

PLANNING AND DEVELOPMENT COMMITTEE
McHenry County Government Center – Administration Building
667 Ware Road – Conference Room A
Woodstock, IL 60098

MINUTES OF THURSDAY, AUGUST 18, 2011

Chairman Hill called the Planning and Development Committee meeting to order at 8:32 a.m. The following members were present: Tina Hill, Chairman; Randy Donley; Sue Draffkorn; Marc Munaretto and Ersel Schuster. Mary Donner and Jim Heisler were absent. Also in attendance: Ralph Sarbaugh, Associate County Administrator – Finance; Dennis Sandquist, Matt Hansel, Darrell Moore, Cory Horton and Maryanne Wanaski, Planning and Development; Mary McCann, County Board; and interested public.

	Tina Hill, Chairman	
Randy Donley		Mary L. Donner
Sue Draffkorn		Jim Heisler
Marc Munaretto		Ersel Schuster

MINUTE APPROVAL:

Committee members reviewed the Planning and Development Committee minutes of August 4, 2011. Ms. Schuster made a motion, seconded by Ms. Draffkorn, to approve the minutes. The minutes were approved with a unanimous voice vote of all ayes.

PUBLIC COMMENT: Nick Hanson of Union, Illinois joined committee members and shared his concerns about enduring the continuous and unrestrained barking of his neighbor's dogs on a daily basis. His neighbor's dogs bark from approximately 9:00 a.m. until approximately 11:00 p.m. on a daily basis. He has explored many options to address this issue in a civil matter, including contacting Animal Control, Union's Village Hall, and McHenry County Sheriff's Department and there is nothing they can do to help him. Animal Control has laws concerning excessive dog barking, but they are very elusive to prove. He has called Animal Control and when they arrive at his property, the dogs stop barking. He has spoken with the State's Attorney's Office and been informed that there are requirements he must meet for a case to be brought against his neighbor and the requirements are very difficult for him to meet. One requirement is for him to videotape the dogs barking for 15 consecutive minutes, and he has to do this on five separate occasions. Mr. Hanson mentioned that it is very hard for him to substantiate these requirements. He is addressing the committee to see if there are other options for him to explore. The Sheriff's Department informed him that their department does not deal with animal-related incidences. His neighbor is a dog breeder who has ten dogs at any given time period.

Mr. Donley mentioned that there should not be a distinction between complaints about noise coming from race tracks versus animal noises. The Planning and Development (P&D) Department is working on revising ordinances and the Unified Development Ordinance (UDO) and he has not heard anything about noise ordinances being discussed. Mr. Munaretto mentioned that the County does not have a noise ordinance. Chairman Hill stated that the best way to address this issue may be through the Animal Control Ordinance. She suggested that Mr. Hanson share his concerns with the Public Health and Human Services (PHHS) Committee because that Committee oversees Animal Control. Mr. Munaretto suggested that Adam Lehmann, Assistant to the County Administrator, be the liaison between Mr. Hanson the PHHS Committee so Mr. Hanson does not have to take more of his time to address more committees about this issue. Mr. Donley agreed with this suggestion, and mentioned that he is on the PHHS Committee and the next meeting is scheduled for tomorrow, August 19, 2011 beginning at 8:15 a.m. If Mr. Hanson is unable to attend the meeting, he will inform the PHHS Committee of Mr. Hanson's concerns on his behalf. Chairman Hill asked Mr. Hanson to keep in touch with Mr. Donley and her concerning this matter.

PRESENTATIONS: None.

SUBDIVISIONS: None.

OLD BUSINESS:

Continuation of FY 11-12 Budget Reviews for Planning and Development, CDBG, Zoning Board of Appeals, Water Resources and McSEEP: Mr. Munaretto made a motion, seconded by Ms. Draffkorn, to accept the budgets provided to the committee for the fiscal year 2011-2012 for the Planning and Development Department. Committee members

reviewed the supplemental budget requests, copies of which were provided to the members. Chairman Hill inquired if the supplemental request for the National Pollutant Discharge Elimination Systems (NPDES) permit may be found in P&D's maintenance budget. Mr. Sandquist stated that the amount could be in their maintenance budget because that budget decreased by approximately \$9,000 compared to their 2010 budget. Mr. Munaretto suggested adjusting the department's budget as follows: instead of reducing their budget by \$9,000, reduce it by \$3,000. The NPDES is not an optional program because the County is mandated by state and federal laws to prepare an annual NPDES permit. Mr. Munaretto amended his motion to include the above-mentioned recommendation. The motion carried on a roll call vote of all ayes (Donley, Draffkorn, Munaretto, Schuster and Hill).

NEW BUSINESS: None.

