

MCHENRY COUNTY BOARD  
MINUTES OF THE REGULAR SESSION MEETING  
AUGUST 17, 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, August 17, 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. Ms. McCann gave the invocation/personal remarks.

ROLL CALL

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

MINUTES

*Minutes of County Board Regular Session meetings of August 3<sup>rd</sup> 2010.*

Ms. Donner made a motion seconded by Mr. Heisler to approve County Board minutes of August 3<sup>rd</sup>.

Chairman Koehler asked if there were any changes/corrections to the minutes, there were none. Chairman Koehler asked for a voice vote, the ayes having it, he declared the motion to approve County Board minutes as presented has passed.

CHAIRMAN'S REMARKS

Chairman Koehler said he saw many board members at the Lost Valley Visitor's Centers dedication last Friday. It is a renovation of an old hunt club building for educational purposes and for staff to work in together. It's a testament to what McHenry County is doing in the area of open space and education on the environment. Also, he noted that tomorrow at 10 a.m. there is going to be a ribbon cutting ceremony at the Prairie View Education Center near Burton's Bridge. Congressman Manzullo will be there to celebrate the funding that he's brought back to the county as well as recognition of the people who have been on the task force that have been working on our groundwater issues for the past 2-3 years. Chairman Koehler said also of interest are the openings of two properties that are taking place, the Kishwaukee Headwaters on September 9<sup>th</sup> and the Nippersink Canoe Base re-opening on September 18<sup>th</sup>. Lastly, he noted that the Trail of History is around the corner and if you're interested in participating there is time to do so, it will be taking place on October 15<sup>th</sup> and 17<sup>th</sup>.

SPECIAL RECOGNITION/REPORTS

None

SPECIAL PRESENTATIONS

8.1 *CMAP 2040 Plan* – Randy Blankenhorn, Executive Director of CMAP

Mr. Blankenhorn came forward to talk about the history of CMAP and to respond to the letter that the County Board sent about the proposed 2040 Plan.

Mr. Blankenhorn said CMAP did appreciate the letter from the County Board and the county's interest in what they're doing with the 2040 Plan. As a little background he said CMAP was created 4 ½ years ago by the IL General Assembly at the request of the business community and local elected officials to think about planning in a new way. Ten of the board members are current or former local elected officials and the other five members are from the business and civic community. They believe they have a good local government representation on the board and understand the issues that are addressed by local government and it should be coming through in their plan. As a timeline, Mr. Blankenhorn said CMAP started with a vision adopted by their board in September 2008 and it is a vision of good things that should happen in this region. The summer of 2009 was spent talking to thousands of people about what they wanted and expected for this region. In June of this year CMAP adopted the Preferred Regional Scenario, the policy hooks that they built this plan around and the important issues they felt needed to be addressed and what direction they wanted to go. He said when the plan is adopted in October there will be a much more public version that will be user friendly. With that being said, Mr. Blankenhorn addressed the concerns noted in the board's letter to CMAP. The issue of taxes seemed to be a big concern and he said this plan calls for one tax increase and that is the gas tax. They feel that increasing the gas tax is the right way to fund transportation. Transportation infrastructure is what drives this region's economy and if we don't invest in it we will lose jobs so it's important that we have a dedicated revenue source to deal with our transportation issues. Mr. Blankenhorn said the other side of the tax issue that is addressed in the plan is that we need to look at a 1960's tax structure in a 21<sup>st</sup> century economy, it doesn't match up. He said the problem we have today in our tax structure is it's not working for business or for local government and we have to find a way to make that work. Mr. Blankenhorn said we all have to work together to decide how we use the taxes that we get today both at the state level and local level and using those limited revenues in a smarter more efficient way. He said this plan doesn't call for other tax increases but it does call for us to look at a structure that's outdated and a structure that doesn't work at the local level. The second issue that was a concern was about increased regulatory control or regional government issues. He said very strongly that CMAP has no interest in taking over local government, land use and zoning authority and the plan says that on page five. He talked about the vehicle miles traveled issue and this is that the gas tax can't support transportation investment any longer. As we go to more fuel efficient vehicles the way we pay for it out of a gas tax doesn't work. It's good that vehicles are becoming more efficient but we lose highway and transportation revenue. On the congestion pricing issue he said they like to think of transportation as a utility and you pay more when there's more use. They think that part of the congestion pricing scheme has to be that we need to provide alternatives for people, give them a chance to get to where they're going in another way during the peak period so that they don't always have to pay. To CMAP congestion pricing is more about the efficiency of moving vehicles than it is about a revenue source. Mr. Blankenhorn is in complete agreement that one size doesn't fit all and that there is not one solution, we need to think about the recommendations being made inside the context of individual communities and how it impacts you. Finally, he said the issue of funding allocation models being performance driven, they actually believe very strongly in this. They think that performance should drive funding decisions. He said they believe that we spend too much time chasing money and throwing money at solutions that don't work and we need to talk about what the goal is and the anticipated outcome. For the most part Mr. Blankenhorn said CMAP believes that they are on the same page with the county.

