

**AGENDA**  
**MCHENRY COUNTY BOARD**  
**667 WARE ROAD – COUNTY BOARD ROOM**  
**WOODSTOCK, ILLINOIS**  
**TUESDAY, SEPTEMBER 6, 2011 – 9:00 A.M.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. INVOCATION/PERSONAL REMARKS (Anna May Miller)
4. INTRODUCTORY ROLL CALL
5. MINUTES OF PREVIOUS MEETINGS (August 2, 2011) (August 16, 2011) (COW August 16, 2011)
6. CHAIRMAN'S REMARKS/REPORTS
7. SPECIAL RECOGNITION/REPORTS
  - 7.1 Proclamation to Recognize Kevin Charles for Public Service with the McHenry County Division of Transportation and the United States Army Corps of Engineers
  - 7.2 Proclamation Proclaiming Monday, September 26, 2011 as Family Day
  - 7.3 Traffic Safety Challenge Award – McHenry County Sheriff's Department
8. SPECIAL PRESENTATIONS
  - 8.1 Drug Court Program
  - 8.2 County Artwork
9. PLATS
10. PUBLIC COMMENT
11. NEW AND UNFINISHED BUSINESS
12. APPOINTMENTS
  - 12.1 McHenry County Public Building Commission
13. STANDING COMMITTEE CHAIRMAN UPDATES
14. **ROUTINE CONSENT AGENDA**
  - 14.1 RECEIPT OF STATUTORY REPORTS AND PLACED ON FILE
    - A. County Clerk
    - B. Emergency Management Agency
    - C. Public Defender
    - D. County Recorder
    - E. Sheriff's Report
    - F. Treasurer's Report
  
  - 14.2 APPROVE THE FOLLOWING RECOMMENDATIONS
    - A. BUILDING PROJECTS
    - B. FINANCE AND AUDIT
      - (1) Resolution Authorizing a Budget Line Item Transfer of \$16,000 in the Sheriff's Fiscal Year 2011 Budget for a Capital Expenditure
      - (2) Resolution Authorizing Workers' Compensation Claim Settlement No. 10-3210-16
      - (3) Resolution Accepting the IEPA Solid Waste Enforcement Grant
      - (4) Resolution Authorizing Acceptance of a Modification to the Illinois Department of Commerce and Economic Opportunity Grant #10-681002 and an Adjustment to Reduce the Appropriation in the Workforce Network FY 2011 Budget
      - (5) Resolution Authorizing Acceptance of a Modification to the Illinois Department of Commerce and Economic Opportunity Grant #08-677002 and an Adjustment to the McHenry County Workforce Network Fiscal Year 2011 Budget
      - (6) Resolution Authorizing Acceptance of a Modification to the Illinois Department of Commerce and Economic Opportunity Grant #10-653002 and Authorizing an Emergency Appropriation to the McHenry County Workforce Network Fiscal Year 2011 Budget \*\*

- (7) Resolution Authorizing Acceptance of a Modification to the Illinois Department of Commerce and Economic Opportunity Grant #09-662002 and an Emergency Appropriation to the McHenry County Workforce Network Fiscal Year 2011 Budget \*\*
- (8) Resolution Authorizing Acceptance of the Illinois Department of Commerce and Economic Opportunity Grant #10-672002
- (9) Resolution Authorizing Acceptance of a Modification to the Illinois Department of Commerce and Economic Opportunity Grant #10-661002 and Authorizing an Emergency Appropriation to the McHenry County Workforce Network Fiscal Year 2011 Budget \*\*
- (10) Resolution Authorizing Contracts with Diebold Services, Brickman Landscaping, Banc Source and Carmichael Construction, Inc. for the Waterproofing of the Treasurer's Office Building

- C. HUMAN RESOURCES
- D. LAW & JUSTICE
- E. LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS
- F. LIQUOR & LICENSE
- G. MANAGEMENT SERVICES
- H. NATURAL AND ENVIRONMENTAL RESOURCES
- I. PLANNING AND DEVELOPMENT
- J. PUBLIC HEALTH AND HUMAN SERVICES
- K. TRANSPORTATION

- (1) Resolution Approving an Engineering Services Agreement for Traffic Counts and Appropriating Funds
- (2) Resolution Approving Right-of-Way Negotiation Services Agreement and Appropriating Funds for Lawrence Road Bridge Project
- (3) Resolution to Approve Adopt-A-Highway Volunteer Group Agreements

15. ORDINANCES

- 15.1 FOR REVIEW
- 15.2 FOR ACTION

- 16. ADMINISTRATOR'S REPORT
- 17. MEMBERS' COMMENTS
- 18. EXECUTIVE SESSION
- 19. OTHER BUSINESS, AS NEEDED
- 20. ADJOURNMENT

**\*\*All emergency appropriations require a two-thirds vote (16) of the Members of the County Board**

MCHENRY COUNTY BOARD  
MINUTES OF THE REGULAR SESSION MEETING  
AUGUST 2, 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, August 2, 2011.

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. McCann gave the invocation/personal remarks.

ROLL CALL

The roll was called by County Clerk Katherine Schultz. The following members responded: Peschke, Provenzano, Salgado, Schmidt, Schuster, Wheeler, Yensen, Bless, Breeden, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, Kurtz, McCann, Merkel, Munaretto, Nowak and Koehler. Absent: Miller. Parliamentarian Jamie Rein was present. Chairman Koehler declared a quorum present with twenty-three members responding.

MINUTES OF PREVIOUS MEETINGS

Mr. Heisler made a motion seconded by Ms. Yensen to approve County Board meeting minutes from June 21<sup>st</sup> and July 5<sup>th</sup>, 2011 and COW meeting minutes from July 19<sup>th</sup>, 2011.

Chairman Koehler asked for any changes or corrections. Ms. Kurtz asked that two sentences of her remarks be added to the June 21<sup>st</sup> minutes of the County Board. Changes have been noted and will be added.

Chairman Koehler asked for a voice vote, the ayes having it he declared the motion to approve County Board minutes of June 21<sup>st</sup> (as changed) and July 5<sup>th</sup> and COW meeting minutes of July 19<sup>th</sup> has passed.

CHAIRMAN'S REMARKS/REPORTS

Chairman Koehler said in the last two weeks he has spent quite a bit of time at the IL Tollway Authority. He believes that we are going to see some major improvements coming up that are going to be beneficial to McHenry County. They are looking at doing some major renovations to the I-90 corridor from the Kennedy Expressway all the way up to Rockford and will include one of the interchanges that we have wanted to see done for a long time. Projects could start as soon as 2012 and the improvement will greatly improve capacity at that corridor as well they are looking at ways to add public transportation to the corridor at the same time. They feel by moving these projects up they will save about \$500 billion dollars in the overall project costs.

SPECIAL RECOGNITION/REPORTS

None

SPECIAL PRESENTATIONS

8.1 County Artwork – Tina Hill

Ms. Hill asked that we move forward as the artist is not here yet.

## 8.2 Assessment Process – Robert Ross

Chairman Koehler said he gives Mr. Ross a lot of credit coming on board with the county in a year when we've had so many protests to property taxes and the home values going down.

Mr. Ross came forward and noted that a spreadsheet handout was passed out to members to follow along. It illustrates the 2010 McHenry County Assessment process Board of Review results and the subsequent 2011 projected equalization factor that is a bi-product of the 3-year sales ratio study as well as the activity and value loss that occurred at the Board of Review the prior year. Mr. Ross said it's very difficult for assessment officials at this time with property values going down as they are and with the Department of Revenue making officials adhere to a 3-year sales ratio study.

Mr. Ross said around April of each year after the Board of Review assessments have been certified to the Clerk and have been sent to the Department of Revenue they will send us back a tentative equalization factor for each township. The tentative equalization factor that was given to each assessor for 2010 is the first column after the township on the spreadsheet copy (copy in the board file). After the townships have certified their books to the Supervisor of Assessments office they then apply a factor to get them to 33 1/3. This projected factor shows where assessments have to go to be at 33 1/3. Last year they ranged from 12.5% to approximately 6% and still achieved a 1.

There was only one of 17 townships that made changes equating to a 1 and that was Algonquin Township. The first 15 townships did not do much assessment change therefore when the books were certified by the Supervisor of Assessments to the Board of Review it resulted in an applied factor that was fairly close to the projected factor that they were given. Fifteen out of 17 townships accepted negative equalization from the Supervisor of Assessments, meaning their assessments from the prior year were reduced before they were sent to the Board of Review.

At that point the appeal process began with a total of 5,885 appeals being processed last year. After figures were calculated the total percentage loss for McHenry County townships was 3.48% which resulted in the state equalization factor of 1.0348. Value loss was significantly in one township and that was Grafton.

Mr. Ross said last October the Assessor in Grafton Twp wanted to submit his work with changes that approximated 18% in downward assessments. That would have resulted in the bottom line of an equalization factor going on the assessment notices of approximately an 11% increase. So, all the assessments in Grafton Twp would have been raised 11% if the original assessments were accepted by the Supervisor of Assessments for Grafton Twp. He thought that would have been a big problem with the assessment notices going up 11% so he then thought he should take this to the Board of Review to indicate that the Assessor wanted to make these changes and what it would cause if these were done pre-equalization. It would have caused a massive number of appeals in Grafton Twp and the value loss in Grafton Twp, although it might not have exceeded 11% as it did, he still feels that the assessment loss in Grafton Twp would have been 5%-7%. Mr. Ross said in October of last year they had a potential problem with getting done on time and still keep the tax cycle in a timely fashion, as it was they were a week late. This did cause a bit of a problem in Kane County where they made the assumption that we had a 1% equalization factor from the state when it was actually 1.0348.

That will be corrected next year but Mr. Ross said it's important for McHenry County to get back on track as far as getting assessments done in a timely fashion by the first or second week in March at the latest. He said that may present a problem with what they are encountering. The number of appeals has risen from about 1,000 in 2006 to 5,885 in 2010 which does not include a significant amount of appeals from Grafton Twp; actually only 209 from Grafton Twp because there was 9,340 revisions and corrections. The other factor that has now been a problem with Grafton Twp is that they have a 1.053 projected factor for 2011 based on the value loss at the Board of Review which primarily came from the revisions and corrections that were submitted by the Assessor and accepted by the Board of Review. Mr. Ross said the intent is to get Grafton Twp back on track as soon as possible but they are having a problem; at this point the Grafton Twp Assessor is recommending that everyone appeal again this year in a different fashion than what happened last year. Mr. Ross referred to the message to property owners on the Grafton Twp website under the heading July 2011 where it talks about their assessments. It indicates that notice of assessments will be mailed from McHenry County at the end of August or early September; Mr. Ross said they have not yet received their books so he does not know if the notices will be sent at that time. Also in this newsletter Mr. Ross said he has a problem with some of what is written because the changes that were made last year at the Board of Review that resulted in the Board of Review loss and the subsequent 1.0531 factor this year was based primarily on the assessor wanting to make these changes. Mr. Ross said blaming McHenry County or the State of IL for a 1.0531 factor this year is not fair; he accepts his offices responsibility and the Board of Review's but he doesn't feel it is the county's fault solely.

Mr. Ross went on to say last week at an American Legion presentation, with information from a resident's group at Sun City an e-mail that was copied, Mr. Ottley allegedly told everyone they should appeal their assessment and that he and his staff would help. He hoped that the Board of Review would receive 12,000 appeals and be saturated. He allegedly advised residents to find two sales within the year for their models to use as comparables for their appeal. Apparently one of Mr. Ottley's assistants indicated in an e-mail response back to the resident in Sun City that this was correct and they encouraged property owners of the township to protest and that the staff at the township office would help the best they can.

Mr. Ross said he has a concern with the continued attitude of the Grafton Twp assessor in this process. He feels that it threatens Grafton Twp, those districts that touch Grafton Twp and it threatens the property tax system in McHenry County. He feels there is a right and wrong way to effect change and this is not it.

Chairman Koehler asked what the impact is on the rest of taxpayers in McHenry County.

Mr. Ross said the PTEL increase was 2.7% and all districts that were under PTEL could achieve revenues of 2.7% higher this year than they did the year before, which with assessments going down resulted in a burden shift to some people who did appeal vs. those who didn't appeal throughout McHenry County. The shift of burden is an unintended consequence of the way the system is set up with Board of Reviews and appeals. Representative Franks has introduced a Bill that if assessments in a county have a negative equalization factor, the Bill would suggest that the PTEL calculation, CPI should be zero and not 2.7% or 1.5% which it is this year. Mr. Ross said the primary reasons why taxes go up in a PTEL County is based on the increase in the CPI or the amount of money tax districts would ask for as well as a shift in the burden. Assessments in themselves do not determine, with the exception of new construction which there has been very little of, how much a district would get; they determine who pays the portion the tax districts get but it does not affect the amount of money that a tax district would get.

Chairman Koehler asked if Mr. Ross could say how much the burden shift took place with people that might be in the same school district but not in the same township. Mr. Ross said the burden shift happens throughout McHenry County, significantly in Grafton Twp and those districts that they share because there was a 12% value loss in Grafton Twp. Mr. Ross explained that if a township were to go down by 10% and there were no appeals or activity and the CPI was 2.7% which is what most tax districts ask for, those tax bills would go up 2.7% even with the 10% assessment reduction. The assessment burden depends on if your relative assessment compared to others in your tax district.

Several board members commented on being unhappy and/or disappointed in the way things were done in Grafton Twp. Others applauded Grafton Twp for assessing properties at a more realistic level of the market today. It is noted that the information that Grafton is giving out is misleading. Just because you get your assessment lowered does not mean your taxes will necessarily go down. Mr. Ross said they are looking at the appeal process as a vehicle to reduce their burden and that's part of the problem right now.

Ms. Hill said that this is a very confusing issue and appreciates the comments on how to affect change. She thinks change needs to be affected from the board level and they all don't understand the process. When she gets complaints about assessments there is no uniformity or consistency of how assessors assess and she feels there has to be a way for us to get some consistency and uniformity in how all homes are assessed. Mr. Ross said the Department of Revenue does try to level out assessments between county with inter-county equalization, that's where these factors come from. However, the Department of Revenue is basically telling a township here is where you have to go in assessments in the aggregate (the total). Within that total it is up to the discretion of the assessor to spread the burden as they feel fit amongst residential, commercial, industrial and agricultural properties. This is where various levels of experience come in. Mr. Ross said in regard to the 12% reduction mentioned earlier, he appreciates the comments that assessments should be down to indicate a true market value but under the system that we have the reduction of 12% has now created a situation that it has to go up in Grafton Twp and he doesn't know if the results were what was really desired in the long run. He is looking to put things back into an equilibrium state as quickly as possible.

Ms. Yensen said she lives in Grafton Twp and asked if Mr. Ross has had an ongoing conversation with Mr. Ottley in Grafton Twp about some of the issues. She thinks we need to look at the taxation piece and whether it is consistent from one township assessor's office to another and that there should be discussion with units of governments about how much people can afford to pay for services. Mr. Ross said his first concern to him was that it became apparent that the 1.0531 factor has to be applied and there will be no more revisions or corrections this year, we have to get back on track. Within that 1.0531, once his books are submitted, he will look to see where the reductions are; the Board of Review will be scrutinizing appeals from Grafton Twp very closely and in the spirit of fairness this year it will be those that had large reductions vs. those that didn't. Mr. Ross said there have been preliminary discussions but they haven't produced a lot.

Mr. Ottley has told Mr. Ross that he is going to let Mr. Ross, as the Supervisor of Assessments, equalize at 1.0531. Mr. Ross said he will reach out to him and try to figure out if we should sit down and look over changes that were made.

It was asked if assessors from townships were invited to today's meeting. Chairman Koehler said not for this meeting, today was to give the County Board an idea as to how the process works and then have a follow up meeting to this where we will invite all of the assessors along with any board members that wish to be a part of the meeting.

Ms. Schuster asked that the Legislative Committee take a look at this issue and try to figure out what we can recommend to our state legislators to help the problem.

Ms. Kurtz stated that we need to look at our own specific responsibilities on this board when it comes to approving various expenses and that comes back to the idea of being efficient and having a smaller government. She feels we should be looking to see how we can make county government more cost effective and we can't do that if we continue to grow it.

Ms. Salgado said tomorrow there will probably be an article in the paper that discusses this and it will also discuss the shift in burden and people will panic. She asked what Mr. Ross's plan of attack is for that. Mr. Ross said the budget has not been finalized yet and they might need more Alternates to the Board of Review; also they could possibly need to have weekend or evening hearings. Everyone who requests a hearing or appeal is entitled to it and they must be finished by early March so that the Board of Review assessments can be certified to the Clerk and then get them down to Springfield.

Ms. Peschke commented that this needs to be looked at more globally because things have changed over the years with people living longer and such instability in the economy. The State of IL is not living up to its statutory obligation to pay for the schools 51%, and if it were paid for the way it should be, our tax bills would probably go down by at least one-third.

Chairman Koehler said Mr. Ross has been out to many places trying to explain the assessment issues and will continue to help people understand the process. He thanked Mr. Ross for his presentation this evening.

### *8.3 Webcasting and Agenda Management- Adam Lehman*

Mr. Lehman came forward and said Management Services has requested that this presentation be done for the full board about where we stand currently with webcasting and what we could be looking at in the near future. He said the county began looking at webcasting in 2006 through the Management Services Committee to provide our citizens with streaming over the internet the ability to watch or listen to our meetings. This summer we have been in contact with a company called IQM2 out of Long Island and with Dale Nelway at MCC, who has a background in Installation, to talk about what we would have to do to make it possible to stream with cameras and audio over the internet. Transparency is one of the main drivers behind this project and McHenry County does have a lot of information on the internet for the public to see and use. Along with live streaming of the meetings, this project would include an Agenda Management program which would make the process of putting together an agenda much more efficient.

