

MCHENRY COUNTY BOARD  
MINUTES OF THE REGULAR SESSION MEETING  
JUNE 7, 2011

Chairman of the Board – Kenneth D. Koehler (District 2)

**District 1**  
Robert Bless  
Anna May Miller  
Marc Munaretto  
Robert Nowak

**District 2**  
J.S. “Scott” Breeden  
James Heisler  
Kenneth Koehler  
Donna Kurtz

**District 3**  
Mary L Donner  
Nick Provenzano  
Kathleen Bergan Schmidt  
Barbara Wheeler

**District 4**  
Sue Draffkorn  
John Hammerand  
Pete Merkel  
Sandra Fay Salgado

**District 5**  
Tina Hill  
John P Jung Jr.  
Virginia Peschke  
Paula Yensen

**District 6**  
Randall Donley  
Diane Evertsen  
Mary McCann  
Ersel C Schuster

The Honorable County Board of McHenry County, Illinois met in Regular Session on Tuesday, June 7, 2011.

Chairman Koehler called the meeting to order at 9:00 a.m. The Pledge of Allegiance to the Flag was led by Mr. Breeden with Members of the Board, department heads and visitors participating. Mr. Heisler gave the invocation/personal remarks.

ROLL CALL

The roll was called by Deputy Clerk Linda FitzGerald. The following members responded: Merkel, Munaretto, Nowak, Peschke, Salgado, Schmidt, Schuster, Wheeler, Yensen, Breeden, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, McCann and Koehler. Absent: Miller, Provenzano, Bless and Kurtz. Parliamentarian Jamie Rein was present. Chairman Koehler declared a quorum present with twenty (20) members responding. Mr. Provenzano arrived after the roll was called.

MINUTES

*Minutes of County Board Regular Session meeting of May 17<sup>th</sup>.*

Mr. Heisler made a motion seconded by Ms. McCann to approve County Board minutes of May 17<sup>th</sup>, 2011.

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 of May 17<sup>th</sup>, 2011 has passed.

CHAIRMAN'S REMARKS

Chairman Koehler asked for a moment of silence for those killed in the Joplin MO tornado and for State Representative Mark Beaubien who passed away on Sunday. The wake for Mr. Beaubien will be Thursday from 1-9 at the Davenport Funeral Home in Crystal Lake and the funeral mass will be Friday at 10:30 at St. Anne's Catholic Church in Barrington.

SPECIAL RECOGNITION/REPORTS

None

SPECIAL PRESENTATIONS

8.1 *County Artwork*

Ms. Hill asked Nancy Colbertson (sp) to come forward. She told the board about her inspirations for the photography being presented. Ms. Hill said she believed these photos will be hung in the courthouse.

ZONING BOARD OF APPEALS

Mr. Donley made a motion seconded by Ms. Hill to suspend County Board Rules to approve the following zoning petition request.

Chairman Koehler said we don't normally allow a ZBA item on the Agenda on the first meeting of the month.

Chairman Koehler asked for a voice vote, the vote being too close to call, he asked Mr. Donley to explain why this is being asked for.

APPROVED: 7.05.2011

Mr. Donley said this Petition was passed unanimously at the P & D Committee. The change in zoning has been approved by the ZBA but there was a timing issue that was critical to the sale of this property. This has been done before and after having discussed the issue, they felt it would be appropriate to try to help the Petitioners.

Ms. Donner noted that normally an extension is requested for the contract to cover this type of issue, she questioned the drop dead date. Mr. Donley said timing was an issue because of the buyer moving from out of state and there already was an extension during the ZBA process.

Noting no further discussion, Chairman Koehler asked for a roll call vote on the motion to suspend the rules. The following members responded aye: Merkel, Munaretto, Nowak, Peschke, Provenzano, Salgado, Schmidt, Schuster, Wheeler, Yensen, Breeden, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, McCann and Koehler. Absent" Miller, Bless and Kurtz. The vote being twenty-one (21) ayes noting three (3) nays, the Chairman declared **the motion to suspend the County Board rules to approve a zoning petition has passed.**

Ms. Hill made a motion seconded by Mr. Donley to approve the following Petition:  
Exb #11-22; Marengo Twp; G. Sean/Dawn Carmichael; reclass of A1-A2

Chairman Koehler asked for any discussion. Ms. McCann commented that this is what happens when we divide the land like this, we end up with one A1 owner wants to have an event and it impacts all of the other people. Chairman Koehler noted that thirteen (13) yes votes will be required to pass this petition.