He asked if there were any questions. The board talked more about congestion pricing and funding available. One member talked about the makeup of the CMAP board and felt that the collar counties were not adequately represented. Mr. Blankenhorn responded that the appointments made represent one-third of the members in the City of Chicago, one-third in the collar counties and one-third in the suburbs. The collar counties are growing the fastest and in the enabling legislation for CMAP it says that after every decennial census the board and General Assembly shall look if it still adequately represents the population distribution of the region. Ms. Schuster asked about CMAP's association with HUD. Mr. Blankenhorn said they have applied for a grant from HUD, the Sustainable Communities Initiative Grant, which they have worked with county staff on a little bit. It is money where they will be able to provide technical assistance to local governments. The money would go to them from HUD and they would work with local governments to see where their comp plans need to be updated or do their ordinances match, things of that nature. This is an ongoing program and this funding is the first one and he expects that there will be further funding. Mr. Shea interjected that board members have a copy of the draft from CMAP that was put in the mailboxes. Ms. Schuster asked about the suggestion of what the county could contribute in matching funds or leveraging points which was in CMAP's letter. Mr. Blankenhorn said HUD has asked who wants to participate in the program. The leverage can be a number of things, CMAP is not asking local governments for money but rather when they are here in our county can our staff work with them on projects that we are already doing. If CMAP were to get the grant an official agreement would be done outlining specific responsibilities on how we would want to be involved. Ms. Schuster asked if it was possible to get a list of funds/contributions that CMAP gives out to different organizations and projects. Mr. Blankenhorn said this information is on their website and he will get the board a list of how much federal, state and local money they get. Chairman Koehler said in regard to the letter of commitment to participate,

that's been discussed with staff and would go to Planning & Development Committee for their approval before it would come to the County Board. Chairman Koehler thanked Mr. Blankenhorn for coming in today.

At this time Chairman Koehler asked Pat McNulty to come forward to introduce our new Animal Control Veterinarian/Manager. Mr. McNulty introduced Dr. Lisa Lembke from Michigan. She ran a private practice for the last five years and has moved back to IL where she graduated from the University of IL. She has a background in many of the things our Animal Control is involved with and they are happy to have her with the County. Dr. Lembke said she moved here on Saturday and started work on Monday and is glad to be here.