The cost for Agenda Management with workflow processes and document generation etc. will cost about \$2,575 per month. To add webcasting to this would cost about \$575 per month additional which would allow us to have the ability to put what we capture on camera and stream it over the internet through the system that we already have in place. On the web display we would have the video next to the agenda itself and you would be able to go within the agenda, click on it and go to that part of the meeting that you are most interested in which goes hand in hand with time stamping and indexing. Reporting tools and Google analytics will allow us to understand who is viewing our meetings and where they are viewing them from. Mr. Lehman said we would also be able to generate meeting minutes which would allow us to streamline the process through utilizing it to go hand in hand with the agenda management process. It would be done with pre-developed set up and boxes for unlimited text and will be complimentary to the way we do minutes now. Mr. Lehman said he recently met with Mr. Nelway from MCC and the hardware cost would be about \$6,050 and is a one-time cost. This would include installation of three mounted cameras at different points of the room, a switcher-data-video feed to control going between each camera, two monitors to see what we have on the cameras and a controller, a Copius ADDC55 which is the other items we would need to capture what is said and make sure everything is formatted digitally before we broadcast it out. The installation cost of these items with wire installation and commission would be about \$31,762.24; this would update the County Board room and expand into the other room.

Mr. Lehman said with the consent of the board an RFP could be distributed for web streaming services and also an RFP for equipment and installation. The board would also need to decide if this should be a FY2012 supplemental or utilize available funds in the current FY2011 budget. Ms. Schuster, Chair of the Management Services Committee wanted to see what the board as a whole would like to do on this project as it has been discussed for some time.

Mr. Austin asked the board if this is something we want to pursue. The board felt that this is a good project to continue with the county's transparency efforts to the public, however, at this time some felt spending the money when the county is trying to cut costs is not right. Some members questioned spending over \$31,000 for something that very few people will actually log onto to watch. Mr. Provenzano felt that live streaming would be critical to this project and asked if all three cameras would have that ability to live stream so that the viewer has the ability to view what they want vs. someone controlling the switcher deciding what is going up the link to the web. Mr. Lehman said he believed it would be one camera at a time. Some board members said they would not want this to be a supplemental expense.

Ms. Schuster said the first part of any action taken would be the Agenda Management portion. With this program they are looking to bringing together a process that will eliminate a good deal of the labor intensiveness of the current way of doing the agenda. The time and work involved right now in putting the agenda together and doing the minutes is mind boggling. It was also felt this might reduce FOIA requests because everyone would have access to the meetings.

Ms. Kurtz commented that the board discusses complicated topics and this tool will be important. The most important impact she sees is that this makes the County Board more accountable.

Ms. Schuster thanked Ms. Hill for starting this ball rolling several years ago. She noted that we will be using I-Pads shortly and this is the type of thing we can carry with us and we don't need paper any more.

Chairman Koehler thanked Mr. Lehman for his presentation and the Management Services Committee for keeping this project in the forefront. If anyone has any comments or questions, get them to Ms. Schuster or a member of the Management Services Committee.

Ms. Hill noted that the artwork is in the room. The artist can't be here this evening so she asked board members to take a look at the art before they leave this evening.

#### PLATS

None

#### PUBLIC COMMENT

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

John Reihansperger of McHenry	regarding/for	care of Non-Dedicated Roads (NDR)
RJ Kruger of McHenry	regarding/for	care of Non-Dedicated Roads (NDR)
Mark Galassa of McHenry	regarding/for	care of Non-Dedicated Roads (NDR)
Bob Beltran of McHenry	regarding/for	care of Non-Dedicated Roads (NDR)
Trudi Baer of McHenry	regarding/for	care of Non-Dedicated Roads (NDR)
Ed Wolff of McHenry	regarding/for	care of Non-Dedicated Roads (NDR)
Jim Cosgrove of McHenry	regarding/for	care of Non-Dedicated Roads (NDR)
Ned Neumann of McHenry	regarding/for	care of Non-Dedicated Roads (NDR)
Jim Bolinger of Huntley	regarding	Grafton Twp Assessments

Noting no others wishing to speak, Chairman Koehler closed this part of the meeting.

#### NEW AND UNFINISHED BUSINESS

Chairman Koehler talked about the Superintendent of Schools issue saying that we have three counties, ours being one of them, that are interested in consolidation of this office. However, based on the laws that are out there it does not allow a county of our size to be able to do consolidation. As of today the Governor still has not done anything to provide funding for this position. Many of the Regional Superintendents are currently working for free hoping that when we get into the fall session that the state legislators will come back and find money to pay these people. The Chairman said we have a dilemma here because we have one position that needs to be replaced with no funds to do it, and the opportunity to make government smaller, at least under the current statutes, does not allow us to take that action. He said 11 people applied for the position and upon review of the applicants only four of them have the qualifications for the position. Although he doesn't know how many of them would work for free, they are going to go through the motions in making the final contact to see if any of them are interested under the current parameters.

If one of them chooses to take on this position they are committing to run in the election next year for that position. The Chairman said he will be talking with Mike Tryon to see if there is anything that could be done legislatively and then bring it back to our Legislative Committee so that they can begin to take a look at it.

Mr. Hammerand asked when the Regional School Superintendent position is vacant who will take care of registration of teachers and bus drivers etc.. Chairman Koehler said currently we are working with the Regional Superintendent from Lake County; she has been signing all of the documents that need to be signed. Mr. Hammerand asked if we could make an offer to pay Lake County for their services. The Chairman said we are required by statute to have this position filled and to staff and house the office of the Regional Superintendent. At this time we pay for four staff members for this office. The Chairman said we must take action by the next board meeting. If we don't have a candidate that is willing to serve, he doesn't know what we have to do.

Ms. Hill said she reached out to District 200 and talked to the School Board VP and asked how they are doing. Apparently they are working very well with the fire department on life safety issues and the rest is with the help of the Lake County Superintendent. The political argument remains: is this position of Regional Superintendent of Schools really needed or can the school districts take on the duties themselves. Obviously there is political dysfunction if statute requires that we have this position and that the state is to pay for this position, and then the Governor refuses to abide by the statute by removing the funding for this position from the budget. The Chairman said this position was set up back in the 1800's when we had one room school houses around the county,

Mr. Provenzano said we are doing what is required by advertising for the position as we have no control over people not wanting to work for free. He suggested leaving the position open and just let the state sue us. He believes we had one applicant who had called him and she said she would be willing to take the job without pay and she has the qualifications.

Chairman Koehler said there are other States that operate under a completely different system and that is what IL needs to look at. He said we do have another problem and that is if we don't appoint a person then we might have to have a special election. County Clerk Schultz said there is nothing out there that she is aware of to call a special election if you don't make an appointment. She discussed some of these issues with legal counsel for the State Board of Elections and there is nothing there. She said the board does need to be aware that the Regional Board through the Superintendent's office also takes care of boundary changes in your school districts which could be critical if we got any districts that were looking at changing boundaries.

Mr. Merkel asked what happens if we find no one. Chairman Koehler said we will continue to work with Lake County as long as we can. They actually pay their Regional Superintendent a stipend above what the state salary is, which presents a whole different problem for them. The Chairman said if Lake and Kane County come to a point where they can no longer help us we will have to shift the burden back down to the State of IL, we won't have a choice.

Mr. Merkel asked where the other counties are on this issue. The Chairman said we are unique in that we had two elected officers walk off the job because they weren't going to be paid. County Clerk Schultz said something else to be aware of when talking about other counties is that most of your regional school boards are not a county office they are multiple counties that form that office. When you get down state you could have more than five counties making up a district.

Ms. Yensen said she is opposed to someone volunteering their time and would like to see the Legislative Committee draft a letter to the state and our local representatives as to their commitment to this unfunded mandate at this point. The Chairman said from his conversations with local representatives, they are not interested in funding this office. He said we are concerned about this and our students and want to make sure that our teachers are certified and that they go through the back ground checks and stuff that needs to be done.

Chairman Koehler said next week you will hear an announcement made from the three county Chairmen from Lake, McHenry and Kane, in regard to another issue and he hopes the board will be supportive of that initiative.

#### APPOINTMENTS

None

#### ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Routine Consent Agenda. Chairman Koehler removed item #14.2 K(5) from the agenda by request of DOT.

Ms. Wheeler made a motion seconded by Mr. Heisler to approve the Routine Consent Agenda with one item removed.

Chairman Koehler asked for any discussion. Ms. McCann said in regard to 14.2 K4 and K5 she requested that the residents and businesses on Dowell Road & River Road and the one resident on Charles Road be notified that a project is pending, the parameters of the project and a rough time line of the project and who to contact if they have questions. Ms. Donner commented that the people at River Road and Dowell Road will be thrilled with the project.

Noting no further discussion Chairman Koehler asked for a roll call vote. The following members responded aye: Peschke, Provenzano, Salgado, Schmidt, Schuster, Wheeler, Yensen, Bless, Breeden, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Jung, Kurtz, McCann, Merkel, Munaretto, Nowak and Koehler. Absent: Hill and Miller. The vote being twenty-two (22) ayes noting two absent, the Chairman declared the Routine Consent Agenda with one item removed has passed.

#### ADMINISTRATOR'S REPORT

Mr. Austin said our new Workforce Investment Director has been very involved with some job fair activities with the new WalMart coming into Johnsburg.

Out at Valley Hi he said they are having a second informational meeting where they invite county residents out to Valley Hi to learn about how things are going out there. This meeting will be on August 17<sup>th</sup> and they will talk about Medicaid. The intent is to get people familiar with Valley Hi.

Also, Mr. Austin recognized Dave Christensen and Bob Ellsworth in following up on the request for more generators. We reached out to the IL Terrorism Task Force and we now have three new 60 kilowatt generators that will be stored here. We will need to share them with other counties should need arise but we will have access to them.

Mr. Austin noted that HR is starting a new program in August. There will be three programs during the lunch hours that will be providing information to employee's on fiscal health i.e. investing for retirement and those kinds of programs.

Mr. Austin said the Jail has just received a report back from ICE on a 3-day audit that was done; the report was very strong and they were impressed in how the jail is being run.

Mr. Austin noted that we have new signage around our campus noting that the signs have been reworked and freshened up a bit.

Tomorrow the DOT will have two events; at the Transportation Committee meeting there will be a presentation on the 2040 Transportation Plan and then following the meeting there is going to be a demonstration of the new Brine making system.

Mr. Austin said on August 16<sup>th</sup> from 4:30 to 6:30 we will have an open house on the Unified Development Ordinance (UDO) and the progress being made. There will be a brief presentation on the UDO at the County Board meeting at 7 p.m. Prior to the board meeting there will be a COW meeting at 6 p.m. to update the board on finances.

#### STANDING COMMITTEE CHAIRMAN UPDATES/MEMBERS COMMENTS

Ms. Wheeler said regarding PTEL and Mr. Ross's presentation. She said in a time where there is no growth and assessments are lower it says on the internet that we as a County Board can put a referendum up asking to opt out of or rescind participation in PTEL and feels we should look into this. Chairman Koehler and County Clerk Schultz said that the collar counties can't rescind. Ms. Schultz said we couldn't opt into it so we can't opt out of it, we have no choice. This will be verified.

Ms. Yensen said the Stormwater Commission had a meeting and there was a suggestion to put the Stormwater Commission monthly meetings on the County Agenda calendar instead of on the Planning & Development one. She noted that Dave Brandt is retiring and asked that we put together a Proclamation in his honor recognizing his service to the county. Also, a request from the Stormwater Commission is being sent to the NERC Committee for the rewrite of the Stormwater Management Ordinance as they think it is time for an update. Lastly, Ms. Yensen said she went on line to the Attorney General's site and took the Open Meetings Act test and now has her certification. She encouraged all of the board members to do this as it was a learning experience.

Ms. Kurtz reminded the board that there will be a Children's Health & Safety Fair tomorrow at MCC. It is an opportunity for children to get many freebies including health and dental care provided by Centegra Family Health Partnership. Secondly, Ms. Kurtz said since our last meeting there was an article in the paper on the 23<sup>rd</sup> stating that "Plan would oust five from Metra board" with a sub-title of "Agreement in place for group to retire, reshape entire board since Pagano's death. "

The issue concerning this was the Regional County Board members, including our Chairman, had discussion at that time about retiring a number of board members, of interest to us is Jack Schaefer. Mr. Schaefer was the Treasurer when Mr. Pagano died and was defensive of Mr. Pagano at the time of his death. Troubling to everyone was the level of corruption that occurred at Metra at that time. Ms. Kurtz asked Chairman Koehler if he had an update from that meeting. Chairman Koehler said no he had no update at this time. He provided a letter to board members stating something that was agreed upon between the County Chairmen who were at that meeting. He suggested that Ms. Kurtz not believe everything she reads in the paper because there is not a 100% consensus on this issue. The best he can say right now is to stay tuned because there is going to be more action that may or may not be coming forward and there is too much influx right now to make a formal report on this issue. Ms. Kurtz referred to Section 3 of our County Board rules in which it requires the Chairman to provide updates as they become available or at the upcoming County Board meeting. She thinks it is important for all members, with the issue of corruption at hand and Mr. Schaefer was right out in front of it with Miss Doris, who is now gone, to be informed as it makes everyone sensitive to the situation.

Chairman Koehler said publicly there has been a report put out that she has the ability to look at. As far as the negotiations that have been going on, they are with three specific senators and he doesn't want to get into it because it is more politics than anything else. The comments that were made in the paper were via Jack Franks and the Chairman said the issue out there has to do with personal attacks on Mr. Schaefer. He said this is a delicate situation that all of the county Chairmen are trying to work through with their appointees. The fact of the matter is even up to the top, including Carol Doris, none of these individuals had anything to do with the day to day operations; this was something that was done by an employee, there was no way that the others had any control. Under their watch all of this was uncovered and this is one of those issues that are extremely sensitive at the moment. Once there is a complete decision and they are ready to disclose what they are going to do, it will be brought forward.

Ms. Kurtz noted that transparency is very important in this situation and the more details that board members have regarding this is very important. Also, the issue of accountability is paramount and she's not sure how comfortable she is with the issue of not being involved with day to day operations, obviously boards are not involved with day to day operations. Chairman Koehler said there are 11 people who are appointed to this board; of those each of the collar counties has one appointment. There is a tremendous concern about balance on the board so that it's fair for both the collar counties and Cook County and the City of Chicago. He reiterated that the issues that are out there that involve what was stated in the paper are very sensitive issues and ones that currently will not be brought out in the public eye.

Ms. Schmidt said this Sunday the Historical Society has a special event going on, an open house at Pringle School which is a limestone, one room school just North of Marengo. There's also the opportunity to visit the Stewart Scottish Cemetery which is nearby there. This is a family cemetery that has been restored within the last ten years. It's on private property, the Wilson farm, and on Sunday you can go on the property to see the cemetery. The address is 29016 River Road, just East of Rte 23, and it will be open from 1 – 4 on Sunday. Pringle School is West on River Road.

Mr. Hammerand said the McHenry County Fair will be opening tomorrow and closing on Sunday. He encouraged everyone to go over and take a look at the exhibits and talk to people in the area. He was asked to be a judge for small engines, welding and bicycles and the children were very knowledgeable and articulate. Also, he said he has been to several financial seminars in the last six months and he hasn't run into any citizens that were telling him that they were paying too much in taxes or that they really thoroughly understood the taxing system. Most of them thought that we were walking away with the barn because of the way it is set up. Mr. Hammerand said he would like to see a system that we can understand with clarity and be able to explain to people in short sentences. An interesting thing about our system is the equalizer; when they say they're going to re-assess and bring up the value of the house 5%, he wondered if the tax rate would preclude that. Mr. Ross responded that if they all went up by 5% the tax rate could go down or up depending on the assessments.

Mr. Heisler said on August 11<sup>th</sup> at 8:30 a.m. there will be a Legislative Committee meeting. He would like to hear from people who have ideas on what should be on that agenda ahead of time.

Ms. Draffkorn said she lives on a non-dedicated, heritage road and she would like the County Board to look into the matter of helping with these roads. Also, in Wonder Lake tonight the Sheriff's office has their National Light Out at Harrison Benwell.

Mr. Merkel said he also lives on a non-dedicated, heritage road and his neighborhood went through the process of getting it upgraded. In talking with many people he explained the process they went through and the people who spoke here today are not looking to go that route where it costs them money. This is a complicated issue and there is no free ride. Mr. Merkel said people should talk with their township supervisors and highway commissioners to get educated on this issue.

Ms. McCann said she also lives on a heritage road but they did get paved. She complimented the gentlemen who gave their statements during public comment so that the board could get a picture of the big problem. She said she would like to sit down and look into this. Chairman Koehler said this should probably start at the Legislative Committee to look into the opportunities.

Mr. Austin said there have been a couple of significant presentations on non-dedicated roads at the Transportation Committee within the last couple of years. They have met with these folks and they are passionate but it's frustrating to not be able to offer a more direct solution for them. One thing he has learned is that it's not a one size fits all answer. The easy roads have been taken care of it's the challenging roads that remain. He asked that if there is more discussion on this that we involve staff that has had discussion and the State's Attorney's office as they have a big file on this.

ORDINANCES

None

EXECUTIVE SESSION

None

OTHER BUSINESS

None

ADJOURNMENT

Ms. Donner made a motion seconded by Ms. Hill to adjourn at 11:57 a.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 6<sup>th</sup> day of September, A.D., 2011.

---

Kenneth D Koehler, Chairman  
McHenry County Board

ATTEST:

---

Katherine C. Schultz, County Clerk

MCHENRY COUNTY BOARD  
MINUTES OF THE REGULAR SESSION MEETING  
AUGUST 16, 2011

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

<b>District 1</b> Robert Bless Anna May Miller Marc Munaretto Robert Nowak	<b>District 2</b> J.S. "Scott" Breeden James Heisler Kenneth Koehler Donna Kurtz	<b>District 3</b> Mary L Donner Nick Provenzano Kathleen Bergan Schmidt Barbara Wheeler
<b>District 4</b> Sue Draffkorn John Hammerand Pete Merkel Sandra Fay Salgado	<b>District 5</b> Tina Hill John P Jung Jr. Virginia Peschke Paula Yensen	<b>District 6</b> Randall Donley Diane Evertsen Mary McCann Ersel C Schuster

The Honorable County Board of McHenry County, Illinois met in Regular Session on Tuesday, August 16<sup>th</sup>, 2011.

