

MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
MARCH 16, 2010

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, March 16, 2010.

Chairman Koehler called the meeting to order at 7:00 p.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. Mr. Donley gave the invocation/personal remarks.

ROLL CALL

The roll was called by County Clerk Katherine Schultz. The following members responded: Heisler, Kennedy, Merkel, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Donley, Donner, Draffkorn, Dvorak, Hammerand and Koehler. Absent: Hill, McCann, Miller and Breeden. Parliamentarian Jamie Rein was present. Chairman Koehler declared a quorum present with twenty (20) members responding.

Chairman Koehler said Exb. #09-54 is being removed from the ZBA Consent Agenda by request of the petitioner's attorney.

MINUTES

Chairman Koehler asked if there were any changes/corrections to the minutes, one change was noted on minutes of March 2nd and will be corrected.

Mr. Heisler made a motion seconded by Ms. Peschke to approve County Board minutes from February 16 and March 2, 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 he is passing around a book that was donated to the County Board to take a quick look at. It will be available in the Administration office on the table for your convenience.

Chairman Koehler talked about the trip to Washington about two weeks ago saying although the meetings seemed to be productive, he was surprised to get notification from Don Manzullo that on the Republican side they will not be doing any earmarks. He is providing a copy of our federal agenda that was taken with them so that board members can review it. Also, when it comes to the road projects that were being pitched, we were looking for \$1.5 million dollars for additional engineering for Randall Road, and this is one that we are probably not going to see any money for in this fiscal year. Chairman Koehler talked about other items presented and we'll be waiting to see if funding goes through on any of them.

Lastly, Chairman Koehler said that last Thursday he, Ms. Orphal, Ms. Hill, Andy Andreski (Chairman of the Public Health Board) and Pat McNulty traveled to Chicago to the University of IL Chicago Campus to the School of Public Health and met with Dr. Leslie Stayner, Director of Epidemiology and Biostatistics for the University of IL. The Chairman said there was some initial contact with him back in August of last year and he advised the County to take the course of going and asking the IDPH and CDC to take a look at the McCullom Lake issue. The responses were received and Chairman Koehler said they felt they should go and make one more quest on finding out whether there was anything else we could do. The good news is that Dr. Stayner took a long time discussing this issue with them and gave a lot of things to think about. Interestingly, Dr. Stayner said the types of cancers that have come up are not cancers, that he is aware of, that are caused by environmental issues. The types of cancers that might be caused by

environmental issues would be liver or lung cancer. It's not to say you can't get another cancer that would spread from those places however it would be very unusual that an environmental cause would have anything to do with these cancers. Chairman Koehler said our concern is to make sure there is nothing environmentally wrong out in that area. Dr. Stayner complimented the fact that the County did the right things and suggested for peace of mind that we might go ahead and have a study done that supports the fact that there are no contaminants in the McCullom Lake area. Chairman Koehler said they will follow up on that and felt the meeting was very successful.

SPECIAL RECOGNITION/REPORTS

7.1 Eagle Scout recognition

Mr. Ryan made a motion seconded by Mr. Merkel to approve the following Eagle Scout recognition:
Joseph Muren of Huntley Troop #267

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

7.2 Resolution honoring Undersheriff Eugene E. Lowery

Chairman Koehler asked Mr. Lowery to come forward and then read the Resolution honoring Undersheriff Lowery. Mr. Kennedy made a motion seconded by Ms. Donner to approve this resolution.

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

Chairman Koehler thanked Undersheriff Lowery for his time and dedication to the County and wished him well on the next chapter of his career. Undersheriff Lowery graciously accepted the Resolution and thanked the board and McHenry County for being with him through good times and bad. He said he hopes that the opportunities that the County has given him and the Sheriff's office as a whole will continue on. He encouraged the Board to continue to be forward thinking and take the County that extra step as has been done.

7.3 Resolution recognizing Ervin Staveteig for his service to McHenry County

Mr. Dvorak made a motion seconded by Ms. Donner to approve a Resolution recognizing Ervin Staveteig for his service to McHenry County.

