner stated that currently there are not any farms in the ACE program, and no land has been purchased through the program because of the funding situation. However, the Land Conservancy has approximately 500 acres acquired through donation of development easements. The Land Conservancy is not associated with the County's ACE program.

Several members of the public provided their opinions concerning the ACE Commission which included Lenore Beyer-Clow, Pat Dieckhoff, Nancy Schietzelt, Richard Brook, and Lisa Rhodes. All of them support the ACE Commission. It was suggested that watershed groups located in the County could help encourage participation in the ACE program.

Ms. Beyer-Clow previously sent a memo to ACE members concerning the status of legislation for ACE. Senator Althoff sponsored the initial legislation and has moved the legislation through the Senate twice, but it is stalled in committee and the House where Representative Tryon has taken lead on the sponsorship of this bill. The legislation is primarily opposed by the home builders, along with the unions relating to the carpenters and operating engineers. She spoke with Repr. Tryon and he is interested in moving the legislation forward again in the spring 2012 legislative session. The legislation has been changed from its initial format. It talks about farmland preservation, but an additional component to the bill has been added to fund grants to municipalities for infill and green re-development projects. The most recent bill is HB 1082.

Ms. Kolner asked members for further direction for the ACE Commission. ACE's mission in its By-Laws is currently narrow and is very specific to the purchase and donation of development rights. She questioned if members would like ACE to re-evaluate its mission to incorporate education programs and outreach to other organizations.

Chairman McCann mentioned that County Board Chairman Koehler is one of commission members for ACE. The ACE Commission currently has nine members. Chairman McCann suggested that the ACE membership be amended to remove Chairman Koehler as a member of the ACE Commission, which will bring the membership down to eight, which is not an effective number. She suggested reducing the number of ACE Commission members down to seven. There are currently three open positions on the ACE Commission and the Natural and Environmental Resources (NERC) Committee will be interviewing two applicants for the ACE Commission at the next NERC meeting.

Mr. Koehler arrived at 9:56 a.m.

Mr. Sandquist mentioned that staff can update the ACE By-Laws to use the standard language contained in the County Board Rules concerning appointments to commissions. He mentioned that the Strategic Plan meeting is scheduled for January 20, 2012 at 8:30 a.m. and that may be an opportunity for this committee to discuss with the full County Board the ACE Commission. Discussions could include the revision of the ACE Commission and its By-Laws, along with its future mission. Ms. Schmidt made a motion, seconded by Ms. Kurtz, to change the number of ACE members from nine members to seven members. The motion passed with all members present voting aye on a roll call vote (Kurtz, Nowak, Peschke, Schmidt and McCann). Chairman McCann mentioned that further discussion concerning the ACE Commission will be held during the upcoming Strategic Plan meeting on January 20. Mr. Sandquist stated that staff will revise the ACE Commission's By-Laws and will present the revisions at the next NERC meeting. He questioned members if they wanted staff to revise ACE's Mission Statement to include the marketing of ACE, along with adding education programs and the outreach of farmland preservation and food production. It was the consensus of committee members to request staff to revise ACE's Mission Statement as noted above, along with revising ACE's goals.

Ms. Kurtz left the meeting at 10:10 a.m.

NEW BUSINESS (continued):

Groundwater Task Force 2012 Calendar. Ms. McKinney and Mr. Sandquist joined committee members to discuss the 2012 Groundwater Protection Task Force meetings. The task force met monthly from July 2007 through August 2009. After the completion of the Water Resources Action Plan (WRAP), the task force took a one year recess. From August

2010 through October 2011 the task force met every other month for reviewing each section of the WRAP and about implementation of the WRAP. The 2012 Groundwater Task Force meeting calendar was provided to committee members. Scheduled for April 11, 2012 is a workshop for homeowners associations which will be held from 6:00 p.m. to 8:30 p.m. in the Administration Building. Stormwater management requirements and water resources and water quality will be topics at this meeting. Ms. Schmidt suggested that the task force meeting information be provided to townships for them to include in their newsletters. Ms. McKinney mentioned that the meeting scheduled for Saturday, April 14, 2012 has been changed to Friday, April 13, 2012.

Proposal for USEPA Urban Water Small Grants: Ms. McKinney provided members with a memo concerning a request to apply for the USEPA Urban Water Small Grant, along with a copy of the 2011 News Release concerning this grant. She mentioned that the opportunity for this grant was released on December 7, 2011 and it closes on January 23, 2012. She requested approval from the committee to apply for the Urban Water Small Grant in partnership with the USGS and the Illinois State Water Survey (ISWS). Applicants may request no more than \$60,000 in federal funding and it is suggested that applicants request at least \$40,000. The County would be requesting \$60,000. There will be approximately \$3.8 million available in 2012 with each regional office awarding between four to eight cooperative agreements in each USEPA region.