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. Merkel gave the invocation/personal remarks.

#### ROLL CALL

The roll was called by County Clerk Katherine Schultz. The following members responded: Provenzano, Salgado, Schmidt, Schuster, Wheeler, Yensen, Bless, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, Kurtz, McCann, Merkel, Miller, Munaretto, Nowak, Peschke and Koehler. Absent: Breeden. Parliamentarian Jamie Rein was present. Chairman Koehler declared a quorum present with twenty-three members responding.

#### MINUTES

Chairman Koehler asked if there were any changes/corrections to the board minutes of July 19, 2011, there were none.

Mr. Heisler made a motion seconded by Ms. McCann to approve the County Board minutes of July 29, 2011 as presented.

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

#### CHAIRMAN'S REMARKS

Chairman Koehler said he attended a meeting this morning with Ms. Evertsen and Ms. Hill that was put on by ComEd. It was good in that it provided information from a lot of the municipalities to the pit falls that we saw during the storms of July 11<sup>th</sup>. What he heard a lot of was an issue with communication. Mr. Christensen was there and talked about the points the county was concerned with and the Chairman noted we have a lot of things to do to make things better. As Well, ComEd knows they could do a better job but when you have more than 900,000 people without power it makes it difficult to get to everyone in a timely fashion and that was with bringing in 1,100 outside teams of people to work on the issues throughout. Chairman Koehler said the county itself is going to have a follow up with ComEd to discuss the broader picture that was seen out there as well as the communication issue. Ms. Evertsen pointed out that the DOT did an excellent job clearing roads so that traffic could continue to go on where wires were not down. ComEd also mentioned that they appreciated having those roads open so they could get in with their equipment. Ms. Hill noted that the power point that was shown at the meeting has been copied and put into board member's mailboxes.

Next, Chairman Koehler said a communication went out last week about the I-90 corridor. He emphasized that this tollway project is going to be one of the biggest projects that the Tollway Authority has ever done. It has opportunities for McHenry County from the stand point of the Rte 47 interchange as this project will cut travel time down for our residents. He said they are looking for comments so if you have any you can go onto their website. In addition, this Friday at 7 p.m. in Huntley there is going to be a public meeting in regards to this subject. He encouraged board members to attend. Also on Friday, everyone should have received a memo from Mr. Korpalski outlining some of the discussions that have gone on as to what these improvements are going to be on I-90. That is still ongoing and everyone is invited to attend this meeting in Elgin he believes at the Civic Center. If anyone wishes to attend let him or Mr. Korpalski know and they will get the exact location and time.

Chairman Koehler said next is the Superintendent of Schools appointment issue. He reminded the board that eleven candidates applied for the position; out of those there were four that were qualified; interviews were done with a panel of three and it was asked if they would be willing to work without pay. The Chairman said any of the people remaining would have made an excellent Superintendent however one candidate didn't meet the requirement of being a Republican (because they are replacing a Republican elected official); another candidate didn't meet the requirement of having two years of the last four in some sort of educational position (she was having a family and was off of work); and the last candidate needed to have an income but he was willing to take on the position and also work his regular job which is a school principal in another county. The Chairman thought because he was working outside of the county this might work, however the state informed us that the Superintendent of Schools may not have other employment anywhere while holding the position. Chairman Koehler said as yet he has not contacted the state on how we're supposed to fill a position that doesn't have any pay and not being able to find candidates who have all of the requirements set by the state for this position. The Chairman said we have one last opportunity to try doing something by maybe using a retired individual, that avenue will be pursued within the next couple of weeks. Lastly, Chairman Koehler said you might have seen in the news that the county lost their appellate decision in regards to the special prosecutor's pay. That's only a half truth; it's a procedural issue that was lost and the county will continue to take this forward; there is no additional cost to the county to be able to pursue this and the object is to get it in the right format to have the Appellate Court actually render an opinion about what we were asking. They could only render an opinion on the fact that we procedurally go the way they expected the process to take place. Chairman Koehler said he and Mr. Austin have a meeting on Friday with Mr. Colburn our Appellate Prosecutor to determine exactly what the next steps will be. The Chairman said the county is not planning on paying these people until we get a court order that is based on the law. He will keep the board posted on this issue.

#### SPECIAL RECOGNITION/REPORT

##### *7.1, Proclamation to recognize Dave Brandt for his dedicated public service to Stormwater Management in McHenry County*

Ms. Hill made a motion seconded by Mr. Heisler to approve the above-named Proclamation.

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

Chairman Koehler asked Mr. Brandt to come forward and presented him with a plaque from the County in recognition of his years of service.

##### *Artwork – Ms. Hill*

Ms. Hill said three generations of the Grabow family have provided artwork to the county to be displayed. Ms. Hill thanked both gentlemen for bringing forth their artwork and explaining the paintings they have done. Chairman Koehler commented that the painting of Lincoln was one of the finest he's ever seen.

#### SPECIAL PRESENTATIONS

##### *8.1 UDO Technical Review Report – Camiros Ltd.*

Ms. Hill commented that the open house seemed to go well noting that were several people from the municipal level and planners who came. She said there will be one more Planning & Development Committee meeting now that we've received public input on this. It will be on September 1<sup>st</sup> at which time some overview will be done and Camiros will be given some more direction based on public comment and comments that committee members have heard.

Mr. Sandquist came forward and introduced consultants from Camiros who is the firm working on the recommendations for the UDO. A Technical Review Memorandum was handed out to board members, a copy of which is in the board file as well as a summary of their findings. Mr. Sandquist said earlier this evening an open house was held for interested stake holders and members of the public to review and comment on the recommendations of the consultant, there were about 30 people who attended and some have remained to hear the presentation this evening. At an earlier time the consultants reviewed their Technical Review Memorandum with the P&D Committee and the ZBA over the course of four meetings with some of the comments and results included in the memo. Mr. Sandquist said they would like to have a joint P&D/ZBA meeting for one last review of this before the consultants are let go to start drafting the text of the ordinance.

Ms. Arista Strungys of Camiros came forward and went over the hand out on the Technical Review Memorandum which summarizes the major comments and concerns of the P&D Committee and the ZBA. Listed below is the summary provided by Camiros on their recommendations for the UDO.

#### Planning & Development Committee

##### Conditional Uses

- The UDO needs to minimize the number of conditional uses within the ordinance
- Those standards that are typically applied to common conditional uses as part of approval should be incorporated into the ordinance
- The UDO must make the differences between a grandfathered use and an illegal use clear
- The Technical Review Memorandum proposes a sunset clause for conditional uses. With such a sunset clause, the UDO must be clear how this applies to conditional uses approved prior to the adoption of the new ordinance. One option is to amortize existing conditional use approvals that have not been acted upon and have exceeded the sunset clause timeframes with a revocation sent by a general notice.

##### Agricultural Issues

- Agriculture needs to be clearly defined and in line with state regulations, as proposed in the Technical Review Memorandum. This will need to include a definition of agriculture-exempt structures and how those buildings are regulated within the A-1 and A-2 District.
- When evaluating the uses allowed in agricultural areas, the impacts of parking and vehicle storage should be considered as a factor in whether the use is permitted, conditional or prohibited.

##### New Zoning Districts

- The county may have a need for an Equine Estate District, similar to ones in communities like Barrington Hills, or should review the types and extent of equine uses allowed in the Estate Districts
- There is a caution regarding the creation of more districts that can potentially break up the agricultural areas, such as the proposed R-MU District and the above equine district

##### Subdivision Standards

- Countywide roadway standards are desirable and new roads should be built to County standards. The County should work with Township Highway Commissioners to create a single set of roadway standards. However, with new standards in place, the subdivision regulations will need to address existing private roads.
- Common open space, managed by the homeowner's association or another qualified agency, should be required for all subdivisions

##### New Development

- New development should include an "assured supply of water" standard as part of the approval standards
- Development should occur contiguous to municipalities. Zoning principles, in addition to the zoning amendment standards, should be added to districts to ensure that they are approved in the most appropriate areas

##### Zoning Board of Appeals

##### Conditional Uses

Currently, approved conditional uses are typically valid for 10 or 20 years, which is a relatively unique provision within zoning. There are two approaches to this issue:

1. If maintained, the UDO should clearly state that conditional uses are valid for 10 years, unless this timeframe is modified by the County Board
2. This expiration date can be eliminated. In most communities, conditional uses remain valid as long as the use is active and complies with all standards of the ordinance and conditions imposed as part of approval

#### Zoning Map Correction Process

- As described in the Technical Review Memorandum, the addition of a simple map correction process would be beneficial for the County. This process should require notification of the property owner that such a correction is being processed
- Elimination of the annual re-certification of the Zoning Map will also make administration of the ordinance and map easier. However, an annual report from staff that catalogues zoning changes over the year should be implemented administratively (i.e. not a requirement within the ordinance).

#### Zoning Interpretations

- A formal process for zoning interpretations was considered beneficial, though the ZBA cautioned about the amount of responsibility concentrated in the Code Enforcement Officer's position for this process and the amount of time such applications may take

#### Environmental Performance Standards

- Lighting and sound performance standards are needed. As recommended in the Technical Review Memorandum, environmental performance standards should be drafted for the UDO. In particular, controls are needed for lighting and noise/sound

#### New Districts

- Zoning principles, in addition to the zoning approval standards should be added to districts in order to ensure that they are approved in the most appropriate areas. These criteria would supplement the zoning standards of the amendment process. For example, one standard proposed was that the R-MU district should not be allowed in aquifer recharge areas. In another example, similar to the comments of the Planning and Development committee, commercial districts should be mapped contiguous to incorporated areas
- Evaluation of the R-MU Rural Mixed-Use district should be undertaken when the district is drafted in order to assess if the correct types of uses have been allowed and that the district serves its proposed purpose
- Landscaping businesses should be conditional uses within the R-MU District
- The open space district should allow for active recreation. There may be a need to distinguish open spaces between those that allow active recreation and those that preserve natural areas

#### Agricultural Issues

The A-2 District needs to be refined to meet its original purpose:

1. Allow farmers to divide their farmhouse from the farmland, or
2. Allow new homesteads for family members who work on the family farm

#### Subdivision Standards

- Subdivision standards should address the shape of new lots, to encourage regular lots
- Connectivity between subdivisions is key. Sidewalks are also necessary
- Conservation design needs stricter controls to achieve its purpose

#### Commercial Districts

- Commercial uses should be located contiguous to incorporated municipalities
- The ZBA has questioned the recommendation that the B-1 and B-3 Districts be combined, as the current zoning has been working. Some B-3 District areas are almost industrial in nature

Ms. Strungys asked if there were any questions from the board. Ms. Hill said if there are any major questions please ask them, otherwise after seeing this and having a September 1<sup>st</sup> meeting scheduled, she asked if there are comments or easy questions to come to the meeting or give your feedback to her before the meeting to share with the committee.

Ms. Kurtz said her big issue is the concept of compact and contiguous. She noticed that was not mentioned in the Technical Memorandum that she saw. Secondly, she said she would like to have some discussion or understanding about how the conditional use process would address compact and contiguous, her concern being the issue that we continue to see is spot development.

Noting no other questions, Chairman Koehler thanked Ms. Strungys and members from Camiros for coming in today.

ZBA CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove a petition. Ms. McCann asked to remove #10-30.

Ms. Hill made a motion seconded by Ms. Donner to approve the following Petitions:  
Exb #11-17; Grafton Twp; Jensen Trust; recall of A1-A1C  
Exb #11-30; Chemung Twp; Phillip/Diana/Eric Bird; reclass A1-A2

Chairman Koehler asked for any discussion, noting none he asked for a roll call vote. The following members responded aye: Provenzano, Salgado, Schmidt, Schuster, Wheeler, Yensen, Bless, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, Kurtz, McCann, Merkel, Miller, Munaretto, Nowak, Peschke and Koehler. Absent: Breeden. The vote being twenty-three (23) ayes noting one (1) absent, the Chairman declared the motion to approve the ZBA Consent Agenda with one item removed has passed.

Ms. Hill made a motion seconded by Ms. Donner to approve the following Petition:  
Exb #10-30; Hartland Twp; Ronald/Rhonda Lenzi; reclass A1-A1C

Chairman Koehler asked for any discussion. Ms. McCann stated this one has been going on for a long time. Part of the request is to allow a sign in conjunction with this business. She was disheartened to see the sign go up prior to the hearing on this.

Ms. McCann made a **motion** seconded by Ms. Schuster **to amend Condition #10 to add the wording “shall not be a lighted sign.”**

Chairman Koehler asked for any discussion on the motion to amend. Several board members were against this amendment. Mr. Donley said he didn't believe we had the language in our ordinance at this time to deny this. Mr. Provenzano said wanting to go in a certain direction for dark sky adherence is one thing but that is very different from creating a Dark Sky Ordinance. He pointed out that there is nothing in the Dark Sky Standards in the Dark Sky Association that says you can't have lighted signs. Ms. McCann said she believes not having a lighted sign would not affect the petitioner's business because their hours of operation are until 5 p.m. or 3 p.m. on Sunday.

Noting no further discussion, Chairman Koehler asked for a voice vote on the motion to amend Condition #10, the nays having it, the Chairman declared the motion **to amend Condition #10 to add the wording “shall not be a lighted sign” has failed.**

Chairman Koehler asked for any further discussion on the motion to approve Petition #10-30.

Ms. Evertsen said she commends the petitioners for their entrepreneurial spirit however she doesn't see how a landscaping business is something that the public can't do without and feels this property should be zoned for business not asking for a conditional use permit. Several times in the appeal process it stated what retail sales they want to have with this business and how they intend to build their business over time. Ms. Hill pointed out this use is as a nursery not a landscaping business and has been in use for many years. The request is for the storage of commercial vehicles inside and it was unanimously approved by the ZBA.

Noting no further discussion, Chairman Koehler asked for a roll call vote. The following members responded aye: Provenzano, Salgado, Schmidt, Wheeler, Yensen, Bless, Donley, Donner, Draffkorn, Hill, Jung, McCann, Merkel, Miller, Munaretto, Peschke and Koehler. Nay: Schuster, Evertsen, Hammerand, Heisler, Kurtz and Nowak. The vote being seventeen (17) ayes and six (6) nays noting one (1) absent, the Chairman declared the **motion to approve Petition #10-30 has passed.**

ZBA REGULAR AGENDA

None

PLATS

None

PUBLIC COMMENT

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

Patty Boyd of McHenry	regarding/for	wage increase for county employees
Valerie Ebel of Union	regarding/for	wage increase for county employees
Patte Smith of Wonder Lake	regarding/for	wage increase for county employees
Theresa Pigoni of Woodstock	regarding/for	wage increase for county employees

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

NEW AND UNFINISHED BUSINESS

None

APPOINTMENTS

Mr. Provenzano made a motion seconded by Ms. Donner to approve the following Appointments:

McHenry County Emergency Telephone System Board	
Charles Amati Woodstock Police Department	term to expire 11/30/2013
McHenry County Housing Authority	
Daniel A. Bell	term to expire 06/01/2016

Chairman Koehler asked for a roll call vote. The following members responded aye: Provenzano, Salgado, Schmidt, Schuster, Wheeler, Yensen, Bless, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, Kurtz, McCann, Merkel, Miller, Munaretto, Nowak, Peschke and Koehler. Absent: Breedon. The vote being twenty-three (23) ayes noting one (1) absent, the Chairman declared the motion to approve the above-named Appointments has passed.

STANDING COMMITTEE CHAIRMAN UPDATES

None

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Consent Agenda. There was none.

Mr. Donley made a motion seconded by Ms. Evertsen to approve the Routine Consent Agenda as presented.

Chairman Koehler asked for a roll call vote. The following members responded aye: Provenzano, Salgado, Schmidt, Schuster, Wheeler, Yensen, Bless, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, Kurtz, McCann, Merkel, Miller, Munaretto, Nowak, Peschke and Koehler. Absent: Breedon. The vote being twenty-three (23) ayes noting one (1) absent, the Chairman declared the motion to approve the Routine Consent Agenda has passed.

Mr. Hammerand commented that the board received a Chapman & Cutler report because of a question he asked whether the county was financially responsible for anything for offering the QECB Volume Cap to School District 158. Chapman & Cutler assured us by provided a letter stating that the county has no financial liability, the county is just giving an allocation to the School District that the actual issuance of the bonds and the fiduciary responsibility of the bonds go with the School District.

ORDINANCES

None

ADMINISTRATOR'S REPORT

Mr. Austin thanked everyone for coming to the COW meeting before the board meeting this evening. He said if there are any questions to please give him or Mr. Sarbaugh a call. Also, the meeting of the Township Assessors will be August 31<sup>st</sup> at 9 a.m. in Conference Room A, he encouraged board members to attend if they can. If not and you have questions, please send him or Mr. Ross an e-mail so that the questions can be answered.

Mr. Austin said to those members on the Transportation Committee their budget packets are here and available for pick up this evening.

Mr. Austin said the MCEDC investors group is hosting Rep Manzullo Thursday morning at 8 a.m. at the Shaw Center. This is an invitation only meeting but board members are invited.

Mr. Austin said he is excited about the next step in the NIU Fiber Study that we did in conjunction with the COG and the EDC. They have set September 21<sup>st</sup> as a target date for the inception of a new task force to talk about where we

are going next. Invitations will be sent out next week to municipal, business, hospital, and school representatives to try and get this going. They will be talking about how they can look for federal funding and also to demonstrate how we can afford this investment on our own through some of the dollars we are already spending on internet. Mr. Austin said some people may have seen that the rain garden has been started in front of the Admin Building using grant money and is coming along nicely. Lastly Mr. Austin wished Ms. Draffkorn a happy birthday.