Noting no further discussion the Chairman asked for a roll call vote. The following members responded aye: Merkel, Munaretto, Nowak, Peschke, Provenzano, Salgado, Schmidt, Schuster, Wheeler, Yensen, Breeden, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung and Koehler. Nay: McCann. Absent" Miller, Bless and Kurtz. The vote being twenty (20) ayes and one (1) nay noting three (3) nays, the Chairman declared the motion to approve Petition #11-22 has passed.

#### PLATS

None

#### PUBLIC COMMENT

Chairman Koehler explained the rules of Public Comment. The following people spoke:

Terry McKenna of Marengo	for/regarding	Hong zoning petition
Alana Wonneberger of Marengo	for/regarding	Hong zoning petition
Eddie Hong of Woodstock	for/regarding	Hong zoning petition
Elaine Ramesh of Barrington Hills	for/regarding	increased equestrian trails

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

#### NEW AND UNFINISHED BUSINESS

None

#### APPOINTMENTS

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

McHenry County Housing Commission	
Fred W Broling (General Public)	term to 04/30/2012

Noting no discussion, Chairman Koehler asked for a roll call vote. The following members responded aye: Merkel, Munaretto, Nowak, Peschke, Provenzano, Salgado, Schmidt, Schuster, Wheeler, Yensen, Breeden, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, McCann and Koehler. Absent: Miller, Bless and Kurtz.

The vote being twenty-one (21) ayes noting three (3) absent, the Chairman declared the motion to approve the above-named Appointment has passed.

#### STANDING COMMITTEE CHAIRMAN UPDATES

Mr. Merkel said Building Projects has an open house and walk through at the new Archive and Storage building in early April. This building is completed and finished under budget by about \$80,000. There was a provision that if the bids did come in lower we would expand the size of the building so there was an additional 4,000 square feet that was built out over and above what was originally anticipated.

Ms. Yensen reminded everyone on behalf of MCDOT that they will be meeting for the Fleming Road project for the CAG's meeting tomorrow at 10 a.m. at DOT. All are welcome to attend.

Mr. Heisler reminded everyone that they have a couple of new maps on their desks. One is the approved map from the Committee and the other is an alternative map for the board to look over in detail. He said the board will be voting on a map at the next meeting but final modifications to any maps will be completed June 9<sup>th</sup> and prior to that meeting which has been moved to 9 a.m., the Legislative Committee is gathering over at Woodstock North High School for a legislative update at 7:30.

#### ROUTINE CONSENT AGENDA

Chairman Koehler asked if any member wished to remove an item from the Consent Agenda. Ms. Schuster asked to remove #14.2 K15; Ms. Salgado asked to remove #14.2 B3; and Mr. Hammerand asked to remove #14.2 B4.

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

Chairman Koehler asked for a roll call vote. The following members responded aye: Merkel, Munaretto, Nowak, Peschke, Provenzano, Salgado, Schmidt, Schuster, Wheeler, Yensen, Breeden, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, McCann and Koehler. Absent: Miller, Bless and Kurtz. The vote being twenty-one (21) ayes noting three (3) absent, the Chairman declared the motion to approve the Routine Consent Agenda with three items removed has passed.

*14.2 B3 Resolution establishing the guidelines for the fiscal year 2011 Pay-for-Performance adjustments and authorizing an emergency appropriation to the General Fund fiscal year 2011 budget.*

Mr. Breeden made a motion seconded by Mr. Jung to approve the above-named resolution.

Chairman Koehler asked for any discussion. Ms. Salgado asked to abstain from the vote due to a conflict of interest. The County Board discussed at length both for and against this pay increase. Many said they have talked with constituents who have voiced concern about giving pay increases when the economy has still not improved a great deal and people are struggling to keep their homes and their jobs at this time. Mr. Hammerand pointed out that Civil Unions are now allowed in the State of IL and this could potentially increase the county's costs of having to add partners for health benefits. He would like to see figures on this before deciding on a pay increase.

Ms. Yensen said if the county has extra money they should not be increasing the CAP and increasing tax bills in the county. Mr. Provenzano said he felt that county employees were fairly compensated and that they have an excellent benefit package and for now the pay increases should not be given. Ms. Wheeler said there are county employees who are making very low wages and are trying to get by just like everyone else and believes this pay raise should be approved. It's not a popular vote but she believes passing this would be a right vote. It was pointed out that two-thirds of our employees are non-contractual and there are contracted employees who are getting raises this year in excess of 2%. There are two classes of employees working for the county and they must be addressed fairly.

Mr. Breeden said he believes any unallocated monies should be allocated to reducing our levy which would make many people very happy. Ms. Schuster asked about the two tax sales that were factored into the budget.