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

Chairman Koehler asked Mr. Staveteig's daughter, Linda to come forward. He presented her with a framed Resolution honoring her father. Ms. Staveteig thanked the board for remembering her father in this way.

Some Board members commented on Mr. Staveteig's contributions and volunteerism within the County. Whether it is in zoning, with the local Sons of Norway Lodge, the Lions Club or participating in elections, he was very much appreciated.

SPECIAL PRESENTATIONS

None

ZBA CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove a petition. Ms. Schuster removed Exb. #09-28.

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

Exb #09-41; McHenry Twp; Genevieve Hummel; reclass of R1 to R1V

Exb #09-47; Nunda Twp; John/Marija Riska; reclass of R1 to R1V

Exb #09-49; Seneca Twp; Rankins Trust; reclass of A1 to A1V

Exb #10-01; Nunda Twp; Rom/Rebecca Evans; reclass of R1 to R1V

Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Kennedy, Merkel, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Donley, Donner, Draffkorn, Dvorak, Hammerand and Koehler. Absent: Hill, McCann, Miller and Breeden. The vote being twenty (20) ayes noting four (4) absent, Chairman Koehler declared the motion passed.

Ms. Donner made a motion seconded by Ms. Yensen to approve the following Petition:
Exb #09-28; Seneca Twp; Castaneda/Mercado Landscape; reclass of A1 to A1C

Chairman Koehler asked for any discussion. Ms. Schuster felt this business did not belong in this area.

Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Kennedy, Merkel, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Wheeler, Yensen, Barnes, Bless, Donley, Donner, Draffkorn, Dvorak and Koehler. Nay: Schuster and Hammerand. Absent: Hill, McCann, Miller and Breeden. The vote being eighteen (18) ayes and two (2) nays, noting four (4) absent, Chairman Koehler declared the motion passed.

ZBA REGULAR AGENDA

Chairman Koehler restated that Exb. #09-54 has been removed from the agenda this evening by request of the petitioner's attorney.

Ms. Donner told the board that the following Petition was recommended for denial by the ZBA. Following County Board rules, this petition will be brought forth in the affirmative, so a YES vote is to approve the petition and a NO vote is to DENY the petition as recommended by the ZBA.

Ms. Donner made a motion seconded by Ms. Salgado to approve the following Petition:
Exb #09-43; Dorr Twp; MLJ Properties, LLC; reclass of A1 to A1C

Chairman Koehler asked for any discussion. Ms. Peschke said this request was unanimously turned down by the ZBA. She noted that the petitioner has created this problem for themselves, wanting to have two rental properties where there is only supposed to be one residential property. They have also done some construction without permits and are seeking to cure it with a conditional use. Ms. Peschke said she can't find any reason to vote in favor of this.

Chairman Koehler asked for a roll call vote. The following members responded aye: none. Nay: Heisler, Kennedy, Merkel, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Donley, Donner, Draffkorn, Dvorak, Hammerand and Koehler. Absent: Hill, McCann, Miller and Breeden. The vote being twenty (20) nays noting four (4) absent, Chairman Koehler declared the motion to approve **Exb. #09-43 denied**.

PLATS

None

PUBLIC COMMENT

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

Dr. Sheila Mannix of Barrington regarding County financial matters & court corruption

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

NEW AND UNFINISHED BUSINESS

12.1 *Resolution authorizing the acquisition of right of way for highway purposes (Walkup Road) pursuant to eminent domain.*

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

Chairman Koehler asked for a roll call vote. The following members responded aye: Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Kennedy, Merkel, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Donley, Donner, Draffkorn, Dvorak, Hammerand and Koehler. Absent: Hill, McCann, Miller and Breeden. The vote being twenty (20) ayes noting four (4) absent, Chairman Koehler declared the motion passed.