Chairman Koehler commented in regard to the assessment meeting, he thinks it is imperative that all of the board members try to attend this meeting. We need to make it clear to the assessors that we expect them to do their job and do it in a fair way because it is the only way that it's going to actually be a balanced form of equally assessing people for their taxes. The Chairman pointed out that after this meeting with the assessors, the plan is to come back and do an Assessment 101 class.

#### MEMBERS' COMMENTS

Ms. Miller asked Mr. Austin regarding the August 31<sup>st</sup> meeting if it was the intent of Mr. Ross and the assessors to sit down and rehash what happened or are they going to be moving forward discussing how we could more equitably address the issue from a countywide perspective. Chairman Koehler said the intent is to move forward. Mr. Austin added that Mr. Ross meets with the assessors 3-4 times a year so the timing is good because they are due for a meeting and there are many things to talk about.

Ms. Salgado thanked Mr. Merkel for his comments regarding our servicemen. She saw a little program on the memorial that is being put together on the opening of the September 11<sup>th</sup> Memorial that is coming up. She invited board members to a surprise welcome back party for a friend of hers, John DeCicco, who has just returned from Afghanistan. The party is this Friday at 5 p.m. at Veterans Park in McHenry. Please share this invite with your friends, as people very often ask how they can support their troops, and this is a very easy thing to do.

Ms. Donner said August 14<sup>th</sup> was VJ Day, the day that the war in Japan ended, WWII was done. On Saturday night she was at Veterans Park for their event and those 44 gentlemen said who they were and what branch of the military they served in. It was a wonderful event to be a part of. Lastly, she on September 11<sup>th</sup>, Grand Funk Railroad is going to be playing at the Harley Davidson Plaza in Woodstock as a fundraiser for the Honor Flight Program. Tickets are \$30 each and she hopes that people will attend.

#### EXECUTIVE SESSION

None

#### ADJOURNMENT

Ms. Miller made a motion seconded by Ms. Hill to adjourn at 8:45 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 6<sup>th</sup> day of September, A.D., 2011.

---

Kenneth D. Koehler, Chairman  
McHenry County Board

ATTEST:

---

Katherine C. Schultz, County Clerk

MCHENRY COUNTY BOARD – COMMITTEE OF THE WHOLE  
667 WARE ROAD - WOODSTOCK IL 60098

MINUTES OF TUESDAY, AUGUST 16, 2011

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

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

**District 2**  
JS "Scott" Breeden  
James Heisler  
Kenneth Koehler  
Donna Kurtz

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

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

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

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

The Honorable County Board of McHenry County, Illinois met as a Committee of the Whole on Tuesday, August 16, 2011. The meeting was called to order at 6:08 p.m. by Chairman Koehler. The following members were present: Bob Bless, Randall Donley, Mary Donner, Sue Draffkorn, Diane Evertsen, John Hammerand, James Heisler, Tina Hill, John Jung, Jr., Kenneth Koehler, Pete Merkel, Anna May Miller, Marc Munaretto, Robert Nowak, Sandra Fay Salgado, Kathleen Bergan Schmidt, Ersel Schuster, Barbara Wheeler, and Paula Yensen. Mary McCann arrived at 6:12 p.m., Donna Kurtz arrived at 6:25 p.m., and Nick Provenzano arrived at 6:37 p.m. Virginia Peschke was absent. Also in attendance: Peter Austin, County Administrator; John Labaj, Deputy County Administrator; Ralph Sarbaugh, Associate County Administrator-Finance; Adam Lehmann, Assistant to the County Administrator; Jamie Rein, State's Attorney's Office; staff; interested public and the press.

PUBLIC COMMENT: None

NEW BUSINESS:

*Current State of the County's Finances:* County Administrator Peter Austin and Associate County Administrator – Finance Ralph Sarbaugh presented the Current State of County Finances to those County Board members present. The Current State of the County's Finances Powerpoint presentation is attached.

Following the presentation by Peter Austin and Ralph Sarbaugh, County Board members inquired about the current level of the reserve, the impact of the County's property tax levy on the budget, and where discretionary funds could be prioritized to generate economic development.

ADJOURNMENT:

The meeting adjourned at 7:01 p.m. on a motion by Mr. Heisler, seconded by Ms. Wheeler. The motion carried with all members present voting aye on a voice vote.

Dated and approved by the McHenry County Board at Woodstock, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2011.

\_\_\_\_\_  
Kenneth D. Koehler, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
Katherine C. Schultz, County Clerk

:afj

## FY12 Budget Development



FY12 Budget Development

August 16, 2011

## Where are we now?

- Status of FY11 General Fund Budget as of 7/31/11

Revenues:	As of 7/31/11	% Budget
Tax Revenues	\$29,226,682	55.92%
Licenses & Permits	\$813,622	75.54%
Fines & Forfeitures	\$784,744	55.60%
Fees & Chgs/Services	\$6,335,117	49.17%
Intergovernmental	\$10,517,615	67.09%
Interest Income	\$70,763	49.45%
Other Income	\$100,471	81.79%
<b>Total</b>	<b>\$47,849,014</b>	<b>57.25%</b>

FY12 Budget Development

August 16, 2011

## Where are we now?

- Status of FY11 General Fund Budget as of 7/31/11

Expenditures	As of 7/31/11	% Budget
Personnel	\$32,780,801	64.43%
Contractual Services	\$11,941,062	60.88%
Commodities	\$2,264,853	62.51%
Capital Outlay	\$2,043,285	88.37%
Debt Service	\$482,624	82.28%
<b>Total</b>	<b>\$49,512,625</b>	<b>58.74%</b>

FY12 Budget Development

August 16, 2011

## Where are we now?

### Status of FY General Fund Budget as of 7/31/11

- YTD General Fund Revenues \$47,849,014
- YTD General Fund Expenditures \$49,512,625  
Gain / (Loss) (\$ 1,663,611)

*"50% of the property tax revenue (\$17,380,000) was outstanding on July 31, 2011".*

FY12 Budget Development

August 16, 2011

### FY 12 Budget development

- As of 8/16/11, 18 Departmental Budgets have been reviewed by their respective Liaison Committees
- 16 Departmental Budgets will be reviewed within the next week, completing all Liaison Committee Reviews
- Numerous requests surrounding personnel
- Court Revenues continue to be flat



FY12 Budget Development August 16, 2011

### Pressures on the budget

- Personnel Costs – *wages & benefits*
- Two new Judges
  - *New Facility?*
  - *Domestic Violence Court*
  - *Drug Court*
- Stormwater
  - *Staffing*
  - *Ordinance Revision*
- Information Technology
- Sheriff, State's Attorney – *staffing, vehicles*
- Other?

FY12 Budget Development August 16, 2011

52

### Initial Projections for FY12

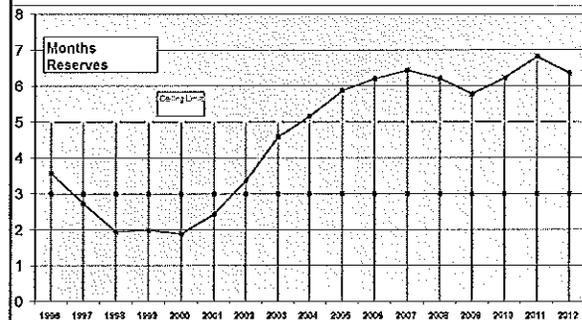
Projected Revenues vs. Projected Expenses

- Approximately \$1.8 million short
- Merit based wage increases have been built in
- *Too tight to accomplish much of what is requested*

FY12 Budget Development August 16, 2011

### Financial Strength Provides Options

+6.8 months in General Fund Reserve



### +7 Months in Reserve



- How did this happen?
  - Conservative revenue estimates
  - Strong management of expenses
  - The adoption and use of a Financial Model
  - Fiscal restraint on Long Term Capital Projects
  - Open communication and trust with Departments
  - Strong financial policies
  - Lessons learned from the past

F112 Budget Development August 16, 2011

### County Policy on Reserve

- When exceeding five months cash reserve, a plan presented by the Finance and Audit Committee and approved by the County Board will be implemented to allow for the spending down of the surplus above the 150 days.
- If the fund balance drops below the 100 day unrestricted fund balance, an action plan developed by the Finance and Audit Committee will be required to increase the fund balance to the 150 day level.

F112 Budget Development August 16, 2011

### Capital Budget

- With the five-year spending plan, the County has always demonstrated a return to the five-month reserve target.
- The Public Safety Center remains in the plan and on the spending horizon.

F112 Budget Development August 16, 2011

### Using the County's Strength

- Option #1: Use reserve to retire some debt
- Option #2: Use reserve to make annual debt payments
- Option #3: Use reserve to pay capital cost for new branch courtroom
- *other*

F112 Budget Development August 16, 2011

### Impact of the Options

- Option #1 (Courthouse Remodeling Debt) \$401,000
- Option #2 (annual debt payments) up to \$4.7 million
- Option #3 (Branch Court) \$500,000 to +\$5 million?

FY12 Budget Development

August 16, 2011

### The Property Tax Levy

- New Question – never been asked
- Local Governments are allowed 1.5% growth
  - Accommodates inflation
  - Has generally been offset with new growth

FY12 Budget Development

August 16, 2011

### Property Tax levy

- If the County does not take the growth allowed.....then approximately \$1.3M is not available to the County in the FY12 Budget
- If the County does not take the growth allowed, then the owner of a \$225,000 home will save about \$8.00

FY12 Budget Development

August 16, 2011

### Next Steps

- Complete Budget meetings
- Refine Budget estimates
- Review options further with Finance Committee
- Additional meetings with Elected Officials/Dept. Heads on supplementals
- Present Budget/Finance update to full Board at September evening meeting
- Offer Recommendations on supplementals
- Present Draft Budget in October

FY12 Budget Development

August 16, 2011

**PROCLAMATION  
TO RECOGNIZE KEVIN CHARLES FOR PUBLIC SERVICE WITH THE  
MCHENRY COUNTY DIVISION OF TRANSPORTATION AND THE  
UNITED STATES ARMY CORPS OF ENGINEERS**

**WHEREAS**, the freedom and security that citizens of the United States enjoy today are direct results of the continued vigilance given by the United States Armed Forces over the history of our great nation; and

**WHEREAS**, the sacrifices that such members of the United States Armed Forces and of the family members that support them have preserved the liberties that have enriched this nation making it unique in the world community; and

**WHEREAS**, Kevin Charles has been employed with the McHenry County Division of Transportation since May 15, 2006 as a Construction Engineer serving the citizens of McHenry County with dedication and an unwavering commitment to the highest level of civil engineering; and

**WHEREAS**, as a Captain in the United States Army his service has been exceptionally meritorious being awarded the Bronze Star Medal for his service in Afghanistan from June 16, 2009 through May 17, 2011 in support of Operation Enduring Freedom building projects valued over 210 million dollars; and

**WHEREAS**, Kevin Charles' dedication to public service in McHenry County and to the United States of America is exemplary.

**NOW, THEREFORE BE IT PROCLAIMED**, by this County Board of McHenry County, Illinois that we welcome home and recognize the public service Kevin Charles has provided to the citizens of McHenry County and the United States of America; and

**BE IT FURTHER PROCLAIMED**, that all service men and women and their families are honored for their dedication to the United States of America; and

**BE IT FURTHER PROCLAIMED**, that the County Clerk is hereby requested to distribute a certified copy of this Proclamation to Kevin Charles, the County Administrator, the Director of Transportation/County Engineer and that it be spread upon the records of the McHenry County Board.

**DATED** at Woodstock, Illinois, this 6<sup>th</sup> day of September, A.D., 2011.

\_\_\_\_\_  
KENNETH D. KOEHLER, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
KATHERINE C. SCHULTZ, County Clerk

## PROCLAMATION

### PROCLAIMING MONDAY, SEPTEMBER 26, 2011 AS FAMILY DAY

**WHEREAS**, the use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

**WHEREAS**, surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

**WHEREAS**, frequent family dining is associated with lower rates of teen smoking, drinking, illegal drug use and prescription drug abuse; and

**WHEREAS**, the correlation between family dinners and reduced risk for teen substance abuse are well documented; and

**WHEREAS**, parents who are engaged in their children's lives, through such activities as frequent family dinners, are less likely to have children who abuse substances; and

**WHEREAS**, family dinners have long constituted a substantial pillar of family life in America; and

**NOW THEREFORE BE IT PROCLAIMED**, by this County Board of McHenry County, Illinois, that Monday, September 26, 2011 is hereby proclaimed:

#### **FAMILY DAY – A DAY TO EAT DINNER WITH YOUR CHILDREN**

**BE IT FURTHER PROCLAIMED**, that all McHenry County citizens are urged to recognize and participate in the observance of **Family Day**; and

**BE IT FURTHER PROCLAIMED**, that this Proclamation be spread upon the records of this Board.

**DATED** at Woodstock, Illinois this 6th day of September, A.D., 2011.

---

KENNETH D. KOEHLER, CHAIRMAN  
MCHENRY COUNTY BOARD

ATTEST:

---

KATHERINE C. SCHULTZ  
COUNTY CLERK

KEITH NYGREN  
SHERIFF  
ANDREW ZINKE  
UNDERSHERIFF



2200 N. SEMINARY AVE.  
WOODSTOCK, IL 60098

NON-EMERGENCY  
815/338-2144

E-MAIL:  
sheriff@co.mchenry.il.us

**MEDIA RELEASE**  
**Sheriff's Office Wins Illinois Traffic Safety Challenge for 2010-2011**  
**August 26, 2011**

Sheriff Keith Nygren announced today that on August 24, 2011 the McHenry County Sheriff's Office was recognized at the annual Illinois Traffic Safety Challenge Awards Ceremony in Peoria, Illinois. The Sheriff's Office received two awards during this ceremony.

- 1<sup>st</sup> Place Sheriff's Office Agency (101-250 Deputies class)
- Rookie of the Year (First year entrants of all classes)

Award recipients receive trophies and prizes that will assist them with traffic safety education and enforcement in the future. The Sheriff's Office won a Traffic Crash Investigation package from Northwestern University Center for Traffic Safety.

Judges from around the state evaluate each applicant agency in six categories. Seatbelts, DUI, and speed enforcement are reviewed within these six categories.

Six Categories:

- Policy and Guidelines
- Training of Officers
- Incentive and Recognition
- Public Information and Education
- Enforcement Activity
- Effectiveness of Efforts

The Sheriff's Office's application was also submitted to the National Law Enforcement Challenge (NLEC) when it met all the appropriate criteria, including commercial vehicle safety. The Sheriff's Office will receive award recognition at the International Association of Chiefs of Police Conference on October 25, 2011 in Chicago, Illinois.

The Sheriff's Office has worked to reduce all traffic crashes occurring in the jurisdiction of the Sheriff's Office (2008-1923, 2009-1773, 2010-1436) and the total fatality rate in traffic crashes (2006- 23, 2007- 16, 2008-13, 2009- 5, 2010-7). The Traffic Unit, which was established in 2006, has assisted in the efforts of reducing these numbers. The Traffic Unit works with the community in identifying areas of traffic safety concerns and works to minimize the problem through enforcement, education, and engineering.

Sheriff Nygren attributes this award to the hard work and diligent efforts of the all the deputies of the Sheriff's Office. Illinois Department of Transportation Division of Traffic Safety has also assisted the Sheriff's Office efforts through providing grant funding in occupant protection, speed, impaired driving, and child passenger safety. All these efforts have one goal: making the streets of McHenry County a safer place to travel.

  
Keith Nygren, Sheriff

Media note: Additional information on the Illinois Traffic Safety Challenge can be obtained at <http://www.humanspan.com/uploads/archives/4341/WebPage07.htm> or by calling Chief Steven Casstevens at the Cary Police Department (847)639-2341.



**Award Recipients**

**Illinois Traffic Safety Challenge**

Special Award Winners

Commercial Vehicle Safety Award

Addison Police

Railroad Crossing Safety Award

Wheeling Police

Teen Driving Award

Tazewell County

Pedestrian/Bicycle Safety Award

Western Springs Police

Impaired Driving Award

Wheeling Police

Speed Awareness Award

No Winner

Rookie of the Year Award

McHenry County



## APPOINTMENTS

TUESDAY, SEPTEMBER 6, 2011

\* \* \* \* \*  
APPOINTMENT BY COUNTY BOARD CHAIRMAN  
\* \* \* \* \*

**BE IT RESOLVED**, BY THE McHENRY COUNTY BOARD THAT THE FOLLOWING APPOINTMENTS BE AND ARE HEREBY ADOPTED:

	<u>Expiration Date</u>
12.1 <u>McHENRY COUNTY PUBLIC BUILDING COMMISSION</u> Steven L. Finzel	09/01/2016

**DATED** AT WOODSTOCK, ILLINOIS, THIS 6TH DAY OF SEPTEMBER, A.D., 2011.

\_\_\_\_\_  
Kenneth D. Koehler, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
Katherine C. Schultz, County Clerk

**RESOLUTION**

**AUTHORIZING A BUDGET LINE ITEM TRANSFER OF \$16,000.00 IN THE SHERIFF'S FISCAL YEAR 2011 BUDGET FOR A CAPITAL EXPENDITURE**

**WHEREAS**, the McHenry County Sheriff has identified a need to improve security at one of the back entrances to the Government Center where certain employees and the general public on occasion may be able to enter the building without going through a security checkpoint; and

**WHEREAS**, the Sheriff has identified a means to secure proper entrance to what is known as the "Proximity Entrance", which is an unstaffed entrance, by installing a turnstile at the entrance; and

**WHEREAS**, with the installation of a turnstile, individuals will be required to enter the building one person at a time, which will ensure each person entering will have to use their proximity security card to gain access to the main building while also registering into the security system of the building; and

**WHEREAS**, the cost to improve this security weak point by purchasing and installing a turnstile for this unguarded entrance is \$16,000.00; and

**WHEREAS**, the Sheriff has existing funds within his FY11 Security budget under miscellaneous commodities that can be transferred and used to cover the cost of said equipment and is now requesting that a budget line item transfer be approved to allow for the purchase and installation of a turnstile to improve the security of the Government Center.