Ms. Kurtz returned to the meeting at 10:15 a.m.

Ms. McKinney mentioned that the proposed project is to implement a monitoring program and public awareness campaign addressing the impact of road salt runoff on the water resources of the urban region of McHenry County. This will be a two-year project. The project will have a minimal impact on human resources, and will not require any additional staff or office space. The County will serve as the lead agency on this project. However, the County will not conduct much, if any, of the actual research. This will be conducted by the USGS and the ISWS. The ISWS will be the lead scientific agency in Illinois, and the USGS will monitor and post the specific meters in the water which are real-time sensors that detect changes in the chlorides entering into the surface and groundwater resources. She mentioned that the minimum non-federal cost share/match is \$2500. There would be an impact to the capital expenditures above the previously budgeted dollars for water resources research. In-kind contributions are accepted and there are funds in the water resources budget that could cover part of the matching funds. Chairman McCann mentioned that this program will benefit the Northwest Water Planning Alliance. Ms. McKinney stated that the proposed watershed to be monitored would be the Fox River watershed, including two of its tributaries which are the Nippersink Creek and possibly the Boone Creek. There is preliminary data on the Fox River that shows the water quality of the Fox River is severely impacted by chlorides. Ms. Peschke made a motion, seconded by Ms. Schmidt, to recommend approval for Ms. McKinney to apply for a grant for the U.S. Environmental Protection Agency, Office of Water, Urban Water Small Grants in the amount of \$60,000. The motion carried with all members present voting aye on a roll call vote (Kurtz, Nowak, Peschke, Schmidt and McCann).

REPORTS TO COMMITTEE (continued):

McHenry County Conservation District (MCCD): None.

Natural Hazard Mitigation Plan: None.

Agricultural Conservation Easement Farmland Protection Commission (ACE): Direction for ACE:

Groundwater Updates: Concerning the County's observation wells, Ms. McKinney mentioned that approximately 20 of the observation wells will be receiving signage which will explain what the wells are, why they are at the location, and how they benefit the public. The signs are being provided through the generosity of the USGS.

Northwest Water Planning Group: Ms. McKinney confirmed with committee members that they received an email from her which provided the weblink for the NWPA.

NPDES: National Pollution Discharge Elimination Systems: None.

Watershed Updates: Chairman McCann reported that the Silver Creek and Silver Lake Watershed Reports will arrive in March, 2012.

Stormwater Updates: Chairman McCann mentioned that at Stormwater Commission (SC) meetings, constituents express concerns about County-related stormwater issues which are time consuming during SC meetings. She suggested that on alternate months, members of the SC attend the NERC Committee meetings to discuss stormwater issues. Ms. Schmidt mentioned that members of the SC may not be able to attend additional monthly meetings because of work constraints. Chairman McCann has spoken with SC members Miller and Yensen who mentioned that they would be interested in attending NERC Committee meetings and would provide education on stormwater issues to the members. Mr. Sandquist mentioned that constituents express their concerns about stormwater issues at SC meetings, but constituents also attend Planning & Development (P&D) Committee meetings to express their stormwater issues and complaints. He mentioned that, based on the County Board Rules, the NERC Committee oversees the stormwater functions of the County and this committee would be the more appropriate to have those discussions with constituents that are impacted by specific stormwater requirements. If a constituent wants to appeal a decision of the chief engineer, according to the Stormwater Ordinance, that appeal would go before the full Stormwater Commission. If a constituent wants to appeal a decision of a municipal engineer on a stormwater issue, they would appeal that issue to their village board, not to the Stormwater Commission. It was suggested that several SC members attend the March and May, 2012 NERC meetings to provide background information about the SC. This matter will be brought up at the February, 2012 SC meeting for further discussion and to obtain their opinions on this matter.

Solid Waste: None.

Green Team: None.

EXECUTIVE SESSION: None.

FUTURE TOPICS: None.

ADJOURNMENT: Ms. Peschke made a motion, seconded by Ms. Kurtz, to adjourn the meeting at 10:45 a.m. The motion carried with all members present voting aye on a voice vote.

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RECOMMENDED FOR BOARD/COMMITTEE ACTION/APPROVAL:

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