APPOINTMENTS

13.1 Ms. Barnes made a motion seconded by Ms. Donner to approve the following Appointment:

Emergency Telephone System Board
Brian Knop term to expire 11/30/2010

Chairman Koehler asked for a roll call vote. The following members responded aye: Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Kennedy, Merkel, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Donley, Donner, Draffkorn, Dvorak, Hammerand and

Koehler. Absent: Hill, McCann, Miller and Breeden. The vote being twenty (20) ayes noting four (4) absent, Chairman Koehler declared the motion passed.

13.2 Ms. Orphal made a motion seconded by Ms. Peschke to approve the following Appointment:
Housing Authority
Kevin Russell term to expire 06/30/2015

Ms. Salgado asked to abstain from voting as she works with the appointee.

Chairman Koehler asked for a roll call vote, the following members responded aye: Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Kennedy, Merkel, Munaretto, Orphal, Peschke, Ryan, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Donley, Donner, Draffkorn, Dvorak, Hammerand and Koehler. Abstain: Salgado. Absent: Hill, McCann, Miller and Breeden. The vote being nineteen (19) ayes and one (1) abstention, noting four (4) absent, Chairman Koehler declared the motion passed.

STANDING COMMITTEE CHAIRMAN UPDATES

Ms. Donner spoke for Ms. Hill reminding everyone in regard to the Housing Commission they have gone through 17 applications and found some really good people who will work well on this commission. It is the intention that there be a board member as liaison, so if anyone is interested, please contact Ms. Hill or Mr. Sandquist. Chairman Koehler said he thought there was one position that was not filled. Ms. Donner said you need to have someone who is part of the system and it's hard to get people to come forth.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Consent Agenda. Ms. Yensen removed Item 15.2 J1; Ms. Donner removed 15.2 H2 and Mr. Donley removed 15.2 B4.

Ms. Orphal made a motion seconded by Mr. Ryan to approve the Routine Consent Agenda with three items removed.

Chairman Koehler asked for a roll call vote. The following members responded aye: Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Kennedy, Merkel, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Donley, Donner, Draffkorn, Dvorak, Hammerand and Koehler. Absent: Hill, McCann, Miller and Breeden. The vote being twenty (20) ayes noting four (4) absent, Chairman Koehler declared the motion passed.

15.2 B4 *Resolution authorizing mid-year salary adjustments to the salaries of several positions in the State's Attorney's office.*

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

Chairman Koehler asked for any discussion. Several board members objected to these increases given the economy and timing as well as the high amount of increases. It was explained that the Chief of the Criminal Division left and people were moved up to fill the vacant positions internally. This was like a snowball effect. It was noted that all of these are coming in at or below the mid-point salary ranges. Mr. Carroll of the State's Attorneys office agreed saying this was a unique situation and four of the positions moved up and are handling more responsibilities and the fifth increase is an equity issue. Mr. Sarbaugh noted that the new Chief's salary is being brought up to what the salary was of the person who vacated the position. It was asked if in the future the situation could be explained with an attachment as it seemed like there was just re-organizing within the department. Also, using the wording "mid-year" was a bit confusing and it was asked if the wording could be different next time. Chairman Koehler said he thought that this was the proper wording. Mr. Munaretto noted that traditionally the Finance & Audit Committee requires a memorandum to be attached to the resolution explaining a variety of different key points. If we could get every committee to do that many of the questions being asked would be answered.

Chairman Koehler asked for a roll call vote. The following members responded aye: Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Kennedy, Merkel, Munaretto, Orphal, Peschke, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Donner, Draffkorn, Dvorak, Hammerand and Koehler. Absent: Hill, McCann, Miller and Breeden. Nay: Ryan and Donley. The vote being eighteen (18) ayes and two (2) nays, noting four (4) absent, Chairman Koehler declared the motion passed.

15.2 H2 *Resolution recognizing the generosity of public venues for the use of their facility for the 2030 Comprehensive Plan public review meetings*

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

Chairman Koehler asked for any discussion. Ms. Donner wanted everyone to recognize these venues, Harvard Jr. High School Dist. 50, Marengo High School Dist. 154, McHenry County College and McHenry Township, all provided space for the public review of the 2030 Comprehensive Plan. The presentations were well attended and everything was very well organized which helped the County.

Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Kennedy, Merkel, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Donley, Donner, Draffkorn, Dvorak, Hammerand and Koehler. Absent: Hill, McCann, Miller and Breeden. The vote being twenty (20) ayes noting four (4) absent, Chairman Koehler declared the motion passed.

15.2 J1 *Resolution endorsing the Winter Snow and Ice Operations Model Policy of the Groundwater Protection Program*

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

Chairman Koehler asked for any discussion. Ms. Yensen said this was before the board in December and it was asked that we table this until it could be further reviewed and modified. Changes that were recommended on page 16 were agreed upon and wording was changed under *Training and Certification*, changing the word "will" to "should" in all areas.

Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Kennedy, Merkel, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Donley, Donner, Draffkorn, Dvorak, Hammerand and Koehler. Absent: Hill, McCann, Miller and Breeden. The vote being twenty (20) ayes noting four (4) absent, Chairman Koehler declared the motion passed.

ORDINANCES

For Review: *Ordinance amending Article 10, School Developer Donation Requirements of the McHenry County Subdivision Ordinance to include the Annual "CPI" adjustment and amending Section 1003.1 Fair Market Value*
Ms. Donner noted that the above-named ordinance is up for review. Any questions please contact P & D.

For Action: Ordinance amending the McHenry County Sign Ordinance
Ms. Donner made a motion seconded by Mr. Heisler to approve the above-named ordinance.

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

ADMINISTRATOR'S REPORT

Mr. Austin noted that they will be making a one day trip to Springfield next week to meet with the Metro Counties Organization to keep track of what is going on with the General Assembly. He said he put on board members' desks a copy of the MCEDC presidents report from the MCEDC meeting this morning. It updates you on what they have been doing the early part of this year. Mr. Austin was not able to attend this meeting as he was working with the Sheriff's office on Undersheriff interviews. He feels it is nice that the Sheriff is asking County Administration to be involved in the interview process as it is a reflection of the good relationships that the Sheriff's office has with this body. In regard to the Strategic Planning meeting, he thanked all that attended and presented. He and Mr. Labaj have compiled all of the comments on ways that we can improve our efforts and they will get these back to everyone shortly. Ms. Austin said at the next board meeting he and Mr. Sarbaugh are going to update the board on the FY10 budget after the first quarter; where we're at and how we're doing on our revenues and expenses. The Budget in Brief has been completed by Mr. Sarbaugh, Cindy and Linda and it is now available to anyone who would like a copy. Feel free to hand them out to groups and to the public.

Mr. Austin said yesterday was the first day for Tom Annarella out at Valley Hi. There will be a Valley Hi Committee meeting on Thursday and will set in motion the transition from Revere's leadership to Mr. Annarellas.

Tomorrow there will be final interviews for the Chief County Assessor position. He looks forward to bringing forth a recommendation to the board shortly.

Mr. Austin told the board that the last week in March he will be doing a work plan check-in with all appointed department heads. If anyone has any suggestions or issues you would like him to address please let him know.

MEMBERS' COMMENTS

Ms. Wheeler said in regard to water, on Saturday evening she accompanied Cassandra McKinney to the Environmental Defenders of McHenry County where she received the Organizational Award as did the whole Groundwater Task Force. She congratulated Ms. McKinney and the Task Force on their award.

Ms. Wheeler said there was an Imagine McHenry County meeting last week. This year their forum will be a water forum which will be held in August at MCC and will focus on more cost effective ways to reduce our water consumption. They are hoping that Ms. McKinney will speak on the fundamentals of water in McHenry County as well as highlight some McHenry County businesses that provide products and services that can help reduce costs and consumption of water. She would appreciate knowing of anyone who would have any contributions towards this talk, either an individual or a company who might be highlighted. Chairman Koehler said CMAP would be happy to participate.

EXECUTIVE SESSION

None

ADJOURNMENT

Mr. Kennedy made a motion seconded by Ms. Barnes to adjourn at 8:10 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 6th day of April, A.D., 2010.

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

ATTEST:

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