**NOW THEREFORE BE IT RESOLVED**, by this County Board of McHenry County, Illinois that a budget line item transfer in the amount of \$16,000 from OCA 320020-5099 (Sheriff Security – Miscellaneous Commodities) to OCA 320020-6070 (Sheriff Security – Building Improvements) is hereby authorized for the purpose of installing a turnstile to improve the security at the Sheriff's entrance of the Government Center; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Sheriff; the Director of Facilities Management; the Director of Purchasing; the County Auditor; the Associate County Administrator - Finance and the County Administrator.

**DATED** at Woodstock, Illinois this 6th day of September, A.D., 2011.

---

Kenneth D. Koehler, Chairman  
McHenry County Board

ATTEST:

---

Katherine C. Schultz  
McHenry County Clerk

COVER MEMORANDUM

TO: Nick Provenzano, Chairman Law and Justice Committee  
Members: Sue Draffkorn, Bob Bless, John Jung Jr., Randy Donley,  
Jim Heisler, and Bob Nowak.

FROM: Angela Wood-Zuzevich, Business Manager  
Sheriff's Office

SUBJECT: Seeking approval to purchase a security turnstile and budget line item transfer within the Sheriff's Office budget from the 4000's to a Capital Expense.

---

**Board/Committee Action Requested:** The Sheriff's Office is seeking approval to transfer funds within its FY11 Budget from 320020-5099 (Security-Miscellaneous Commodities) to 320020-6030 (Security- Furniture & Fixtures) in the amount of \$16,000.00.

**Background and Discussion:** The Sheriff's Office security entrance is unstaffed. The potential for unauthorized and unscreened individuals to enter the Government Center at this entrance is cause for concern. A turnstile mechanism would limit entrance to the building to one person at a time and would thus ensure the usage of prox cards at this entrance.

**Impact on Human Resources:** None.

**Impact on Budget:** The capital expenditure for this project will come out of the MCSO existing FY11 budget.

**Impact on Capital Expenditures:** Seeking approval to make a capital expense out of the FY11 MCSO budget.

**Impact on Physical Space:** The Sheriff's Office security entrance to the Government Center will have a turn style added to the physical space.

**Impact on Other County Departments or Outside Agencies:** None.

**Attachments/Appendices:** None

**RESOLUTION  
AUTHORIZING WORKERS' COMPENSATION  
CLAIM SETTLEMENT NO. 10-3210-16**

**WHEREAS**, there is pending litigation against the County of McHenry in Claim Number 10-3210-16; and

**WHEREAS**, the Special Assistant State's Attorney entered into negotiations relative to possible settlement of said claim; and

**WHEREAS**, a settlement has been negotiated in the amount of \$12,042.43 and approved by the Human Resources Committee, the Management Services Committee, and the Finance and Audit Committee.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of the County of McHenry, Illinois, that the Deputy County Administrator, upon receipt of the executed release, is hereby authorized to direct the Third Party Administrator (Go Self Insured) to issue a check made payable to the claimant and the claimant's attorney in settlement of said claim; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Deputy County Administrator; the Associate County Administrator – Finance; and the County Administrator.

**DATED** at Woodstock, Illinois, this 6th day of September, A.D., 2011.

---

KENNETH D. KOEHLER, Chairman  
McHenry County Board

ATTEST:

---

KATHERINE C. SCHULTZ, County Clerk

COUNTY of McHENRY  
ADMINISTRATION/RISK MANAGEMENT  
2200 NORTH SEMINARY AVENUE  
WOODSTOCK, ILLINOIS 60098-2637

**WORKERS' COMPENSATION  
COMMITTEE SETTLEMENT REQUEST**

**Date of Injury:** 11/08/10      **County claim #:** 10-3210-16      Sheriff's Office

**Nature of Injury:** Employee was injured when he attempted to stop a jail door that he was walking through from closing for another officer walking in the opposite direction. Employee felt an immediate "pop" in his left shoulder and pain. The employee was initially treated at Centegra emergency department and diagnosed with AC separation of the left shoulder. MRI found a mild AC joint space widening with tear-superficial acromioclavicular ligament. Orthopedist assessment was left shoulder AC joint separation and rotator cuff tendinopathy. He prescribed physical therapy.

On 12/15/10 employee underwent an IME (independent medical evaluation). The IME MD diagnosis was left shoulder AC joint separation. He believed no surgery was indicated.

Employee was released to work full duty on 12/20/10 and reached MMI (maximum medical improvement as of 02/14/11.

**Surgery Date(s) and Type(s):** None

**Off Work:** None Modified Duty 11/09/10 to 12/19/10

**Temporary Total Disability:** \$0.00

**Total Expenses:** \$4,066.30

**Total Medical:** \$3,640.96

**Claim Total:** \$19,749.69 including settlement

**Settlement Amount:** \$12,042.43 (7.5% of an arm)

**Settlement recommended by Special Assistant State's Attorney William Elman**

Human Resources Committee: 08/23/11      Mgmt Services: 08/22/11      Finance & Audit Committees: 08/23/11

County Board: 09/06/11

**RESOLUTION**

**ACCEPTING THE IEPA SOLID WASTE ENFORCEMENT GRANT**

**WHEREAS**, the Illinois Environment Protection Agency (IEPA) has approved McHenry County's Solid Waste Enforcement grant application for the period of July 1, 2011 through June 30, 2012; and

**WHEREAS**, total solid waste enforcement program costs are budgeted at \$68,000.00 and the state grant covers sixty-one percent (61.21%) of total costs, or \$41,622.80; and

**WHEREAS**, said grant funds will assist in supporting the McHenry County Department of Health's solid waste inspection effort under a delegation agreement with the IEPA; and

**WHEREAS**, funds for said grant have been budgeted for FY12; and

**WHEREAS**, it is the recommendation of your Finance and Audit Committees to accept said grant.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of McHenry County, Illinois, that the Chairman of the Board is hereby authorized to execute a grant agreement and thereby accepting the IEPA Solid Waste Enforcement Grant (Grant Number R2-5) in a total amount of \$41,622.80 for the period of July 1, 2011 through June 30, 2012 (said agreement is attached herewith and made a part hereof); and

**BE IT FURTHER RESOLVED**, that the Administrator of McHenry County Department of Health is hereby authorized to accomplish the necessary program and financial management reporting for said grant during the period of said grant; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby authorized to gather the necessary original signatures on two sets of said grant agreement and to distribute a certified copy to the Auditor; the Associate County Administrator Finance; the Administrator of the McHenry County Department of Health and the McHenry County Administrator.

**DATED** at Woodstock, Illinois, this 6th day of September, A.D., 2011.

---

Kenneth D. Koehler, Chairman  
McHenry County Board

ATTEST:

---

Katherine C. Schultz, County Clerk

MUNICIPAL WASTE MANAGEMENT GRANT AGREEMENT  
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

---

<b>Part I</b>	<b>General Information</b>
---------------	----------------------------

---

1. Grant Type  
(X) Enforcement

2. Award Type  
(X) Initial      ( ) Continuation

3. Grant Amount:

a. State Share \$41,622.80 (61.21%)	b. Local Share \$26,377.20 (38.79%)
c. Total Cost \$68,000.00 (100%)	

4. Estimated Time Frame for Grant:

a. Beginning Date: July 1, 2011	b. Ending Date: June 30, 2012
---------------------------------	-------------------------------

5. Grantee/Unit of Local Government

a. Name/Address/Telephone McHenry County Board McHenry County Department of Health 2200 North Seminary Ave., Rt. 47N Woodstock, IL 60098-2637	b. Contact Person/Telephone Ms. Patricia M. Nomm 815-334-4585 ext. 4591 Fax: 815-334-4637
---	--

---

<b>Part II</b>	<b>Certification</b>
----------------	----------------------

---

1. AUTHORIZATION TO SIGN GRANT DOCUMENTS

Application provisions for Illinois Solid Waste Enforcement grants given for the purpose of investigating citizen complaints about illegal burning and dumping and conducting inspections at permitted pollution control facilities require that the grantee authorize a representative to sign the grant agreement forms, request for payment forms, and other supporting documents. Therefore, the McHenry County Board (grantee) certifies that authority to sign the necessary documents has been given to Patricia M. Nomm, Director of Environmental Health. (name and title of authorized representative)

\_\_\_\_\_ (Village Manager, President, or Head of Grantee Organization)      Date \_\_\_\_\_

Type or Print Name

Certified to be a true and accurate copy, passed and adopted on the above date.

\_\_\_\_\_ (SEAL)  
\_\_\_\_\_ (Clerk, Secretary)      Date \_\_\_\_\_

Type or Print Name

2. REVIEW OR AUDIT OF GRANTEE ACCOUNTS

If any federal or state agency has performed a review or audit of your accounts or records in connection with any other federal or state grant or contract within the past twelve months, please list and attach a copy of such document to this grant agreement.

a. Reviewing Agency \_\_\_\_\_ Date of Review or Audit \_\_\_\_\_

b. Reviewing Agency \_\_\_\_\_ Date of Review or Audit \_\_\_\_\_

c. Reviewing Agency \_\_\_\_\_ Date of Review or Audit \_\_\_\_\_

3. CERTIFICATION REGARDING GRANT LIMITATIONS AND AVAILABILITY OF LOCAL SHARE

The grantee certifies that the requirements for the municipal waste grant have been reviewed, and that the grantee has or will obtain the legal, institutional, managerial, financial and engineering capability to ensure completion of all investigation and inspection activities required to meet the grant provisions described in the attached grant application and fact sheet. The grantee also certifies that no law pertaining to fraud, bribery, graft, kickbacks, collusion, or conflict of interest has been violated or other unlawful or corrupt practice has taken place relating to or in connection with this solid waste grant award, or work to be funded by this grant award.

The grantee hereby certifies that the local portion of the grant amount, as detailed in the attached grant cost summary, is available for commitment to this project. All local funds must be in the form of cash or certification of local in-kind commitment from the applicant or other governmental agencies. In addition, the grantee hereby agrees to pay the local portion of the grant amount.

4. By accepting this award, the grantee hereby agrees to assume the entire risk, responsibility and liability for any and all loss or damage to property owned by the grantee, the Agency or third persons, any injury to or death of any persons (including employees of the grantee) caused by, arising out of, or occurring in connection with the execution of any work, contract or subcontract arising out of this grant award, and the grantee shall indemnify, save harmless and defend the State of Illinois and the Agency from all claims for any such loss, damage, injury or death whether caused by the negligence of the State of Illinois, the Agency, their agents or employees or otherwise consistent with the provisions of "An Act in relation to indemnity in certain contracts" (Ill. Rev. Stat. 1991, ch. 29, par. 61 et seq.) [740 ILCS 35/1 et seq.]. The grantee shall also require that any and all contractors or subcontractors engaged by the grantee shall agree in writing that they shall look solely to the grantee for performance of such contract or satisfaction of any and all claims arising thereunder.

5. ACCEPTANCE OF GRANT AWARD

I, the undersigned being duly authorized to take such action, as evidenced by the above certification (#1), do hereby accept this offer and agree to all terms and conditions, including the Special Conditions, General Conditions (35 Ill. Adm. Code Part 871), Certifications, and the terms specified in the letter of transmittal, attached hereto and included herein by reference and also agree that the grant funds awarded will be used solely for reimbursement of expenses associated with the purposes of the project described in the attached fact sheet and grant application and approved by the Illinois Environmental Protection Agency. Obligations of the State will cease immediately without penalty of further payment being required if in any fiscal year the Illinois General Assembly or federal funding source fails to appropriate or otherwise make available sufficient funds for this agreement. The grantee agrees to abide by the commitments and schedule set forth in the attached grant application, including the submittal of quarterly requests for payment and quarterly progress reports showing expenditures of the related grant funds.

This is to certify to the best of my knowledge and belief that the grant cost summary data are complete, current, and accurate, and that the financial management capability exists to fully and accurately account for the financial transactions under this award. I further certify that I understand that the grant award may be subject to downward renegotiation and/or recoupment where the above cost summary information has been determined, as a result of audit or review, not to have been complete, current and accurate as of the date below.

I hereby certify under oath that all information in this grant agreement is true and correct to the best of my knowledge, information and belief. In addition, I certify under oath that the funds shall be used only for the purposes described in the grant agreement and that the award of grant funds is conditioned upon such certification.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
Date

Part III	Grant Budget
----------	--------------

<u>Total Eligible Project Cost Category</u>	<u>Grant Costs</u>	<u>Maximum State Share - 61.21%</u>
1. Direct Labor Costs	\$56,815.00	\$34,776.46
2. Indirect Costs	\$ 673.00	\$ 411.94
3. Other Direct Costs	\$10,512.00	\$6,434.40
4. Subagreements	\$ 0.00	\$ 0.00
5. Total Project Cost	\$68,000.00	\$41,622.80

The complete grant cost summary outlining permissible expenditures in the broad categories of direct labor, indirect costs, other direct costs and subagreements is contained in the attached application, dated May 4, 2011. Requests for payment shall be submitted on a quarterly basis. The final request for payment will be submitted 30 days following the end of the quarter of the end of the grant year. Any other expenses occurred after that point will remain unpaid, and revert back to the Agency's funding source for use for other programs. All funds remaining at the end of the grant agreement or at the expiration of the period of time grant funds are available for expenditure or obligation by the grantee shall be returned to the State within 45 days, if applicable.

Part IV	Offer from the Illinois EPA
---------	-----------------------------

The Director of the Illinois Environmental Protection Agency, in accordance with the authority provided under the Illinois Environmental Protection Act, and in the appropriation by the General Assembly made pursuant therein, hereby offers to make a State of Illinois Grant to the applicant up to and not exceeding the above specified amount for the support of the efforts contained in the attached grant application, dated May 4, 2011.

This Grant Offer is subject to all applicable State and Federal statutory provisions, State regulations, 35 Ill. Adm. Code Parts 870 and 871, and the terms specified in the letter of transmittal, attached hereto and incorporated by reference. In addition, it is agreed that the Illinois Environmental Protection Agency, the Auditor General or the Attorney General has the right to inspect and audit any books, records or papers relating to the program, project or use for which grant funds were provided.

  
Signature

7/26/11  
Date

Lisa Bonnett  
Type or Print Name

Interim Director  
Title

**SEP 09 2011**

This offer must be accepted, if at all, by \_\_\_\_\_ (on or before 45 days after the IEPA Director's signature, as required in 35 Ill. Adm. Code 870.206(b)).

## RESOLUTION FOR BOARD ACTION

### COVER MEMORANDUM

**TO:** Virginia Peschke, Chairperson Public Health and Human Services Committee

**FROM:** Patrick McNulty, Public Health Administrator

**DATE:** August 15, 2011

**SUBJECT:** Resolution approving acceptance of a \$41,622.80 Grant from the IEPA for a Solid Waste Inspection Program.

**Board/Committee Action Requested:**

Committee/Board approval of a \$41,622.80 Grant from the IEPA

**Background**

The Health Department has had a Solid Waste Enforcement Delegation Agreement and Grant with the IEPA since 1987 (IEPA's oldest program). The Solid Waste Enforcement Delegation Agreement allows the Department to enforce IEPA requirements in McHenry County. The Department would normally respond to these solid waste issues under county ordinance even if we did not have the IEPA Solid Waste Enforcement Delegation Agreement and Grant.

**Discussion:**

The IEPA Solid Waste Grant is issued annually based on the state fiscal year and is renewed based upon satisfactory performance in previous years. Several counties who had this grant in the past were not funded because of IEPA cutbacks. The grant covers 61 percent of the program cost and is included in the 2011 and 2012 budget projections.

**Impact on Human Resources:** none

**Impact on Budget (Revenue, Expenses, Fringe Benefits):** none

**Impact on Capital Expenditures:** none

**Impact on Physical Space:** none

**Attachments/Appendices:**

Resolution and delegation agreement

cc: County Administrator

**R E S O L U T I O N**  
**AUTHORIZING ACCEPTANCE OF A MODIFICATION TO THE ILLINOIS  
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY GRANT #10-  
681002 AND AN ADJUSTMENT TO REDUCE THE APPROPRIATION IN THE  
WORKFORCE NETWORK FY 2011 BUDGET**

**WHEREAS**, the Illinois Dept. of Commerce and Economic Opportunity has approved a modification to the grant #10-681002 for the period of July 1, 2010 through June 30, 2011; and

**WHEREAS**, \$1,886 has been rescinded making the total funding costs budgeted at \$2,119,505 to be allocated among the various grant programs; and

**WHEREAS**, this \$1,886 has already been built into the FY 2011 budget approved by the McHenry County Board in November, 2010; and

**WHEREAS**, it is fitting and proper to provide the necessary authorizations to decrease said funding.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of McHenry County, Illinois that the Chairman of the Board is hereby authorized to accept the reduction modification from the Illinois Department of Commerce and Economic Opportunity in the total amount of (\$1,886); and

**BE IT FURTHER RESOLVED**, that an adjustment to reduce the appropriation to the McHenry County Workforce Network fiscal year 2011 budget is also hereby authorized in the amount of (\$1,886) to OCA 260002-4001 (WN - Contractual Services) which will be offset by a budget revenue line item reduction to OCA 260002-9405 (WN – Federal Gov't Grants); and

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network and the County Auditor shall reconcile Fund 90 for November 30, 2011 to assure that the correct fund carryovers are made as part of the annual County year-end process; and

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network, in coordination and consultation with the State's Attorney and the County Administrator, shall make timely recommendations to this County Board relative to those actions that will be necessary to appropriately adjust the administrative support expense commensurate with federal funding levels; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to the Director of Workforce Network; the Chairman of the Workforce Investment Board; the County Auditor; the Treasurer; the Associate County Administrator - Finance; and the County Administrator.

