

MCHENRY COUNTY BOARD  
MINUTES OF THE REGULAR SESSION MEETING  
FEBRUARY 4, 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 Thursday, February 4, 2010.

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. Ms. Barnes gave the invocation/personal remarks.

ROLL CALL

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

MINUTES

Chairman Koehler asked if there were any changes/corrections to the minutes, one error was noted and will be corrected.

Mr. Heisler made a motion seconded by Ms. Miller to approve County Board minutes from January 19<sup>th</sup>, 2010 as corrected.

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

CHAIRMAN'S REMARKS

Chairman Koehler noted that board member Bless's shoulder surgery was quite extensive and his recovery is going to take a little bit longer than anticipated. He would be happy to hear from anyone if you want to drop him a card or give him a call. Ms. Donner said she did send flowers on behalf of the board. Chairman Koehler talked about the primary election noting the low turnout. He thanked board members who didn't make it through for the general election for their hard work on the board and he congratulated those who will be on the ballot in November.

SPECIAL RECOGNITION/REPORTS

*Huntley High School – Red Quill Award*

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

Ms. Yensen asked board members from Districts 5 & 6 to come forward to congratulate representatives from Huntley High School for this achievement in academic excellence. Chairman Koehler presented the representatives with a certificate of recognition from the County.

Chairman Koehler asked Lou Bianchi to come forward. Mr. Bianchi came forward and introduced the new Chief of the Criminal Division, Phillip Hiscock. He said he has been with the State's Attorney's Office for three years and will be replacing Nichole Owens as of February 17<sup>th</sup> in this position.

SPECIAL PRESENTATIONS

*2010 State of the County Address – Chairman Koehler*

Chairman Koehler said this is his sixth time delivering this address and noted that 2009 posed challenges for McHenry County and he expects we will face more challenges in 2010. He said that with sound fiscal management McHenry County is in a strong position to respond to the continued economic challenges we will face in this New Year. Chairman Koehler said although the economy has been difficult we've been able to move forward and improve quality of life for County residents. Chairman Koehler talked about improvement projects that the County has worked on and continues to work on and touched on happenings in different departments. Chairman Koehler said McHenry County is in better shape financially that most units of government and that we need to rely upon these strengths in the coming year while working on collective goals that have been established in the County's Strategic Plan.

Note: A copy of Chairman Koehler's complete State of the County Address is in the County Board file.

*Debt Certificate Presentation – Eric Anderson, BMO Capital markets*

Mr. Munaretto said that Harris Bank is a division of BMO (Bank of Montreal) and they have formed a group that does public finance and Mr. Anderson is the Managing Director of that group. Mr. Anderson will be talking about three offerings that they are preparing to put out for our investors here in the next couple of weeks. He will talk about a parameters ordinance and new information about a refunding opportunity that may exist for the Series 2002 debt certificates that are remaining on the Administration Building.

Mr. Anderson came forward and explained about the debt certificates being proposed and did a power point presentation along with a handout for members to follow along with, a copy of which is in the board file. Mr. Anderson said complexity will be added into the usual process brought on by the American Recovery Reinvestment Act. Today he talked about \$4,350,000 in General Obligation Debt Certificates, Series 2010A (tax exempt or Build America Bonds); and \$4,000,000 Taxable General Obligation Debt Certificates, Series 2010B (Recovery Zone Bonds). At this time Mr. Anderson said they are not sure which type of bonds will be issued, as it depends on the interest rates. He explained how information from day to day can change interest rates in the market. Mr. Anderson said the board should know that with the Build America Bond the County issues and designates that as taxable on its face so that the investor is going to receive taxable rates of interest. This benefits the County because the US Treasury will then provide every six months a subsidy payment equal to 35% of your interest rate. He explained how the interest rate is then figured and then you see if that interest rate is higher or lower than what the County could issue as a tax exempt rate. If it's higher we issue as tax exempt, if it's lower we issue it as Build America Bonds. He said that traditionally the Build America Bonds are cheaper. Mr. Anderson said the Recovery Zone Bonds would be only reserved for the Mental Health Board project. This type of bond comes with a 45% subsidy from the US Treasury.