#### ZBA CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove a petition, there were none.

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

- Exb #10-18; Riley Twp; Dahlman Trust; reclass A1-A2
- Exb #10-22; McHenry Twp; Roger Sommer; reclass R1-R1V
- Exb #10-24; Hebron Twp; Lloyd/Linda Laufer; reclass A1-A1V

Chairman Koehler asked for any discussion. Noting none, he asked for a roll call vote. The following members responded aye: Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Kennedy, McCann, Merkel, Munaretto, Orphal, Peschke and Koehler. Absent: Miller and Ryan. The vote being twenty-two (22) ayes 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:

John Theiss of Oakwood Hills regarding location of communication towers

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

#### NEW AND UNFINISHED BUSINESS

None

#### APPOINTMENTS

Ms. Barnes made a motion seconded by Ms. Bergan-Schmidt to approve the following Appointment:

- 13.1 McHenry Township Fire Protection District  
Alan G Weaver term to 04/2011

Chairman Koehler asked for any discussion. Board members talked at length about how the appointment was made the interviews and the review of letters of recommendation. There was some disappointment that the decision made was against the McHenry Township trustee's recommendation for the appointment. It was noted that there were letters of recommendation on at least two of the applicants for appointment. At Law & Justice they discussed the applicants and reviewed the applications and resumes very carefully and each of them was thoroughly interviewed by the committee and this appointment was the choice of the majority of the committee. Ms. Barnes said that there were some questions raised as to whether all of the committee members received copies of the letters of recommendation and they all did both through e-mail and they also had extra copies available at the meeting for committee members to read. There was a full committee when the vote was taken and interviews were done and they are confident in the person chosen. She noted that Mr. Weaver sent her an e-mail expressing his disappointment in not being able to be here this evening as he is in South Carolina at Ft. Jackson for his son's graduation from basic training with the Army. Ms. Hill voiced her concern that the County Board has this appointment power of FPD and Sanitation Districts and we have no idea what these boards do or any reporting to us and if there was anything questionable we would have no idea about it. She asked the Law & Justice Committee to look at this in the future and perhaps get some input from the State's Attorney's office as well. It was pointed out that several fire districts do go to the local residents for a vote and that's something that McHenry would have to look into.

Chairman Koehler asked for a roll call vote. The following members responded aye: Salgado, Schmidt, Schuster, Yensen, Barnes, Bless, Breeden, Dvorak, Heisler, Kennedy, McCann, Orphal, Peschke and Koehler. Nay: Wheeler,

Donley, Donner, Draffkorn, Hammerand, Hill, Merkel and Munaretto. Absent: Miller and Ryan. The vote being fourteen (14) ayes and eight (8) nays noting two (2) absent, Chairman Koehler declared the motion passed.

Chairman Koehler commented that for Mr. Weaver this is a trial by fire because it is a short appointment but he will have a chance to prove himself before April when new appointments will be made again.

Ms. Hill made a motion seconded by Ms. Peschke to approve the following Appointment:

13.2 Housing Authority  
Cathryn J Perfetti term to 06/30/2013

Ms. Salgado asked to abstain from the vote as she works with the person being appointed.

Chairman Koehler asked for a roll call vote. The following members responded aye: Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Breedon, Donley, Donner, Draffkorn, Dvorak, Hammerand, Heisler, Hill, Kennedy, McCann, Merkel, Munaretto, Orphal, Peschke and Koehler. Abstain: Salgado. Absent: Miller and Ryan. The vote being twenty-one (21) ayes and one (1) abstention, noting two (2) absent, Chairman Koehler declared the motion passed.

#### STANDING COMMITTEE CHAIRMAN UPDATES

Ms. Salgado said that the Senior Services Grant Commission is doing something different this year; it is a marathon day of interviewing applicants and making the decision that same day. She invited members to come in and sit in on the interviews to learn about the social services that provide the services to seniors in the community. It's rewarding knowing that our seniors have these kinds of agencies and it's interesting to hear what projects there going to be doing.

Mr. Merkel said the Building Projects Committee needs to have a meeting. The proposed meeting on the 20<sup>th</sup> didn't get on the calendar so he is now looking at a meeting for this committee on Friday August 27<sup>th</sup> at 10 a.m. If there are any conflicts with this date/time please let him know in the next couple of days.