**DATED** at Woodstock, Illinois this 6th day of September, A.D., 2011.

\_\_\_\_\_  
KENNETH D. KOEHLER, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
KATHERINE C. SCHULTZ, County Clerk

## COVER MEMORANDUM

**TO:** Virginia Peschke  
**FROM:** Julie Courtney  
**DATE:** August 19, 2011  
**SUBJECT:** Resolution for Modification to Grant #10-681002 for the Workforce Network.

### **Board/Committee Action Requested:**

Request that the county board approve a resolution for McHenry County Workforce Network authorizing a modification to 10-681002 to decrease funding by \$1,886.

### **Background:**

The Workforce Network department is located in the McHenry County Workforce Center located at 500 Russel Court in Woodstock, IL. This department is funded by the Illinois Dept. of Commerce and Economic Opportunity and is designed to provide assistance in job training activities including job search skills, resume writing, and training through a certified service provider to gain or upgrade skills to help eligible individuals become more employable.

### **Discussion:**

We have been notified by the IL Dept. of Commerce & Economic Opportunity that as a result of a statewide rescission of PY 09 funds that our PY 10 funds will be decreased by \$1,886 making our total grant award now \$2,119,505.

### **Impact on Human Resources:**

None

### **Impact on Budget (Revenue, Expenses, Fringe Benefits):**

Our PY 2011 county budget will be decreased by \$1,886.

### **Impact on Capital Expenditures:**

None

### **Impact on Physical Space:**

None

**Impact on Other County Departments or Outside Agencies:**

None

**Conformity to Board Ordinances and Policies:**

NA

**Attachments/Appendices:**

None

**R E S O L U T I O N**  
**AUTHORIZING ACCEPTANCE OF A MODIFICATION TO THE ILLINOIS DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY GRANT #08-677002 AND AN ADJUSTMENT TO THE MCHENRY COUNTY WORKFORCE NETWORK FISCAL YEAR 2011 BUDGET**

**WHEREAS**, the McHenry County Workforce Investment Network has received funding for a Work Experience Opportunity grant for the period of April 1, 2011 through June 30, 2011 in the amount of \$42,223; and

**WHEREAS**, McHenry County Workforce Network was unable to spend the entire amount of the funding for the three month grant period; and

**WHEREAS**, a budget adjustment is now needed to decrease the amount of the grant by the amount of the unspent funds (\$22,825.69) in the Workforce Network fiscal year 2011 budget.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of McHenry County, Illinois that the Chairman of the Board is hereby authorized to return unexpended funding from the Illinois Department of Commerce and Economic Opportunity Grant #08-677002 in the amount of (\$22,825.69); and

**BE IT FURTHER RESOLVED**, by this County Board of McHenry County, Illinois that a budget adjustment in the amount of (\$22,825.69) to the McHenry County Workforce Network FY 2011 budget is hereby authorized as follows:

<b>REVENUE:</b>		
OCA 260002-9405	WN – Federal Gov’t Grants	(\$22,825.69)
<b>EXPENDITURES:</b>		
OCA 260002-3613	WN – Work Experience	(\$22,825.69)

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network and the County Auditor shall reconcile Fund 90 for November 30, 2011 to assure that the correct fund carryovers are made as part of the annual County year-end process; and

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network, in coordination and consultation with the State’s Attorney, and the County Administrator, shall make timely recommendations to this County Board relative to those actions that will be necessary to appropriately adjust the administrative support expense commensurate with federal funding levels; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to the Director of Workforce Network; the Chairman of the Workforce Investment Board; the County Auditor; the Treasurer; the Associate County Administrator - Finance; and the County Administrator.

**DATED** at Woodstock, Illinois this 6th day of September, A.D., 2011.

\_\_\_\_\_  
KENNETH D. KOEHLER, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
KATHERINE C. SCHULTZ, County Clerk

## COVER MEMORANDUM

**TO:** Virginia Peschke  
**FROM:** Julie Courtney  
**DATE:** August 19, 2011  
**SUBJECT:** Resolution for Modification to Grant #08-677002 for the Workforce Network Dept.

### **Board/Committee Action Requested:**

Request that the county board approve a resolution for McHenry County Workforce Network authorizing a modification to Grant #08-677002 to decrease the grant total from \$42,223 to \$19,397.31.

### **Background:**

The Workforce Network department is located in the McHenry County Workforce Center located at 500 Russel Court in Woodstock, IL. This department is funded by the Illinois Dept. of Commerce and Economic Opportunity and is designed to provide assistance in Workforce Network activities including job search skills, resume writing, and training through a certified service provider to gain or upgrade skills to help eligible individuals become more employable.

### **Discussion:**

We had been awarded a grant from DCEO for a youth summer employment program in the amount of \$42,223. We received these funds the middle of April and the grant was for a very short time period from 4/1/11-6/30/11. We were only able to spend \$19,397.31 of the grant and will need to decrease our grant amount by \$22,825.69.

### **Impact on Human Resources:**

No positions will be added or eliminated due to this change.

### **Impact on Budget (Revenue, Expenses, Fringe Benefits):**

The Workforce Network FY 2010 county budget will need to be decreased by \$22,825.69.

### **Impact on Capital Expenditures:**

None

**Impact on Physical Space:**

None

**Impact on Other County Departments or Outside Agencies:**

None

**Conformity to Board Ordinances and Policies:**

NA

**Attachments/Appendices:**

None

**R E S O L U T I O N**  
**AUTHORIZING ACCEPTANCE OF A MODIFICATION TO THE ILLINOIS DEPARTMENT OF  
COMMERCE AND ECONOMIC OPPORTUNITY GRANT #10-653002 AND AUTHORIZING AN  
EMERGENCY APPROPRIATION TO THE MCHENRY COUNTY WORKFORCE NETWORK  
FISCAL YEAR 2011 BUDGET**

**WHEREAS**, the IL Dept. of Commerce & Economic Opportunity has approved additional funding in the amount of \$65,724 for McHenry County Workforce Network to provide staff to serve the TGAAA workers and to extend the grant end date to June 30, 2012 ; and

**WHEREAS**, total program costs are budgeted at \$315,724; and

**WHEREAS**, said grant funds will be used to provide case management services to dislocated workers from Intermatic in Spring Grove, AllState in South Barrington, SKF Sealing in Elgin, Chrysler in Belvidere, Zebra Technologies in Vernon Hills, Wells Manufacturing Dura-Bar Division in Woodstock, and Wells Duro-Life in Algonquin.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of McHenry County, Illinois that the Chairman of the Board is hereby authorized to accept the additional funding of \$65,724 from the Illinois Department of Commerce and Economic Opportunity and provide assurances for the operation of this program; and

**BE IT FURTHER RESOLVED**, that an emergency appropriation to the McHenry County Workforce Network FY 2010-2011 budget is also hereby authorized, increasing revenue line item OCA 260002-9405 (WN-Federal Gov't Grants) in the amount of \$65,724 to be offset by budget line item entries to OCA 260002-3010(WN-Regular Salaries) in the amount of (\$54,224); and OCA 260002-3105 (WN-Social Security/Co. Share) in the amount of (\$5,000); and OCA 260002-3110 (WN-IMRF) in the amount of (\$6,500); and

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network and the County Auditor shall reconcile Fund 90 for November 30, 2011 to assure that the correct fund carryovers are made as part of the annual County year-end process; and

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network, in coordination and consultation with the State's Attorney, and the County Administrator, shall make timely recommendations to this County Board relative to those actions that will be necessary to appropriately adjust the administrative support expense commensurate with federal funding levels; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to the Director of Workforce Network; the Chairman of the Workforce Investment Board; the County Auditor; the Treasurer; the Associate County Administrator - Finance; and the County Administrator.

**DATED** at Woodstock, Illinois this 6th day of September, A.D., 2011.

---

KENNETH D. KOEHLER, Chairman  
McHenry County Board

ATTEST:

---

KATHERINE C. SCHULTZ  
County Clerk

## COVER MEMORANDUM

**TO:** Virginia Peschke  
**FROM:** Julie Courtney  
**DATE:** August 19, 2011  
**SUBJECT:** Resolution for a Modification to Grant #10-653002 for the Workforce Network Dept.

### **Board/Committee Action Requested:**

Request that the county board approve a resolution for McHenry County Workforce Network authorizing acceptance of a Modification to Grant #10-653002 adding in an additional \$65,724 and extending the grant end date to 6/30/12.

### **Background:**

The Workforce Network department is located in the McHenry County Workforce Center located at 500 Russel Court in Woodstock, IL. This department is funded by the Illinois Dept. of Commerce and Economic Opportunity and is designed to provide assistance in Workforce Network activities including job search skills, resume writing, and training through a certified service provider to gain or upgrade skills to help eligible individuals become more employable.

### **Discussion:**

We have been awarded an additional \$65,724. These funds will be used to provide case managers to work with the dislocated workers from Intermatic, Allstate, SKF Sealing, Chrysler, Zebra Technologies, Wells Manufacturing Dura-bar Division and Wells Duro-Life.

### **Impact on Human Resources:**

None.

### **Impact on Budget (Revenue, Expenses, Fringe Benefits):**

The Workforce Network FY 2011 county budget will need to be increased by \$65,724.

### **Impact on Capital Expenditures:**

None

**Impact on Physical Space:**

None

**Impact on Other County Departments or Outside Agencies:**

None

**Conformity to Board Ordinances and Policies:**

NA

**Attachments/Appendices:**

None

**RESOLUTION  
AUTHORIZING ACCEPTANCE OF A MODIFICATION TO THE ILLINOIS DEPARTMENT OF  
COMMERCE AND ECONOMIC OPPORTUNITY GRANT #09-662002 AND AN EMERGENCY  
APPROPRIATION TO THE MCHENRY COUNTY WORKFORCE NETWORK FISCAL YEAR 2011  
BUDGET**

**WHEREAS**, the McHenry County Workforce Investment Network has been notified and received additional funding for the Trade and Globalization Adjustment Assistance Act (TGAAA) for program year 2009-2011 (October 1, 2009 through September 30, 2011); and

**WHEREAS**, the additional funding received of \$112,342 (total awarded now is \$312,342) will be used to serve laid off workers from the following companies being added to the original grant: Temic Automotive in Northbrook, Precision Dormer in Crystal Lake, Wells Dura-Bar in Woodstock, Wells Duro-Life in Algonquin, Caps Visual in Chicago, Amdocs in Milwaukee, WI, Motorola in Schaumburg, Quad Graphics in Northbrook and Littelfuse in Chicago; and

**WHEREAS**, an emergency appropriation of \$112,342 to the Workforce Network fiscal year 2011 budget is now required to provide the necessary budget to allow for the expenditure of said additional funding as per the award contract.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of McHenry County, Illinois that the Chairman of the Board is hereby authorized to accept the additional funding of \$112,342 from the Illinois Department of Commerce and Economic Opportunity and provide assurances for the operation of this program; and

**BE IT FURTHER RESOLVED**, by this County Board of McHenry County, Illinois that an emergency appropriation in the amount of \$112,342 to the McHenry County Workforce Network FY 2011 budget is hereby authorized as follows:

<b>REVENUE:</b>		
OCA 260002-9405	WN – Federal Gov’t Grants	\$112,342
 <b>EXPENDITURES:</b>		
OCA 260002-3613	WN – Work Experience	\$105,342
OCA 260002-3105	WN – Social Security/CO. Share	\$7,000

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network and the County Auditor shall reconcile Fund 90 for November 30, 2011 to assure that the correct fund carryovers are made as part of the annual County year-end process; and

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network, in coordination and consultation with the State’s Attorney, and the County Administrator, shall make timely recommendations to this County Board relative to those actions that will be necessary to appropriately adjust the administrative support expense commensurate with federal funding levels; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to the Director of Workforce Network; the Chairman of the Workforce Investment Board; the County Auditor; the Treasurer; the Associate County Administrator - Finance; and the County Administrator.

**DATED** at Woodstock, Illinois this 6th day of September, A.D., 2011.

\_\_\_\_\_  
KENNETH D. KOEHLER, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
KATHERINE C. SCHULTZ, County Clerk

## COVER MEMORANDUM

**TO:** Virginia Peschke  
**FROM:** Julie Courtney  
**DATE:** August 19, 2011  
**SUBJECT:** Resolution for Modification to Grant #09-662002 for the Workforce Network Dept.

### **Board/Committee Action Requested:**

Request that the county board approve a resolution for McHenry County Workforce Network authorizing acceptance of a modification to Grant #09-662002 to add in an additional \$112,342 in funding and providing assurances for the operation of programs under the Trade and Globalization Adjustment Assistance Act (TGAAA).

### **Background:**

The Workforce Network department is located in the McHenry County Workforce Center located at 500 Russel Court in Woodstock, IL. This department is funded by the Illinois Dept. of Commerce and Economic Opportunity and is designed to provide assistance in Workforce Network activities including job search skills, resume writing, and training through a certified service provider to gain or upgrade skills to help eligible individuals become more employable.

### **Discussion:**

We have been awarded an additional \$112,342 for PY 09 (10/1/09-9/30/11) to be used for providing vocational training for TGAAA participants. This additional funding will be used to serve laid off workers from the following companies being added to this grant: Temic Automotive in Northbrook, Precision Dormer in Crystal Lake, Wells Dura-Bar in Woodstock, Wells Duro-Life in Algonquin, Caps Visual in Chicago, Amdocs in Milwaukee, WI, Motorola in Schaumburg, Quad Graphics in Northbrook and Littelfuse in Chicago. These funds were not included in the PY 11 county budget for the Workforce Network Dept. and need to be added in. We will be adding these funds into the personnel line items because two additional TGAAA staff were added to serve these customers after the PY 2011 county budget was prepared in July of 2010 and we were understated in those line items and we were also understated in our Work Experience line item. There are sufficient funds in Vocational Training to serve the Trade and WIA customers for the remainder of the fiscal year.

### **Impact on Human Resources:**

No positions will be added due to these additional grant funds.

**Impact on Budget (Revenue, Expenses, Fringe Benefits):**

\$112,342 will be added into the PY 11 County Budget for the Workforce Network Dept.

**Impact on Capital Expenditures:**

None

**Impact on Physical Space:**

None

**Impact on Other County Departments or Outside Agencies:**

None

**Conformity to Board Ordinances and Policies:**

NA

**Attachments/Appendices:**

None

**RESOLUTION**  
**AUTHORIZING ACCEPTANCE OF THE ILLINOIS DEPARTMENT OF COMMERCE AND**  
**ECONOMIC OPPORTUNITY GRANT #10-672002**

**WHEREAS**, the Illinois Department of Commerce & Economic Opportunity has awarded McHenry Workforce Network incentive funds for the period of June 1, 2011 through June 30, 2013; and

**WHEREAS**, said grant funds will be used to provide contractual services; and

**WHEREAS**, total costs for this program are budgeted at \$8,461.00.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of McHenry County, Illinois that the Chairman of the Board is hereby authorized to execute a grant agreement thereby accepting the Illinois Department of Commerce and Economic Opportunity grant in a total amount of \$8,461.00 for the period of June 1, 2011 through June 30, 2013; and

**BE IT FURTHER RESOLVED**, these funds have been included in the revenue and budget in the FY 2012 budget to be approved by the McHenry County Board in November 2011; and

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network and the County Auditor shall reconcile Fund 90 for November 30, 2012 to assure that the correct fund carryovers are made as part of the annual County year-end process; and

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network, in coordination and consultation with the State's Attorney, and the County Administrator, shall make timely recommendations to this County Board relative to those actions that will be necessary to appropriately adjust the administrative support expense commensurate with federal funding levels; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to the Director of Workforce Network; the Chairman of the Workforce Investment Board; the County Auditor; the Treasurer; the Associate County Administrator - Finance; and the County Administrator.

**DATED** at Woodstock, Illinois, this 6th day of September, A.D., 2011.

\_\_\_\_\_  
KENNETH D. KOEHLER, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
KATHERINE C. SCHULTZ, County Clerk

## COVER MEMORANDUM

**TO:** Virginia Peschke  
**FROM:** Julie Courtney  
**DATE:** August 19, 2011  
**SUBJECT:** Resolution for Grant #10-672002 for the Workforce Network Dept.

### **Board/Committee Action Requested:**

Request that the county board approve a resolution for McHenry County Workforce Network authorizing acceptance of a grant in the amount \$8,461.00.

### **Background:**

The Workforce Network department is located in the McHenry County Workforce Center located at 500 Russel Court in Woodstock, IL. This department is funded by the Illinois Dept. of Commerce and Economic Opportunity and is designed to provide assistance in job search activities including job search skills, resume writing, and training through a certified service provider to gain or upgrade skills to help eligible individuals become more employable.

### **Discussion:**

We have been awarded a grant in the amount of \$8,461.00. This grant was awarded for Incentives earned for PY 09.

### **Impact on Human Resources:**

None

### **Impact on Budget (Revenue, Expenses, Fringe Benefits):**

These funds have been included in the Workforce Network FY 2012 county budget that will be approved by the McHenry County Board in November 2011.

