

MCHENRY COUNTY BOARD  
MINUTES OF THE REGULAR SESSION MEETING  
JANUARY 19, 2010

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, January 19, 2010.

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. Ms. Yensen gave the invocation/personal remarks.

ROLL CALL

The roll was called by Deputy Clerk Linda FitzGerald. The following members responded: Donner, Draffkorn, Dvorak, Heisler, Hill, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Breeden, Donley and Koehler. Absent: Hammerand and Bless. Parliamentarian Jamie Rein was present. Chairman Koehler declared a quorum present with twenty-two (22) 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. Ryan to approve County Board minutes from January 5<sup>th</sup>, 2010 and Committee of the Whole (COW) meeting minutes from January 5<sup>th</sup>, 2010.

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

CHAIRMAN'S REMARKS

Chairman Koehler told the board that Mr. Bless is not here because he had shoulder repair surgery. He's not sure when he will return, it could be a month or so, but he wished him a speedy recovery. Also, he thanked everyone who sent him cards on the birth of his granddaughter; she is doing well and is home now. Lastly, Chairman Koehler spoke about the tragedy in Haiti and how quickly the United States has responded to help. He challenged the County Board to make a joint donation, he will be one of the first, to make a donation on behalf of the McHenry County Board with checks being made payable to the Clinton/Bush Relief Fund. He asked for a moment of silence in respect for the people in Haiti and those there trying to bring relief.

Mr. Kennedy told the board of his friend, Joe Morowski, who has been very ill and is now recovering slowly. He asked board members if they would please sign the card going around for him as it would brighten his day immensely. Chairman Koehler said Mr. Morowski has gone to DOT meetings and is dedicated to the LITH initiatives.

SPECIAL RECOGNITION/REPORTS

Ms. Peschke made a motion seconded by Ms. Hill to approve the following Eagle Scout recognitions:

Casey Clemmons of Woodstock	Troop #159
David Allen Hegge of Harvard	Troop #171

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

Eagle Scout Casey Clemmons was present and was asked to come forward. Chairman Koehler congratulated him on behalf of the board and presented Casey with a miniature County flag in recognition of his accomplishment.

Casey explained the project he did to receive his Eagle award. Ms. Peschke commented that years ago she met Casey's grandparents and knows his parents and presented him with a collection Chicago Bears items for his achievement.

#### ZBA CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove a petition, Ms. Schuster removed #09-31.

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

- Exb #09-38; Richmond Twp; The Prairie Club; reclass of A1C to A1C (renew)
- Exb #09-42; Chemung Twp; Richard/Judith Koch; reclass of A1 to A2

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

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

- Exb #09-31; McHenry Twp; James/Andrea Johnson; reclass of A1 to A1C

Chairman Koehler asked for any discussion. Noting none, he asked for a roll call vote. The following members responded aye: Donner, Draffkorn, Dvorak, Heisler, Hill, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Wheeler, Yensen, Barnes, Breeden, Donley and Koehler. Nay: Schuster. Absent: Hammerand and Bless. The vote being twenty-one (21) ayes and one (1) nay noting two (2) absent, Chairman Koehler declared the motion passed.

#### PLATS

None

#### PUBLIC COMMENT

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

Susan Krause of Woodstock	against	Mental Health Board expansion
Ruth Drye of Crystal Lake	against	Mental Health Board expansion
Nancy Monica of Lake in the Hills	for	Mental Health Board expansion
Richard Draper of Wonder Lake	against	Mental Health Board expansion
Bob Martens of Spring Grove	for	Mental Health Board expansion
Susan Ling of Crystal Lake	for	Mental Health Board expansion
Julie Gibson of Woodstock	for	Mental Health Board expansion
Sandy Lewis of Woodstock	for	Mental Health Board expansion/financing
Lee Ellis of Crystal Lake	for	Mental Health Board expansion/financing
Rosemary Kurtz of Crystal Lake	regarding	Mental Health Board expansion
Dr. Sheila Mannix of Barrington	regarding	fiscal business of board
Don Larson of Harvard	for	Mental Health Board expansion/financing

Noting no others wishing to speak, Chairman Koehler closed public comment.