Ms. Hill said that the Planning & Development Committee sent out letters to all of the highway commissioners that we were going to be doing a UDO to give them some upfront notice so that they could weigh into the project and start having input. Their biggest interest is in the Subdivision Ordinance portion of it so they've all gotten notice that we are opening it up.

#### ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Consent Agenda. Ms. Barnes asked to remove item #15.2 D2 from the agenda to be brought back at a later date as the intergovernmental agreement is not ready yet.

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

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

#### ORDINANCES

16.1 A For Review: Ordinance Implementing the Wetland Restoration Fund

16.2 B For Review: Ordinance amending the McHenry County Stormwater Management Ordinance #O-200401-10-009 adopted January 20, 2004

Chairman Koehler said the ordinances on review as listed above are being removed from the agenda to be brought back at a later date.

16.2 A For Action: *Ordinance amending Ordinance No. O-200006-10-51 Establishing Groundwater Monitoring and Protection at earth materials extraction sites*

Ms. Hill made a motion seconded by Ms. Orphal to approve the above-named Ordinance

Chairman Koehler asked for any discussion. Mr. Hammerand asked why we feel that once a year is sufficient for these groundwater tests. Mr. Sandquist replied that since 1992 and we've been monitoring all the earth extraction sites with the vast majority of all the reports showing there is no adverse findings and no problems. Doing these tests on a quarterly basis is costly to industry and rather than having it on a fixed schedule quarterly, and in the event that we do find an issue then needing to wait another quarter to get a retest to see if that issue is continuing or resolved, it's trying to set up a flexible schedule where after they establish a track record that everything is o.k. they can go to an annual testing but if there is a problem identified we can put them back on to a more frequent testing cycle to make sure that the issue has been resolved before going back to an annual testing cycle. Mr. Sandquist said they are relying on the expertise of the Health Department and their groundwater monitoring and their review of the data which they have been doing for a number of years.

Noting no other discussion, Chairman Koehler asked for a voice vote, the ayes having it, he declared the motion passed.

#### ADMINISTRATOR'S REPORT

None

#### MEMBERS' COMMENTS

Ms. Salgado said that the Human Resources committee will have a meeting next Monday to talk more about the budget.

Ms. McCann said for Law & Justice, in Coral Twp., the Marengo-Union FPD did go to referendum last year after much discussion and concern over having the same appointments all the time. It was voted that board members should be elected and everyone seems much happier about the results.

Ms. Peschke said she had a colleague come to visit from Tacoma, WA and he was blown away by our county.

Ms. Merkel said the dedication and pre-opening of the Lost Valley Visitor's Center was Friday and he went out there on Saturday and it was very well attended. He congratulated staff on all of their hard work

Ms. Barnes asked if the State's Attorney's office could send the board a memo explaining the process for appointing people to fire protection districts. As she understands it the voters have to have a referendum to approve and change the process. Chairman Koehler agreed this would be a good idea.

Ms. Donner said she attended a seminar last week held by the Mental Health Board on Cultural and Linguistic Competency. It has a lot to do with how we perceive other cultures and how we need to incorporate the differences of us all into our own Americanism. She said if we could get the gentleman here for a short presentation it would be very educational for us all.

Ms. Yensen said she serves on the Fit for Kids Committee down in Kane County which is dealing with the issue of childhood obesity and the illnesses associated with that. She contacted Mr. Ivetic so that he could share information with Kane County so that they can start emulating some of the innovations that we have implemented here with the employee as Kane County does not have a wellness program at this time. They are very interested about the things that we do here.

Chairman Koehler said that the Underage Drinking Task Force will have its kickoff on September 20<sup>th</sup> at 9 a.m.

#### EXECUTIVE SESSION

None

#### ADJOURNMENT

Mr. Dvorak made a motion seconded by Ms. Donner to adjourn at 8:04 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 7<sup>th</sup> day of September, A.D., 2010.

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Tuesday August 17, 2010  
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s/ Kenneth D Koehler  
Kenneth D Koehler, Chairman  
McHenry County Board

ATTEST:

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