### **Impact on Capital Expenditures:**

None

### **Impact on Physical Space:**

None

**Impact on Other County Departments or Outside Agencies:**

None

**Conformity to Board Ordinances and Policies:**

NA

**Attachments/Appendices:**

None

**R E S O L U T I O N**  
**AUTHORIZING ACCEPTANCE OF A MODIFICATION TO THE ILLINOIS  
DEPARTMENT OF COMMERCE AND ECONOMIC OPPORTUNITY GRANT #10-  
661002 AND AUTHORIZING AN EMERGENCY APPROPRIATION TO THE  
MCHENRY COUNTY WORKFORCE NETWORK FISCAL YEAR 2011 BUDGET**

**WHEREAS**, the Illinois Department of Commerce & Economic Opportunity has awarded additional funds to McHenry County Workforce Network in the amount of \$18,721 for the Trade Adjustment Assistance Program (TAA) and is extending the grant end date to September 30, 2012; and

**WHEREAS**, said grant funds will be used to provide staff to serve the TAA participants; and

**WHEREAS**, the additional total costs for this program are budgeted at \$18,721.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of McHenry County, Illinois that the Chairman of the Board is hereby authorized to accept the additional funding of \$18,721 from the Illinois Department of Commerce and Economic Opportunity; and

**BE IT FURTHER RESOLVED**, that an emergency appropriation to the McHenry County Workforce Network FY 2010-2011 budget is hereby authorized increasing revenue line item OCA 260002 -9405 (WN-Federal Gov't Grants) in the amount of \$18,721 to be offset by budget entries to OCA 260002-3010 (WN-Regular Salaries) in the amount of \$18,721; and

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network and the County Auditor shall reconcile Fund 90 for November 30, 2012 to assure that the correct fund carryovers are made as part of the annual County year-end process; and

**BE IT FURTHER RESOLVED**, that the Director of Workforce Network, in coordination and consultation with the State's Attorney, and the County Administrator, shall make timely recommendations to this County Board relative to those actions that will be necessary to appropriately adjust the administrative support expense commensurate with federal funding levels; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to the Director of Workforce Network; the Chairman of the Workforce Investment Board; the County Auditor; the Treasurer; the Associate County Administrator – Finance; and the County Administrator.

**DATED** at Woodstock, Illinois, this 6th day of September, A.D. 2011.

\_\_\_\_\_  
KENNETH KOEHLER, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
KATHERINE C. SCHULTZ, County Clerk

## **COVER MEMORANDUM**

**TO:** Virginia Peschke  
**FROM:** Julie Courtney  
**DATE:** August 19, 2011  
**SUBJECT:** Resolution to accept a Modification to Grant #10-661002 for the Workforce Network Dept.

### **Board/Committee Action Requested:**

Request that the county board approve a resolution for McHenry County Workforce Network authorizing acceptance of additional funding for Grant #10-661002 in the amount of \$18,721 and providing assurances for the operation of programs under the Trade Adjustment Assistance Act (TAA).

### **Background:**

The Workforce Network department is located in the McHenry County Workforce Center located at 500 Russel Court in Woodstock, IL. This department is funded by the Illinois Dept. of Commerce and Economic Opportunity and is designed to provide assistance in Workforce Network activities including job search skills, resume writing, and training through a certified service provider to gain or upgrade skills to help eligible individuals become more employable.

### **Discussion:**

We have been awarded an additional \$18,721.00 to be used for providing case managers to work with the dislocated workers from the Trade programs. The grant end date is being extended to 9/30/12.

### **Impact on Human Resources:**

No positions will be added due to these additional grant funds.

### **Impact on Budget (Revenue, Expenses, Fringe Benefits):**

\$18,721.00 will be added into the PY 11 County Budget for the Workforce Network Dept.

### **Impact on Capital Expenditures:**

None

**Impact on Physical Space:**

None

**Impact on Other County Departments or Outside Agencies:**

None

**Conformity to Board Ordinances and Policies:**

NA

**Attachments/Appendices:**

None

**RESOLUTION**  
**AUTHORIZING CONTRACTS WITH DIEBOLD SERVICES, BRICKMAN LANDSCAPING, BANC SOURCE AND CARMICHAEL CONSTRUCTION, INC. FOR THE WATERPROOFING OF THE TREASURER'S OFFICE BUILDING**

**WHEREAS**, In May 2009, McHenry County awarded a contract with KS&A and Doherty Construction for the renovation of the bank building located at 2100 North Seminary Avenue, Woodstock, Illinois; and

**WHEREAS**, during the renovation it was noted that the west foundation wall had an active foundation leak and the vacuum tube units that penetrated the drive-thru also leaked during rainstorms; and

**WHEREAS**, a waterproofing contractor was hired to seal the crack on the west foundation wall and accomplished that task, but during heavy rainstorms leaks migrated along other areas on the west foundation wall; and

**WHEREAS**, Facilities Management worked with the architect, KS&A, to develop a specification to waterproof the west foundation wall and waterproof the drive-thru of the building; and

**WHEREAS**, an RFP for waterproofing the foundation was sent out to 20 potential vendors with three vendors responding and Carmichael Construction, Inc. of Marengo, Illinois being selected as the lowest responsible bidder at a fee of \$93,800; and

**WHEREAS**, there is a need to enter into additional contracts for this project in the amount of \$3,712 with Diebold Services to remove and reinstall three vacuum tube stations; in the amount of \$2,850 with Banc Source to remove and reinstall the ATM machine; in the amount of \$2,100 with Brickman Landscaping to re-landscape the western edge of the building.

**NOW, THEREFORE BE IT RESOLVED**, by this County Board of McHenry County, Illinois that the Chairman of the Board is hereby authorized to enter into contracts with the above vendors in the total amount of \$102,462 for the purposes of fixing the water leakage problem in the Treasurer's Office; and

**BE IT FURTHER RESOLVED**, by this County Board of McHenry County, Illinois that the above costs of \$102,462 are hereby authorized to be paid from the fiscal year 2011 general fund contingency budget (900020-4570); and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to the Director of Purchasing; the Director of Facilities Management; the County Treasurer, the Deputy County Administrator; the County Auditor, the Associate County Administrator-Finance; and the County Administrator.

**DATED** at Woodstock, Illinois this 6th day of September, A.D., 2011.

\_\_\_\_\_  
KENNETH D. KOEHLER, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
KATHERINE C. SCHULTZ, County Clerk

**SUMMARY SHEET**  
**County of McHenry Purchasing**

Date: 8/11/2011 @ 2:00PM  
 Bid/RFP: Waterproofing Treasurer Bldg

	VENDOR	VENDOR	VENDOR	VENDOR	VENDOR	
<b>SPECIFICATIONS</b>	CARMICHAEL CONSTRUCTION MARENGO IL	KREMER DAVIS BATAVIA IL	WM TONYAN MCHENRY IL			
<b>ORIGINAL SIGNATURE</b>	YES	YES	YES			
Bond or Cashiers Check	BID BOND	<b>Withdrawn BID – Wrong Scope</b>	BID BOND	BID BOND		
Waterproofing and associated services to be performed at the McHenry County Treasurer Building	\$93,800.00		\$34,850.00	\$118,000.00	<b>COPY</b>	
Does your company have a formal safety policy and your employees participate in safety training?	YES	YES	YES			
Upon request, would you be able to provide the County with a copy of your safety policy?	YES	YES	YES			

Sent to 25 potential bidders  
 Submittals received from 3.

**UNOFFICIAL RESULTS**



**McHENRY COUNTY GOVERNMENT**  
**FACILITIES MANAGEMENT**  
**2200 North Seminary Avenue**  
**Woodstock, Illinois 60098**

Phone: 815/334-4016 Fax: 815/334-4623

**COVER MEMORANDUM**

TO: Ersel Schuster, Chairperson - Management Services Committee  
Scott Breeden, Chairperson - Finance and Audit Committee  
FROM: John Hadley, Director of Facilities Management  
DATE: August 22, 2011  
SUBJECT: Authorizing entering into a contract with waterproofing of the Treasurer's Building

**Board/Committee Action Requested:** Approve the expenditure of \$102,462 for the waterproofing of the Treasurer's Office Building at 2100 North Seminary Avenue, Woodstock, IL.

**Background:** McHenry County purchased and renovated the building in 2009 to relocate the Treasurer's Office. At the initial inspection and purchase, it was identified the building foundation had an active leak and the tube system had indications of previous leaks during heavy rainstorms. The foundation crack was repaired during renovation, but the wall continues to leak. Facilities Management worked with the architect to develop a waterproofing plan for both the top of the driveway and the west foundation wall. The Purchasing Department solicited a RFP for the waterproofing. Twenty bids were sent out and 3 companies submitted proposals. Carmichael Construction, Inc., Marengo was the lowest bidder for the waterproofing in the amount of \$93,800. In addition, \$3,712 needs to be awarded to Diebold for the removal and reinstallation of the three (3) vacuum tube units and \$2,850 to Banc Source for the removal and installation of the ATM. Finally, \$2,100 needs to be awarded to Brickman Landscaping for re-landscaping the western edge of the building. The total expenditure including waterproofing, tube system removal and landscaping is \$102,462. The project will be scheduled to begin on September 19, 2011 and completed no later than November 10, 2011.

**Impact on Human Resources:** None

**Impact on Budget (Revenue; Expenses; Fringe Benefits):** Requires an Emergency Appropriation to the fiscal year 2011 budget in order to expend said funds.

**Impact on Capital Expenditures:** None

**Impact on Physical Space:** None

**Impact on other County Departments or Outside Agencies:** N/A

**Conformity to Board Ordinances and Policies:** N/A

**RESOLUTION  
APPROVING AN ENGINEERING SERVICES AGREEMENT FOR  
TRAFFIC COUNTS AND APPROPRIATING FUNDS**

**WHEREAS**, McHenry County has determined that there is a need to complete traffic counts on the County Highway System as part of the bi-annual count program as part of the approved FY 2011 to 2015 Highway Improvement Program; and

**WHEREAS**, it will be necessary to obtain the services of a consulting engineering firm to perform said traffic counts; and

**WHEREAS**, the Transportation Committee has reviewed and recommends approval of the attached Engineering Services Agreement with Gewalt Hamilton Associates, Inc. of Vernon Hills, Illinois for a not to exceed amount of \$49,118.64 to provide said engineering services, said agreement attached hereto and hereby made a part hereof.

**NOW THEREFORE BE IT RESOLVED** by the County Board of McHenry County that the Engineering Services Agreement between McHenry County and Gewalt Hamilton Associates, Inc. is hereby approved in the not to exceed amount of \$49,118.64; and

**BE IT FURTHER RESOLVED**, that there is hereby appropriated the sum of forty-nine thousand one hundred eighteen dollars and sixty-four cents (\$49,118.64) from the Motor Fuel Tax Fund, OCA code 820110-4455 for said agreement; and

**BE IT FURTHER RESOLVED**, that this project is hereby designated as Section 11-00398-00-ES; and

**BE IT FURTHER RESOLVED**, that the Chairman is hereby authorized to execute said agreement; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby directed to transmit three certified copies to the Director of Transportation/County Engineer, two of which will be forwarded to the Illinois Department of Transportation through its regional engineer's office in Schaumburg, Illinois.

**DATED** at Woodstock, Illinois this 6<sup>th</sup> day of September A.D., 2011.

\_\_\_\_\_  
KENNETH D. KOEHLER, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
KATHERINE C. SCHULTZ, County Clerk

Municipality McHenry County Division of Transportation	<b>L O C A L  A G E N C Y</b>	 <b>Illinois Department of Transportation</b>  <b>Preliminary Engineering Services Agreement For Motor Fuel Tax Funds</b>	<b>C O N S U L T A N T</b>	Name Gewalt Hamilton Associates, Inc
Township				Address 850 Forest Edge Drive
County				City Vernon Hills
Section 11-00398-00-ES				State Illinois

THIS AGREEMENT is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2011 between the above Local Agency (LA) and Consultant (ENGINEER) and covers certain professional engineering services in connection with the improvement of the above SECTION. Motor Fuel Tax Funds, allotted to the LA by the State of Illinois under the general supervision of the State Department of Transportation, hereinafter called the "DEPARTMENT", will be used entirely or in part to finance ENGINEERING services as described under AGREEMENT PROVISIONS.

### Section Description

Name 2011 24-Hour ADT Traffic Counts

Route Various Length \_\_\_\_\_ Mi. \_\_\_\_\_ FT (Structure No. \_\_\_\_\_ )

Termini \_\_\_\_\_

Description:  
Services will consist of 24-Hour Traffic Count data collection at up to 215 locations on various McHenry County Highways and additional General Engineering Assistance if needed. A detailed scope is provided in Exhibit A.

### Agreement Provisions

#### The Engineer Agrees,

1. To perform or be responsible for the performance of the following engineering services for the LA, in connection with the proposed improvements herein before described, and checked below:
  - a.  Make such detailed surveys as are necessary for the preparation of detailed roadway plans
  - b.  Make stream and flood plain hydraulic surveys and gather high water data, and flood histories for the preparation of detailed bridge plans.
  - c.  Make or cause to be made such soil surveys or subsurface investigations including borings and soil profiles and analyses thereof as may be required to furnish sufficient data for the design of the proposed improvement. Such investigations are to be made in accordance with the current requirements of the DEPARTMENT.
  - d.  Make or cause to be made such traffic studies and counts and special intersection studies as may be required to furnish sufficient data for the design of the proposed improvement.
  - e.  Prepare Army Corps of Engineers Permit, Department of Natural Resources-Office of Water Resources Permit, Bridge waterway sketch, and/or Channel Change sketch, Utility plan and locations, and Railroad Crossing work agreements.
  - f.  Prepare Preliminary Bridge design and Hydraulic Report, (including economic analysis of bridge or culvert types) and high water effects on roadway overflows and bridge approaches.
  - g.  Make complete general and detailed plans, special provisions, proposals and estimates of cost and furnish the LA with five (5) copies of the plans, special provisions, proposals and estimates. Additional copies of any or all documents, if required, shall be furnished to the LA by the ENGINEER at his actual cost for reproduction.
  - h.  Furnish the LA with survey and drafts in quadruplicate of all necessary right-of-way dedications, construction easement and borrow pit and channel change agreements including prints of the corresponding plats and staking as required.

Note: Four copies to be submitted to the Regional Engineer

- i.  Assist the LA in the tabulation and interpretation of the contractors' proposals
  - j.  Prepare the necessary environmental documents in accordance with the procedures adopted by the DEPARTMENT's Bureau of Local Roads & Streets.
  - k.  Prepare the Project Development Report when required by the DEPARTMENT.
- (2) That all reports, plans, plats and special provisions to be furnished by the ENGINEER pursuant to the AGREEMENT, will be in accordance with current standard specifications and policies of the DEPARTMENT. It is being understood that all such reports, plats, plans and drafts shall, before being finally accepted, be subject to approval by the LA and the DEPARTMENT.
- (3) To attend conferences at any reasonable time when requested to do so by representatives of the LA or the Department.
- (4) In the event plans or surveys are found to be in error during construction of the SECTION and revisions of the plans or survey corrections are necessary, the ENGINEER agrees that he will perform such work without expense to the LA, even though final payment has been received by him. He shall give immediate attention to these changes so there will be a minimum delay to the Contractor.
- (5) That basic survey notes and sketches, charts, computations and other data prepared or obtained by the Engineer pursuant to this AGREEMENT will be made available, upon request, to the LA or the DEPARTMENT without cost and without restriction or limitations as to their use.
- (6) That all plans and other documents furnished by the ENGINEER pursuant to this AGREEMENT will be endorsed by him and will show his professional seal where such is required by law.

**The LA Agrees,**

1. To pay the ENGINEER as compensation for all services performed as stipulated in paragraphs 1a, 1g, 1i, 2, 3, 5 and 6 in accordance with one of the following methods indicated by a check mark:
- a.  A sum of money equal to     %     percent of the awarded contract cost of the proposed improvement as approved by the DEPARTMENT.
  - b.  A sum of money equal to the percent of the awarded contract cost for the proposed improvement as approved by the DEPARTMENT based on the following schedule: **SEE EXHIBIT B FOR PROJECT COST**

Schedule for Percentages Based on Awarded Contract Cost

Awarded Cost	Percentage Fees	(see note)
Under \$50,000	_____	%
	_____	%
	_____	%
	_____	%
	_____	%

Note: Not necessarily a percentage. Could use per diem, cost-plus or lump sum.

2. To pay for services stipulated in paragraphs 1b, 1c, 1d, 1e, 1f, 1h, 1j & 1k of the ENGINEER AGREES at actual cost of performing such work plus \_\_\_\_\_ percent to cover profit, overhead and readiness to serve - "actual cost" being defined as material cost plus payrolls, insurance, social security and retirement deductions. Traveling and other out-of-pocket expenses will be reimbursed to the ENGINEER at his actual cost. Subject to the approval of the LA, the ENGINEER may sublet all or part of the services provided under the paragraph 1b, 1c, 1d, 1e, 1f, 1h, 1j & 1k. If the ENGINEER sublets all or part of this work, the LA will pay the cost to the ENGINEER plus a five (5) percent service charge.

"Cost to Engineer" to be verified by furnishing the LA and the DEPARTMENT copies of invoices from the party doing the work. The classifications of the employees used in the work should be consistent with the employee classifications for the services performed. If the personnel of the firm, including the Principal Engineer, perform routine services that should normally be performed by lesser-salaried personnel, the wage rate billed for such services shall be commensurate with the work performed.

3. That payments due the ENGINEER for services rendered in accordance with this AGREEMENT will be made as soon as practicable after the services have been performed in accordance with the following schedule:
  - a. Upon completion of detailed plans, special provisions, proposals and estimate of cost - being the work required by paragraphs 1a through 1g under THE ENGINEER AGREES - to the satisfaction of the LA and their approval by the DEPARTMENT, 90 percent of the total fee due under this AGREEMENT based on the approved estimate of cost.
  - b. Upon award of the contract for the improvement by the LA and its approval by the DEPARTMENT, 100 percent of the total fee due under the AGREEMENT based on the awarded contract cost, less any amounts paid under "a" above.

By Mutual agreement, partial payments, not to exceed 90 percent of the amount earned, may be made from time to time as the work progresses.