REPORTS TO COMMITTEE:

Chicago Metropolitan Agency for Planning: Chairman Hill provided members with various materials from the August 10, 2011 CMAP Board meeting. She informed the members that Dan Shea provides her with CMAP agendas/packets after CMAP meetings have occurred. She will contact CMAP and request that the agendas/packets be provided to her before their meetings. Mr. Munaretto mentioned that currently the County Board does not have a Board member who represents the County on CMAP. Historically the County Board has always had a County Board member on CMAP. If the Board is going to continue to maintain a physical connection with CMAP, it may be time to revisit the appointment of the County's CMAP representative. Chairman Hill reported that upon her receipt and review of the CMAP Board Meeting Agenda and packet for their August 10, 2011 meeting, she noticed that CMAP sent a letter of support for the proposed Illinois Tollway Capital Plan, a copy of which was provided to committee members. Also provided to committee members was a memorandum from CMAP concerning their Regional Tax Policy Task Force and summaries of legislation that CMAP has taken a stance on by being neutral, supportive, or are monitoring. It was noted that CMAP supports House Bill 3372 which has been discussed during recent National and Environmental Resources Committee (NERC) meetings. Mr. Sandquist mentioned that NERC requested the Legislative and Intergovernmental Affairs (LIA) Committee review House Bill 3372. The LIA Committee requested more information on House Bill 3372 and they are not at a point of making any recommendations for this House Bill at this time.

Community Development Block Grant (CDBG) Commission: Ms. Draffkorn mentioned that CDBG has received funding and the contracts are starting to ramp up. They are still reviewing the structure of the CDBG Commission and plan to have a meeting in September, 2011. Chairman Hill mentioned that she had a meeting yesterday with staff, attorneys, and CAHMCO (Corporation for Affordable Homes of McHenry County) representatives. CAHMCO is now current with their payments and they are working closely with their funding agency which is the Illinois Housing Development Association. Mr. Donley questioned if Mr. Brackmann was paid by CAHMCO for work performed. Ms. Wanaski reported that she received a call yesterday from Mr. Brackmann's attorney and discussed that the County's contract is with CAHMCO and if there is any action he wanted to take on behalf of Mr. Brackmann for monies due from CAHMCO, he would need to address it directly with CAHMCO. Mr. Brackmann and the County do not have a joint contract. CAHMCO still has liabilities, but they are current with their mortgage payments. Chairman Hill reported that CAHMCO is looking into moving back into their offices on September 1, 2011. A new board will start on September 3, 2011, but the board is not fully staffed. Ms. Wanaski reported that Habitat for Humanity is the County's CHDO (Community Housing Development Organization) and they are currently on the Housing Commission in that capacity.

Historic Preservation Commission: Mr. Moore reported that the Greenway Scenic Road designation will be brought before the Transportation Committee next month. Mr. Sandquist reported that there is one vacancy on the Commission. Two candidates have been interviewed and a third candidate will be interviewed during their next meeting. After all of the interviews have been completed, the Commission will send their recommendation to the Committee.

Housing Commission: Ms. Draffkorn mentioned that the recent meeting was cancelled and re-scheduled for two weeks. The Commission has sent out requests for bids on analysis of impediments and they have seven submittals.

MISCELLANEOUS: Mr. Hansel addressed committee members and personally emphasized the need the P&D Department has for an additional stormwater engineer. That department is deluged with work, even though the amount of permits has decreased. Dealing with the public who are choosing not to use professional contractors to represent them as they navigate their way through the construction process uses a large amount of staff time in order to assist them through the process. The stormwater process is extremely complicated to go through. Mr. Horton and Ms. Law both work

On violations because there is a backlog of stormwater violations that need to be addressed in order to address many of the drainage problems in the County. The Department has one full-time dedicated stormwater engineer who does plan reviews which creates a backlog for stormwater permits. He cannot emphasize enough how much they need the approval of the supplemental request for an additional stormwater engineer. Mr. Sandquist mentioned that since the Stormwater Ordinance was adopted in 2004, Division of Transportation projects have always required a stormwater permit and those projects are always required to be reviewed by a professional engineer. Mr. Munaretto mentioned that when they adopted the Watershed Development Ordinance in 2004, they never took the time to study and evaluate the financial impacts this far-reaching ordinance was going to have on County government, and now they are feeling the effects of it. There were some board members who did not believe that the Watershed Development Ordinance accomplished its intent and was way too over-arching. He feels there is a more serious problem than adding money to the budget for another stormwater engineer. Chairman Hill inquired if state statute required the County to have a stormwater ordinance. Mr. Munaretto stated that this question should be answered by the State's Attorney. Chairman Hill will discuss with staff and the Natural and Environmental Resources Committee these concerns and see how this matter can be addressed at the County Board level.

Chairman Hill mentioned that the Zoning Board of Appeals members will be invited to attend the next Planning and Development Committee meeting which is scheduled for September 1, 2011 at 8:30 a.m. Camiros will be present to provide a summary of their Technical Review Memorandum.

EXECUTIVE SESSION: None.

ADJOURNMENT: Noting no further business, Ms. Schuster made a motion, seconded by Ms. Draffkorn, to adjourn the meeting at 9:42 a.m. The motion carried with a unanimous voice vote.

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RECOMMENDED FOR BOARD/COMMITTEE ACTION:

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