#### SPECIAL PRESENTATIONS

Artwork Acquisition – Tina Hill

Ms. Hill introduced her friend and artist, Dan Grabow from whom a painting was acquired. Mr. Grabow came forward and presented the board with an oil painting of the Peterson Farm in McHenry which he painted. Board members thanked Mr. Grabow and were impressed with the workmanship of the piece.

#### NEW AND UNFINISHED BUSINESS

*Resolution authorizing adoption of a Federal Legislative Program for fiscal year 2011*

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

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

#### APPOINTMENTS

Ms. Hill made a motion seconded by Ms. Donner to approve the following Appointment:  
Zoning Board of Appeals  
Richard D'Ambrosia                      term to 09/01/2014

Chairman Koehler asked for any discussion. Ms. Yensen asked if in the future the board might receive information/qualifications of the people being appointed. Ms. Hill said a copy of the appointee's application could be e-mailed to board members' which shows their qualifications and noted that this individual as well as the next are very qualified for the positions they are being appointed to. Ms. Schuster pointed out that in most cases you can go on the county website, the agenda and get the information as well.

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

Ms. Orphal made a motion seconded by Ms. Salgado to approve the following Appointment:  
TB Board  
Ellen R Mangano                      term to 06/30/2012

It was noted that this appointment was not accessible electronically. Chairman Koehler said they will check into this.

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

#### STANDING COMMITTEE CHAIRMAN UPDATES

Ms. Hill said that this Thursday morning Planning & Development will be having their last look at the 2030 Plan. Meetings for public comment will be done in early March. The plan is then to come back to committee to review the public comments and make any additional changes and then bring it to the board for a vote in late March.

Ms. McCann said the second meeting of the Natural Hazard Mitigation Planning Team is next week. They are trying to inventory (identify the areas on a map) the areas that are or will be experiencing flooding. Information has gone out to the townships, municipalities, road commissioners and emergency preparedness staff. She said they are having some difficulty collecting information, so if anyone knows of any flood problem areas, please let her, Mr. Sandquist or Barry Valentine know. They are hoping to have a plan together by the end of May.

Ms. Miller said everyone should have received a memo from Joe Korpalski of the DOT regarding some upcoming presentations to municipalities. She apologized saying they had taken their preferred alternative out to LITH and some board members called and said it would have been nice to be there for the presentation. In moving forward, Ms. Miller said they will try to keep everyone aware of what is going on so that if members have time in their schedules, they can make the presentations. There will be a meeting at the Village of Algonquin on January 26<sup>th</sup> and the City of Crystal Lake on February 2<sup>nd</sup> for the Randall Road preferred alternative presentation. The IDOT state improvement program will be on January 28<sup>th</sup> at the Holiday Inn in Crystal Lake.

#### ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Consent Agenda. Mr. Munaretto removed item #15.2 B6. Ms. Schmidt said she will Abstain from voting on #15.2 B6 as she is on the Board of Directors of an agency that has a funding relationship with the Mental Health Board.

Ms. Yensen made a motion seconded by Mr. Dvorak to approve the Routine Consent Agenda

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

15.2 B6 *Resolution authorizing entering into an Intergovernmental Agreement between McHenry County and the McHenry County Mental Health Board relating to the financing for expansion and enhancement to the current Mental Health Board facility*

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

Chairman Koehler asked for any discussion. Mr. Munaretto explained that it was a deficiency of the Community Mental Health Act that the Mental Health Board was empowered only to borrow from bank sources of financing. The legislature allows intergovernmental agreements to govern the relationship contractually between units of government. He said the intergovernmental agreement here this evening allows McHenry County to be reimbursed by the Mental Health Board for the four million dollars in bonds that it will be selling on behalf of this project. The Mental Health Board is fully empowered to go to a bank and borrow the money without the benefit of the investment rating and without the benefit of a very inexpensive source of financing provided through the American Recovery and Reinvestment Act. Mr. Munaretto said this agreement was modeled after an agreement we used in 2001 for the original Mental Health building on Dakota Street.

Ms. Salgado said although she sees both sides of information presented she disagrees with some of the language in the Whereas parts of the agreement, namely where it says that the county agrees that there is a need for a Mental Health facility etc. and also where it says that the board of the county agrees that the acquisition of the facility site etc., and in another area where it says that the board and county have found that it is desirable and in the best interest of the county. She said the board has not agreed and no vote has been taken. Ms. Salgado said she does understand that this has gone through the State's Attorney's office but she does not agree with what the agreement is saying. Ms. Donner pointed out that this is what we are voting on now. Ms. Wheeler and Ms. McCann agreed with Ms. Salgado about the wording. Mr. Munaretto noted that if a board member does not agree, they should vote no.