Mr. Sarbaugh responded that in his presentation he did ask the board to be mindful that two tax sales occurred in fiscal year 2010. That is what helped bring that surplus into the General Fund. Administration has said all along they are not predicating this wage adjustment on what we've added to the reserves, they are predicating it on how we are doing this year. We are not asking to spend any of the \$3.2 million dollars that was a surplus. She agreed that the county needs to start addressing our levy and bringing back relief to the people who support our government.

Ms. Wheeler said she is proud of this board and how fiscally responsible they have been. She reminded the board that a few months ago they were asked by another board member to eliminate their personal health benefits which would be about \$250,000. No one wanted to support that. In Management Services the court renovation and expansion recommendation sailed through, noting that some questions were asked about the use of funds; then in Finance a week later again the court renovation and expansion came up and sailed through once again. She feels there should be more questioning on the health benefits being given and projects like the court renovation.

Ms. Schuster clarified the comments regarding discussion of county board health benefits to say that it was discussed in Management Services but that it was determined the issue would be addressed when the county board salaries are set 90 days out from the primary election process.

Noting no further discussion, the Chairman asked for a roll call vote noting that sixteen (16) yes votes were needed to pass this resolution because it is a budget adjustment. The Following members responded aye: Merkel, Nowak, Peschke, Wheeler, Donner, Hill, Jung and McCann. Nay: Munaretto, Provenzano, Schmidt, Schuster, Yensen, Breeden, Donley, Draffkorn, Evertsen, Hammerand, Heisler and Koehler. Abstain: Salgado. Absent: Miller, Bless and Kurtz. The vote being eight (8) ayes, twelve (12) nays and one (1) abstention noting three (3) absent, the Chairman declared the **motion to approve #14.2 B3 has failed.**

*14.2 B4 Resolution authorizing the Adoption of the salary ranges for FY 2010-2011*

Mr. Breeden made a motion seconded by Mr. Yensen to approve the above-named resolution.

Chairman Koehler asked for any discussion. Mr. Austin told the board that typically the range is moved at 50% of the rate of the annual raise. You could move the ranges absent the annual increase but that is not how it's been done in the past. Also, new hires could potentially then make more than people who are at the bottom of the ranges right now.

Noting no further discussion, the Chairman asked for a roll call vote. The following members responded nay: Merkel, Munaretto, Nowak, Peschke, Provenzano, Salgado, Schmidt, Schuster, Wheeler, Yensen, Breeden, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, McCann and Koehler. Absent: Miller, Bless and Kurtz. The vote being twenty-one (21) nays noting three (3) absent, the Chairman declared the **motion to approve #14.2 B4 has failed.**

*14.2 K15 Resolution approving an engineering services agreement for Transit Planning for the 2040 McHenry County Long-Range Transportation Plan*

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

Chairman Koehler asked for any discussion. Ms. Schuster said she had hoped that this would have been looked into more. She has done a review and since 2004 when this was started there have been three studies that were commissioned with over 3,000 surveys received. Based on responses the task force was set up and they developed the County Public Transportation Plan which the board approved in 2005 along with receiving \$97,000 grant to start the process. The plan focuses a great deal on information from CMAP and from Pace's Vision 20/20 Plan as the blueprint for what moved forward. She talked about the local services to be provided and what is still maintained today. She feels this resolution needs to go back to transportation as this is going to end up costing millions before we get into it.

Ms. Schuster made a **motion to amend** seconded by Mr. Donley **to defer this resolution back to the Transportation Committee for further review and more information to be brought back in thirty days**

Chairman Koehler asked for any discussion on the motion to refer this back to committee. Board members spoke for and against this. It was pointed out that the Transportation Committee has already gone over this and has had many discussions. It was felt that the county has and is meeting the needs of public transportation and continues to look for ways to improve transportation throughout the county.

Chairman Koehler asked for a voice vote on the motion to amend to send this back to committee, the nays having it, the Chairman declared the motion to amend to defer this back to committee has failed.

Chairman Koehler asked for any further discussion on the main motion. Ms. Schuster said she hoped everyone understands that they are reinventing the wheel and she feels bad for the public.

Ms. Donner said she will be abstaining from this vote because of perception.

Ms. Hill asked if Mr. Osborn could come forward and talk about the short term goals. Mr. Osborn said before the board today is an engineering services contract which is separate from the PACE contract. We have a contract with PACE for service and that came out of the last transportation plan. This contract is so that we can continue to study transit and part of the long range transportation plan. He said we would study transit as part of that process otherwise but we were able to get a grant to hire some specialists within the subject matter to provide more support within that. This agreement is simply to evaluate transit as part of the long range transportation plan which we would have done otherwise but this allows up to hire a specialist. Ms. Osborn said they have not yet evaluated the 2005 plan as to its successes, they haven't determined if they were going to do that. This would be an update to the 2005 plan. Ms. Hill said she thought there would be reviews as to whether we have met short term success goals.