Mr. Anderson said the items to be financed with the 2010A Debt Certificates (could be Build America Bonds)

\$2.0mm	Acquisition of an area local network – retired over 6 years
\$1.10mm	Archive storage facility – retired over 10 years
\$ .60mm	Courtroom holding facility – retired over 10 years
\$ .60mm	Storage SANS – retired over 6 years

Items to be financed with the Series 2010B Debt Certificates (Recovery Zone Bonds)

\$4.00mm	Mental Health Facility addition – retired over 15 years
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Mr. Anderson went over the total debt service. He said they are having a rating review tomorrow with Moody's Investor Service here in this building. He is hoping after stating our case that our rating will go up. He said they will note that although we are not immune to the economic conditions, the County's finances have actually improved in this past year. Mr. Anderson stated that they are looking at about 2.5% for each of the borrowings.

Mr. Anderson said they are recommending, due to a lot of different conditions, that the County adopt a parameters ordinance that allows designated officials (Chairman, Chairman of Finance & Audit Comm. and County Administrator) to execute the financing contract on behalf of the full County Board on a date that may not coincide with a board meeting. This ordinance would be taken up at the February 16<sup>th</sup> meeting and executed shortly thereafter.

Mr. Anderson then talked about refunding potential saying that in 2006 the Series 2002 debt certificates were partially refunded showing a savings of \$296,603 in interest expense. With the interest rates now lower than the Series 2002 rates, there is a potential to save \$156,000+ by refunding. He said they would like to be prepared to take advantage in the event that these savings are desirable, and add that to the list of ordinances that would be approved by the board. Mr. Anderson said that President Obama indicated that he was advancing the concept of extending the Build America Bond Program beyond December 2010 and at present they believe he is going to extend that to refunding as well. He added that they probably won't know until the day before we enter the market if this has been extended to

refunding. Ms. Hill asked about there being three separate parameter ordinances, as this is different than was discussed in the meeting. Mr. Anderson said each ordinance would be separated and would state their purposes. Mr. Anderson said there is a lot of information being given today and said his message to the board is they are on this as it changes daily and they will evaluate which is the cheapest solution to bring forth to the board for consideration and will execute on that. Mr. Munaretto noted that "refunding" and "refinancing" are interchangeable terms in bond terms. Noting no other discussion, Chairman Koehler thanked Mr. Anderson for his presentation today.

PLATS  
None

PUBLIC COMMENT

Chairman Koehler explained the rules of public comment. The following people spoke:  
Sandy Lewis of Woodstock regarding/for Mental Health building project

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

NEW AND UNFINISHED BUSINESS

None

APPOINTMENTS

None

STANDING COMMITTEE CHAIRMAN UPDATES

Ms. Hill said Mr. Sandquist passed out the schedule for meetings of the Regional Plan going out to the public. She encouraged board members to share this with their constituents.

Ms. Schuster said on February 9<sup>th</sup> at the Management Services meeting they will be discussing the proposed Disclosure Ordinance. She encouraged board members to check the website and review the documents that have been attached to the agenda. If there are any questions she asked that you e-mail them or attend the meeting.

Ms. Barnes reminded everyone that February 19<sup>th</sup> is the Drug Court planning kick off meeting.

Mr. Kennedy said there will be no Liquor License Commission meeting next Wednesday. Renewal licenses will be coming up in the next two months.

Ms. Miller said Tuesday night the DOT took their presentation on the proposed improvements for Randall Road to the City of Crystal Lake. It appeared to be well received by all three of the communities and they are waiting for further feedback.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Consent Agenda. Ms. Peschke removed 14.2 K1.

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

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

14.2 K1 Resolution authorizing establishing a Valley Hi Operating Board and adopting the bylaws for said Board. Ms. Miller made a motion seconded by Ms. Donner to approve the above named resolution.

Chairman Koehler asked for any discussion. Ms. Peschke said she found a grammatical error on page 7, Article 7, Section 2 (f). The sentence that starts "Staff is responsible" doesn't make any sense, she recommended changing it to "Staff is responsible for making sure the Operating Board is aware of ...." Chairman Koehler said we will have this cleaned up.