Chairman Koehler asked for a roll call vote. The following members responded aye: Donner, Dvorak, Heisler, Hill, McCann, Merkel, Miller, Munaretto, Orphal, Peschke, Ryan, Donley and Koehler. Nay: Draffkorn, Kennedy, Salgado, Schuster, Wheeler, Yensen, Barnes and Breeden. Abstain: Schmidt. Absent: Hammerand and Bless. The vote being thirteen (13) ayes, eight (8) nays and one (1) abstention, noting two (2) absent, Chairman Koehler declared the motion passed.

#### ORDINANCES

None

#### ADMINISTRATOR'S REPORT

Mr. Austin said he distributed a written report to everyone. The Strategic Planning meeting will be March 12<sup>th</sup> here in the Administration Building from 8:30 to Noon. He pointed out that applications for the Chief County Assessment Officer are due at the end of the month and they are coming in nicely. Also, at Valley Hi we're moving ahead on the hiring process for an Administrator; next Monday they will be bringing in six candidates. The Valley Hi Committee last Thursday did approve a resolution to forward to the board the idea of an operating board for Valley Hi. If there are any questions of concerns about that, Mr. Austin asked that you give him or a member of the committee a call.

Mr. Austin noted that the Mental Health Court will have their second graduation class on the evening of January 26<sup>th</sup> at 6:30, Courtroom 204. He encouraged members to attend. Finally, Mr. Austin said in his written report there are many statistics from the Workforce Network on what is going on with our labor market, one number that stood out was in the last week of 2009 there were 27,755 McHenry County residents receiving unemployment benefits.

Chairman Koehler noted that County Board member Tina Hill is celebrating her 50<sup>th</sup> birthday and she has family here to celebrate. Ms. Hill thanked her family and friends for being here this evening.

#### EXECUTIVE SESSION

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

Ms. Donner made a motion seconded by Mr. Kennedy to go into executive session.

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

Ms. Peschke made a motion seconded by Mr. Heisler to return to open session.

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

Executive session ran from 8:20 p.m. to 8:32 p.m.

MEMBERS' COMMENTS

Ms. Yensen asked about the comments made by Dr. Mannix during public comment. Chairman Koehler has been advised by the State's Attorney's office not to talk with her as there are some issues as to whether her accusations are accurate. Ms. Rein said Dr. Mannix has met with many people in her office and has provided documentation to the State's Attorney's office and they are looking at her concerns. Ms. Rein said Dr. Mannix has lawsuits pending in various counties throughout the state and is now alleging that the County Board is providing funds that support courts that are corrupt or part of a conspiracy. Ms. Rein said board members can contact her at the office if they would like to discuss this more. Ms. Yensen said she is concerned when someone comes in a public forum and brings forth allegations waiving documents that make it look legitimate. Mr. Merkel asked if board members are advised not to talk with Dr. Mannix as the Chairman was. Ms. Rein said there is nothing preventing the board from listening to her concerns but she encouraged board members to just forward her concerns back to the SAO. Chairman Koehler noted that neither the County Board nor he has been contacted by any federal agency that is involved with an investigation of any wrong doing. Ms. Barnes said her perception to Dr. Mannix's comments were that we were ignoring her and not doing anything. Chairman Koehler said to his knowledge no one has received any information that was to be passed on to the board members. He has received several communications from her but it was his understanding that she sent them to other board members. Chairman Koehler said to be cautious of what is said because of the allegations that are being made.

Ms. Donner asked everyone to keep her sister's daughter-in-law in their prayers. She is in Haiti and they have heard from her once by e-mail. She works with her church group and goes there every other month. She now is in a remote area with an orphanage and their biggest problem right now is water and food.

Ms. Hill thanked everyone for the birthday wishes.

ADJOURNMENT

Ms. Donner made a motion seconded by Ms. Miller to adjourn at 8:42 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 4<sup>th</sup> day of February, A.D., 2010.

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

ATTEST:

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