Noting no further discussion, Chairman Koehler asked for a roll call vote. The following members responded aye: Merkel, Nowak, Peschke, Provenzano, Salgado, Schmidt, Wheeler, Yensen, Breeden, Draffkorn, Heisler, Hill, Jung and Koehler. Nay: Schuster, Donley, Evertsen and Hammerand. Abstain: Donner. Absent: Miller, Munaretto, Bless, Kurtz and McCann. The vote being fourteen (14) ayes, four (4) nays and one (1) abstention, noting five (5) absent, the Chairman declared the motion to approve #14.2 K15 has passed.

#### ORDINANCES

None

#### ADMINISTRATOR'S REPORT

Mr. Austin said a written report is on everyone's desk as well as the report has been e-mailed out to county e-mail addresses. Mr. Austin said they are going to do interviews for the Workforce Investment Board Director within the next couple of weeks. Also, Mr. Sarbaugh is holding a budget kick off meeting with staff for fiscal year 2012 budget on Thursday and Friday. Also, the Human Resources Committee is looking at the employee Personnel Policy Manual and some clean ups will be done as some laws have changed as well as a few other changes. It should come to the board in the next couple of meetings. Mr. Austin said the Chairman, Mr. Korpalski and himself will be meeting with Norm Stoner who is the Midwest director of the Federal Highway Authority on Thursday to talk about different opportunities for Randall Road funding as we look to Phase II. Lastly, Mr. Austin said they finished the state legislative session and the local government distributive formula remained unchanged; probation funding has remained unchanged; and we did get a legislative win in the publication of fees for Assessments; Medicaid to nursing homes has remained unchanged in terms of reimbursement schedules; some modifications in workman's compensation law which will be discussed at Management Services on the 13<sup>th</sup> as well as with Human Resources.

Ms. Wheeler asked Mr. Korpalski about the Walk Up Road bike path delay. Mr. Korpalski responded it should be finished in August.

#### MEMBERS' COMMENTS

Ms. Hill said she missed artist Victoria Senn this morning and is passing around her work.

Ms. Yensen reported that the Stormwater Commission met and had two lively discussions. They are looking forward to their next meeting.

Ms. Peschke said this morning during Public Comment was the perfect argument that she has been raising for twenty years as to why we should change the board rules on allowing people to speak to zoning issues before the board votes. There were three people who spoke on zoning matters and people who either agree or disagree will not be allowed to speak at our evening meeting when the board votes on this. She feels it is clearly a violation of equity. Ms. Peschke said she agreed with the comments that were made about the A2 that was approved today, but if they meet the standards we can't deny the petition. She said perhaps we could review A2 again to make sure that what those divisions of the property are actually working on behalf of agriculture.

Mr. Hammerand said he attended the Harvard Milk Days and he commended the public officials from Harvard for putting that on. A good time was had by all and we should support the local festivals as much as we can.

Ms. Schmidt reminded everyone that on June 15<sup>th</sup> the Historical Society will have the debate of the year, A Suitable Place for the Unfortunates. It's the debate over establishing the county poor farm (present day Valley Hi). Ms. Hill will be involved and it will be held at Perkins Hall on Franklinville Road.

#### EXECUTIVE SESSION

Chairman Koehler said there is a need to go into Executive Session to approve executive session minutes.

Ms. Yensen made a motion seconded by Ms. Evertsen to go into executive session.

Chairman Koehler asked for a roll call vote. The following members responded aye: Merkel, Nowak, Peschke, Provenzano, Salgado, Schmidt, Schuster, Yensen, Breeden, Donley, Donner, Draffkorn, Evertsen, Heisler, Hill, Jung and Koehler. Chairman Koehler declared a quorum present with seventeen (17) members responding.

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

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Chairman Koehler asked for a roll call vote. The following members responded aye: Merkel, Nowak, Peschke, Provenzano, Salgado, Schmidt, Schuster, Yensen, Breedon, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung and Koehler. Chairman Koehler declared a quorum present with eighteen (18) members responding.

Chairman Koehler noted that Memorials for Mr. Beaubien can be made to the Hospice Foundation of Northeastern IL or to IL Conservation Foundation.

ADJOURNMENT

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

Dated and approved at Woodstock, Illinois this 5<sup>th</sup> day of July, A.D., 2011.

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

ATTEST:

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

APPROVED: 7.05.2011