Other board members spoke for and against the proposed Operating Board for Valley Hi. Mr. Donley said he felt it was a dangerous precedent to eliminate the Valley Hi Committee and that the County Board should be handling Valley Hi. Ms. Schuster said she would like to see the new Administrator settle in first before having the Operating Board. It was asked who would be making the County Board member appointments to the Operating Board? Chairman Koehler said Valley Hi will end up under a different committee, possibly Public Health & Human Services, and will be monitored with reports to the County Board. Ms. Miller said it looked like wording was changed about the specific healthcare expertise necessary as an administrator to give direction to Valley Hi. She would like to see expertise in the field for members of the Operating Board. Mr. Austin said he didn't recall changing that wording and have talked about targeting a mix of people with long term health care and financial experience. In the By Laws they have taken the position of Treasurer out as it was not needed and have noted that the Valley Hi Administrator will continue to report to the County Administrator position but that the County Administrator will work with the Operating Board in the annual evaluation process. Chairman Koehler noted that there is a second round of interviews today for one of the candidates and there was one on Monday. He is hoping a choice can be made and an offer made tomorrow, then if that person accepts we will bring him/her in to talk with the Valley Hi Committee and some members of the Human Resources Committee. He said they would like to bring the chosen candidate to the next County Board meeting. Whoever is hired will need to give notice at their current job so we probably won't see a new Administrator until mid March. Ms. Wheeler said there is no direct language in regard to the Public Health vetting the candidates for director. She doesn't want to see a complete void between Administrator at Valley Hi and the County Board. It was suggested that the Valley Hi Administrator should not just be reporting to the County Administrator and Ms. Wheeler felt there was a disconnect between the Committee and what is actually written in the By Laws. Chairman Koehler said for the rest of this year the Valley Hi Committee will still be intact and they would be the ones that will be working with this Operating Board. He thinks it is highly unlikely that we would keep the Valley Hi Committee going when there would not be a lot to do, however it is open to how the County Board wishes to do it. Mr. Austin said that the County Board rules document which groups report to committees.

Noting no other discussion, Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Dvorak, Heisler, Hill, Kennedy, McCann, Merkel, Miller, Munaretto, Orphal, Peschke, Salgado, Schmidt, Wheeler, Yensen, Barnes, Donner and Koehler. Nay: Ryan, Schuster, Breeden and Donley. Absent: Hammerand and Bless. The vote being eighteen (18) ayes and four (4) nays noting two (2) absent, Chairman Koehler declared the motion to approve establishing a Valley Hi Operating Board and By Laws has passed.

#### ORDINANCES

For Review: *Ordinance amending the McHenry County Sign Ordinance*

Ms. Hill put the above-named ordinance up for review and noted that changes made are in red. If there are any questions, please let her know or come to the committee meeting. Mr. Donley asked everyone to take a close look at the Temporary Sign area of the ordinance as he feels it is extremely dangerous. He asked anyone with questions on this to give him a call.

#### ADMINISTRATOR'S REPORT

Mr. Austin reported that yesterday the Probation Information System went live and parallel testing is being done. They are hopeful to get the Court Services piece wrapped up this month and then look ahead to the State's Attorney and the Public Defender getting up and running. Mr. Austin thanked the DOT for their presentation on the Randall Road project. He said there is much more to come on this project and there is good innovative thinking taking place on this. He said the Facilities Management Department and the Regional Office of Education continue to work on some final design work for the restructuring of the former Treasurer's space and will be looking ahead in the next month to finalize their plans to move Schools down to that space. Mr. Austin said the search for the Chief County Assessment Officer is underway. The application process has now been closed and he is happy with the applications that have been received as it is a very specialized set of skills that are needed for this position. Mr. Austin noted that the Coordinated Demand Response Pilot Project is going live on Valentine's Day. Lastly, Mr. Austin said the Strategic Planning meeting will take place on February 12<sup>th</sup>.

Mr. Merkel commented about an article that was in the paper on the Animal Control adoption facility in Crystal Lake. He asked if we could get an update to hear how things are going after two years. Chairman Koehler said we can do that and said any board members wishing to stop by can do so at any time. He said there is a meeting room there where meetings are held periodically. Board members can keep that in mind should they need a meeting room and Crystal Lake is more convenient for attendees.

Ms. McCann commented that the DOT has started working on the Kishwaukee Valley Bridge. She reported that the construction manager for both the contractor and the DOT came out and talked with them about the project. She is pleased that they are communicating with the public on projects that will impact them.

#### EXECUTIVE SESSION

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

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

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

Ms. Miller made a motion seconded by Ms. Orphal to return to open session.

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

Executive session ran from 10:27 am to 10:45 am. Chairman Koehler said no action took place in executive session.

#### MEMBERS' COMMENTS

Mr. Kennedy thanked everyone who participated in the interviews for the Valley Hi Administrator. He was pleased with the applicants and the top two that are going through the second round of interviews. Also, he thanked everyone for signing the card for his friend, after a couple of setbacks he is again making progress in his recovery at this time. He asked that you keep him in your prayers.

Ms. Donner said February 19<sup>th</sup> there will be a ribbon cutting ceremony after the Senior Services Grant Commission meeting. She would like to see as many people there as possible. She said this will be a great overlay of all the other systems that we have in providing transportation not only to our seniors but within the cities of Crystal Lake, McHenry and Woodstock to our general population. Secondly, Ms. Donner asked if we could have Members Comments moved up on the Agenda before Executive Session. She said many times there are interesting things to say and after executive session is over many people do not return.

Chairman Koehler noted that also on February 19<sup>th</sup> the Drug Court training will take place. He said board members are invited and they would like to know who will be attending because lunch will be provided. Mr. Austin thought it was open to just Law & Justice Committee members, he will check on this.

Ms. Schmidt spoke regarding the Primary election saying she would like to see the date of the Primary moved from the 1<sup>st</sup> Tuesday in February to a later date and would like the County Board to pass a Resolution to let the State know this. She feels this is a topic that should be on an official agenda for lobbying efforts. Everyone agreed with this. Chairman Koehler said that Representative Tryon and Senator Althoff would like to see this changed as well but to his knowledge there is no legislation out there on this.

Ms. Barnes said she spoke with Mr. McNulty about the H1N1 clinics and would like to share a little information to the board, specifically for members on the Health Committee. Kids in her district were offered an immunization clinic this past Tuesday. Her concern is that the Health Department delivered the information to the school districts on or about a Thursday or Friday; parents received notification the following week at which time they were told to turn in their \$15 per shot fee. Many people didn't have the \$15 fee for each child and there was nothing in the documentation received about the fact that there were free clinics going on just 10 minutes away with no appointment needed. When she addressed this with the people she thought could help there seemed to be an attitude that people should have known because it was in the newspaper or could have viewed it on the website. Her concern is for those people who don't get the paper or don't have a computer or internet service. Ms. Barnes said we should make more of an effort getting the word out of the free clinics for those who can't afford the fees as it was an option and no one knew.

Ms. Yensen agreed with Ms. Barnes' comments about the H1N1 clinics and communication. She had a similar situation in Huntley at Centegra. She said people stood in line for hours with children in the cold; one woman was turned away because she didn't have the \$15 and was not given an alternative of where she could get the shots free. Others were told if they were not in line by 3:30 p.m. they were not going to be seen. Ms. Yensen said she called and expressed her concern about this and that there should have been more communication about clinics elsewhere that were free.

Ms. Hill responded to Ms. Schmidt's comments about the Primary election. She said she will check and see if there is any legislation on changing the date, she thinks there is and she will e-mail that out. She has been directed by Representative Tryon to get their research staff writing language to stop the political robo calls. Chairman Koehler said it is his understanding that some states have the date rolled back except during a presidential election cycle then it is moved up for that one. Ms. Schuster asked when we would like to see the date moved to; there should be a date in mind when a resolution is drafted.

Ms. Salgado spoke on the H1N1 clinics saying that when Centegra does a clinic it has nothing to do with the Health Department. All they can do is call Centegra and share their concerns with them. She said the clinics held by the Health Department are advertised not only in papers and on the web, but also posted in libraries and stores. Ms. Barnes said her concern was that they did have a letter from the Health Department telling people there was a \$15 fee, most people assume that it's a Health Department decision and there was nothing in their letter about the free clinic options.

Chairman Koehler said Kathie Schultz has asked for a Resolution Supporting the Revoking of the Under Vote Law. He said they will get a resolution done and bring it forward for the board's approval.

#### ADJOURNMENT

Ms. Donner made a motion seconded by Ms. Hill to adjourn at 11:05 a.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 16<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