4. That, should the improvement be abandoned at any time after the ENGINEER has performed any part of the services provided for in paragraphs 1a, through 1h and prior to the completion of such services, the LA shall reimburse the ENGINEER for his actual costs plus \_\_\_\_\_ percent incurred up to the time he is notified in writing of such abandonment -"actual cost" being defined as in paragraph 2 of THE LA AGREES.
5. That, should the LA require changes in any of the detailed plans, specifications or estimates except for those required pursuant to paragraph 4 of THE ENGINEER AGREES, after they have been approved by the DEPARTMENT, the LA will pay the ENGINEER for such changes on the basis of actual cost plus \_\_\_\_\_ percent to cover profit, overhead and readiness to serve -"actual cost" being defined as in paragraph 2 of THE LA AGREES. It is understood that "changes" as used in this paragraph shall in no way relieve the ENGINEER of his responsibility to prepare a complete and adequate set of plans and specifications.

---

---

**It is Mutually Agreed,**

1. That any difference between the ENGINEER and the LA concerning their interpretation of the provisions of this Agreement shall be referred to a committee of disinterested parties consisting of one member appointed by the ENGINEER, one member appointed by the LA and a third member appointed by the two other members for disposition and that the committee's decision shall be final.
2. This AGREEMENT may be terminated by the LA upon giving notice in writing to the ENGINEER at his last known post office address. Upon such termination, the ENGINEER shall cause to be delivered to the LA all surveys, permits, agreements, preliminary bridge design & hydraulic report, drawings, specifications, partial and completed estimates and data, if any from traffic studies and soil survey and subsurface investigations with the understanding that all such material becomes the property of the LA. The ENGINEER shall be paid for any services completed and any services partially completed in accordance with Section 4 of THE LA AGREES.
3. That if the contract for construction has not been awarded one year after the acceptance of the plans by the LA and their approval by the DEPARTMENT, the LA will pay the ENGINEER the balance of the engineering fee due to make 100 percent of the total fees due under this AGREEMENT, based on the estimate of cost as prepared by the ENGINEER and approved by the LA and the DEPARTMENT.
4. That the ENGINEER warrants that he/she has not employed or retained any company or person, other than a bona fide employee working solely for the ENGINEER, to solicit or secure this contract, and that he/she has not paid or agreed to pay any company or person, other than a bona fide employee working solely for the ENGINEER, any fee, commission, percentage, brokerage fee, gifts or any other consideration, contingent upon or resulting from the award or making of this contract. For Breach or violation of this warranty the LA shall have the right to annul this contract without liability.

IN WITNESS WHEREOF, the parties have caused the AGREEMENT to be executed in quadruplicate counterparts, each of which shall be considered as an original by their duly authorized officers.

Executed by the LA:

McHenry County \_\_\_\_\_ of the  
(Municipality/Township/County)

ATTEST:

State of Illinois, acting by and through its

By \_\_\_\_\_

\_\_\_\_\_

Clerk

By \_\_\_\_\_

(Seal)

Title \_\_\_\_\_

Executed by the ENGINEER:

Gewalt Hamilton Associates, Inc. \_\_\_\_\_

850 Forest Edge Drive \_\_\_\_\_

ATTEST:

Vernon Hills, IL 60061 \_\_\_\_\_

By \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

Bruce L. Shrake

Title \_\_\_\_\_

President

<b>Approved</b>
_____
Date
Department of Transportation
_____
Regional Engineer

## **EXHIBIT 1**

On Page 2 under the "The LA Agrees", Delete Paragraph 1 and replace it with the following:

1. To pay the ENGINEER within fifteen (15) days following LA's approval of ENGINEER's invoices as compensation for all services performed as stipulated in Paragraphs 1 g, 2, 3, 5 and 6, under "The LA Agrees", on a Cost Plus Fixed Fee basis according to the Schedule of Compensation contained in Exhibit B of the Agreement for the successful completion of the services. The total compensation shall not exceed \$49,118.64.
2. Remove paragraph 3 (on page 3) in its entirety.

On Page 3 under "It is Mutually Agreed"

1. Remove:  
Article 3, starting with the words "That if the contract for construction [...]"
2. Add:
  5. ENGINEER shall not commence performance of any services under this Agreement until the LA has issued a written Notice to Proceed.

## **Exhibit A**

### **Professional Engineering Services – Scope of Work 2011 24-Hour ADT Traffic Counts – Various County Highways Section # 11-00398-00-ES McHenry County, Illinois**

#### **Project Description**

*Gewalt Hamilton Associates, Inc.* (GHA) will provide engineering services in the form of traffic data collection consisting of 24-hour ADT counts at up to 215 locations on various County Highways as specified by McHenry County Division of Transportation (MCDOT).

#### **Scope of Services**

Gewalt Hamilton Associates, Inc. (GHA) will provide the following services:

##### **A. 24-Hour Traffic Data Collection**

GHA will collect 24-Hour traffic count data at up to 215 locations on various McHenry County Highways. Counts will only be conducted on a typical weekday (i.e. Tuesday, Wednesday or Thursday excluding any holidays) for a 24-hour period commencing at 12:00AM. Successive counts on the same roadway will be conducted on the same day as required by McHenry County Division of Transportation.

Data will be collected mechanically using the International Road Dynamics (IRD) MiniTRS tube counter / classifiers. Data will be collected in 60minute intervals and include vehicle volume, speed and class. Classification data will be in accordance with the default FHWA class system. Speed data will be collected using the TRS default speed settings of LO on roadways with posted speed limits of 40-mph and lower and HI on roadways with posted speed limits of 45-mph and above.

As a standard practice GHA will collect a GPS “waypoint” at the installation location of each MiniTRS counter. This location data will be stored along with the raw data for retrieval at a later date if necessary or desired by MCDOT.

##### **B. Data Summary**

All traffic count data will be downloaded from the MiniTRS counters using the *Road Reporter* software. GHA will provide MCDOT with the following:

- .PRN files (*Road Reporter* format) for each location
- PDF files of the *Road Reporter* summary files for each location, by direction
- Summary of 24-hour ADT data for each location in MCDOT provided *EXCELL* format.
- Shapefile containing GPS “waypoint” for each count location.

All summarized data will be provided to MCDOT on a CD ROM.

### C. General Engineering Assistance

At the request of Staff a forty (40) man-hour allowance to provide additional traffic analyses and potential further study of data collected that may be necessary has been provided.

### **Schedule**

It is our intention to begin work as soon as this agreement is completed. GHA will work closely with the MCDOT staff to keep them apprised of the schedule. It is anticipated that data collection will commence in the northeast quadrant of the County and proceed in a clockwise direction with the northwest quadrant of the County being the last area for data collection. GHA will notify the County each Friday of the anticipated schedule and location of traffic counts for the following week.

We anticipate a schedule of approximately 2 months. With a Notice to Proceed anticipated on September 7, 2011 we will be completed with our initial counts by November 15, 2011 or as weather permits. Due to ongoing bridge construction and associated closures / detours, data collection at approximately 30 locations will be delayed until the spring of 2012. Exact commencing and ending dates will be determined by weather and construction schedules and coordinated with MCDOT staff.



**Exhibit B - Project Costs**  
 2011 24-Hour ADT Traffic Counts  
 McHenry County Division of Transportation

**Cost Estimate of  
 Consultant Services  
 (CPFF)**

Firm	Gewalt Hamilton Associates, Inc.
Route	Various
Section	11-000398-00-ES
County	McHenry
Job No.	
PTB & Item	

Date	08/01/11
Overhead Rate	165.00%
Complexity Factor	0

Item	Manhours	Payroll	Overhead & Fringe Benefits	In-House Direct Costs	Fixed Fee	Outside Direct Costs	Services By Others	Total	% of Grand Total
3									
Coordination and Supervision	0.02	0.98	1.61		0.38			2.97	1.48%
Field Counts - Mechanical	2.57	34.54	56.99		13.27			104.80	52.11%
Count Compilation	0.45	10.74	17.71		4.13			32.58	16.20%
Data Management	0.45	16.19	26.71		6.22			49.11	24.42%
QA/QC	0.04	1.96	3.23		0.75			5.94	2.95%
Mileage			0.00	5.00	0.73			5.73	2.85%
General Engineering Assistance	40	48.43	79.91		18.61			146.95	
<b>Per Count Location Cost</b>	43.53	64.40	106.25	5.00	25.47	0.00	0.00	201.12	100.00%

Locations = 215 x per location \$201.12 = \$43,240.69 **Count Project Costs**  
 General Engineering Assistance = 40 hours @ 146.95 = \$5,877.95 **Engineering Assistance Allowance**  
**\$49,118.64 Total Project Cost**

**RESOLUTION**  
**APPROVING RIGHT-OF-WAY NEGOTIATION SERVICES AGREEMENT AND**  
**APPROPRIATING FUNDS FOR LAWRENCE ROAD BRIDGE PROJECT**

**WHEREAS**, McHenry County has determined that there is a need to replace a bridge structure on Lawrence Road over the Piscasaw Creek located in Chemung Township, as the existing bridge is structurally deficient and requires replacement as part of the approved FY 2011 to 2015 Highway Improvement Program; and

**WHEREAS**, McHenry County has conducted the necessary engineering and environmental studies to determine an alignment and right-of-way requirements for said new bridge structure; and

**WHEREAS**, the necessary plats, legal descriptions, and title commitments are being prepared; and

**WHEREAS**, in order to proceed with the acquisition process, appraisal and negotiation services will need to be provided; and

**WHEREAS**, the Transportation Committee has reviewed and recommends approval of the agreement with Mathewson Right of Way Company of Chicago, Illinois for appraisal and negotiation services in the not to exceed amount of \$20,000.00, said proposal attached hereto and made a part hereof.

**NOW THEREFORE BE IT RESOLVED**, by the County Board of McHenry County that the Right of Way Acquisition Services Agreement between McHenry County and Mathewson Right of Way Company is hereby approved in the not to exceed amount of \$20,000.00; and

**BE IT FURTHER RESOLVED**, that there is hereby appropriated the sum of twenty thousand dollars (\$20,000.00) from the Matching Fund, OCA code 820115-6090, for said agreement; and

**BE IT FURTHER RESOLVED**, that this project is hereby designated as Section 08-00355-00-BR; and

**BE IT FURTHER RESOLVED**, that the Chairman is hereby authorized to execute said agreement; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby directed to transmit a certified copy of this resolution to the Director of Transportation/County Engineer.

**DATED** at Woodstock, Illinois this 6<sup>th</sup> day of September, A.D., 2011.

\_\_\_\_\_  
KENNETH D. KOEHLER, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
KATHERINE C. SCHULTZ, County Clerk

## McHENRY COUNTY DIVISION OF TRANSPORTATION

### Proposal for Right of Way Acquisition Services

1. Proposal of MATHEWSON RIGHT OF WAY COMPANY whose address is 30 North LaSalle Street, Suite 1726, Chicago, Illinois 60602, hereinafter referred to as CONSULTANT for the furnishing to the County of McHenry, hereinafter referred to as COUNTY, certain right of way acquisition services for the acquisition of right of way for **Lawrence Road Bridge over Piscasaw** hereinafter referred to as PROJECT.
2. CONSULTANT shall provide consulting services described below in accordance with the Land Acquisition Policies and Procedures Manual, Exhibits and Visual Guide of the State of Illinois, Department of Transportation.
3. The PROJECT shall consist of the acquisition of four (4) parcels. Each parcel shall consist of one or more basic parcels of land required as right of way for highway purposes to be acquired in fee simple title, and such other easements (temporary or permanent) for uses incidental to construction of the highway but which are not considered as part of the highway right of way, all of which are under the same ownership involving a complete contiguous parcel.
4. CONSULTANT shall perform the following professional services as part of the PROJECT:
  - a. APPRAISAL: CONSULTANT shall prepare an appraisal or appraisal waiver for each parcel. Said appraisals shall be prepared by a General Licensed Illinois Appraiser approved by the Illinois Department of Transportation.
  - b. REVIEW APPRAISAL: CONSULTANT shall prepare a review appraisal for each parcel as required by IDOT policies and procedures. Said review appraisals shall be prepared by a General Licensed Illinois Appraiser approved by the Illinois Department of Transportation.
  - c. NEGOTIATION: CONSULTANT shall provide negotiation services for each parcel. The Negotiator providing said services shall be approved by the Illinois Department of Transportation.
5. CONSULTANT shall provide all transportation, food, lodging, telephone, or any other operating expenses incurred by CONSULTANT in the performance of said services as herein set forth, excepting for those services set forth in Paragraph 11.

6. The above described services shall be provided for the following fees:

For approximately four (4) parcels, the following fees shall apply:

a. Appraisal Services	\$2,600.00
b. Negotiations	\$2,400.00
Per Parcel Rate:	<u>\$5,000.00</u>

PROJECT Total: \$20,000.00

7. It is understood and agreed that the COUNTY shall be considered the sole owner of all plats, legal descriptions, ownership and occupancy records, forms of deeds and easements, title reports, and any and all other material furnished, prepared or obtained by the CONSULTANT during the course of providing its services for the parcel and shall be maintained in a separate parcel file for the parcel assigned. The CONSULTANT will provide a copy of the original file of the parcel during the course of the project to be housed at the Division of Transportation facility. The CONSULTANT will provide a timely update of all documents that pertain to the parcel during the course of the project. Upon completion of the project the original file will be delivered and housed at the Division of Transportation. Upon termination of this contract for any cause or upon completion of the acquisition of the parcel or upon request of COUNTY when acquisition is determined to be by Eminent Domain proceedings, the CONSULTANT'S parcel file shall be delivered to the COUNTY. CONSULTANT'S parcel files shall be available for inspection or review of its contents by COUNTY, Illinois Department of Transportation or Federal Highway Administration personnel at any time.
8. CONSULTANT shall make every reasonable effort to negotiate settlements for the acquisition of the parcel based on the approved appraisal amount or an amount approved by the authorized representative of the COUNTY and upon closing the acquisition obtain and furnish COUNTY with curative documents necessary to satisfy any and all title objections or unrecorded interests in said parcel, (excepting that COUNTY shall obtain all subordinations of utility easements) sufficient for approval of title by COUNTY and the COUNTY State's Attorney as required for COUNTY'S request of checks in payment for each acquired parcel.
9. Pursuant to Paragraph 3.05-9 of the Negotiations Chapter of the Land Acquisition Policies and Procedures Manual, no offers in excess of the approved appraisal amount shall be made by CONSULTANT without the prior written approval of the authorized representative of the COUNTY.
10. In the event CONSULTANT, after having made every reasonable effort to negotiate with the owner of the parcel, is unable to obtain a settlement on the approved appraisal amount, CONSULTANT shall prepare and submit a written report summarizing the progress of negotiations to date together with a copy of the Consultant's Record Form

completed to date with the names and addresses of all interested parties. CONSULTANT'S written report shall also include his recommendations for further procedure toward acquiring the parcel. The COUNTY may elect to prepare and forward a Final Offer Letter (with copy to CONSULTANT) to the owner of the parcel and thereafter proceed with preparation of condemnation procedures. In any case, said COUNTY reserves the right to require CONSULTANT to make additional negotiation contacts with the parcel owner up until the actual date of filing a petition to condemn the parcel.

11. It is understood that appearances in court and pretrial conferences may be required in relation to the appraisal, negotiations, and relocation services called for herein and it is agreed that such appearance or appearances shall be made upon request of the COUNTY or its trial counsel.

In event of such services being requested, they will be provided as follows:

- (a) Rate each half day or fraction thereof for time spent in pretrial conferences \$1,000.00.
  - (b) Rate each half day or fraction thereof for time spent in court \$1,000.00.
12. CONSULTANT will not furnish a copy of any appraisal or the findings or results contained therein to any other person or agency unless authorized by the COUNTY or upon court order.
13. Invoices for right of way acquisition services will be submitted for payment through the COUNTY accepting this proposal and will show the route, construction section, county, job number, project number, and parcel number or numbers. Invoices for services in connection with pretrial conferences and court testimony will show the items listed above and in addition, will include a statement of the nature of services performed and amount of time thereon.
14. CONSULTANT warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for it, to solicit or secure this contract, and that it has not paid or agreed to pay any company or person, other than a bona fide employee working solely for it, any fee, commission, percentage, brokerage fee, gift, or any other consideration, contingent upon or resulting from the award or making of the contract. For breach or violation of this warranty, the COUNTY shall have the right to annul this contract without liability.
15. CONSULTANT hereby certifies that if any conflict of interest arises, in any of the parcels subsequently assigned to it, it will immediately, within 5 business days of receipt, inform the COUNTY accepting this proposal and return all material furnished to him for reassignment to others.

16. Any dispute concerning a question of fact arising under this proposal shall be decided by the COUNTY accepting this proposal and such decision shall be final and conclusive.
17. Changes in the work to be performed under this proposal may be made at any time in writing by the COUNTY. If such changes justify an increase or decrease in the per parcel rate set forth herein, an equitable adjustment shall be made and this contract shall be modified accordingly. Any changes in the work performed which results in an increase in the per parcel rate as set forth in this agreement, shall be approved by the COUNTY in writing prior to commencement of that work. Additional work completed without written approval of the COUNTY will not be compensated. Documentation which is considered inadequate will be augmented and errors will be corrected upon request without additional cost.
18. The COUNTY may terminate this proposal at any time and for any cause by a notice in writing to CONSULTANT. In the event of such termination, payment will be made to CONSULTANT for the services which have been completed. Parcel negotiations in the process of completion shall be compensated for on an equitable basis and all incomplete parcel data collected in connection with them shall be turned over and become the property of the COUNTY; provided, however, this proposal be terminated solely because the progress or quality of work is unsatisfactory as determined by the COUNTY accepting this proposal, then no payment will be made or demanded by CONSULTANT for any negotiation services which have not been completed and delivered to the COUNTY prior to the date of said termination.
19. CONSULTANT will indemnify and hold harmless the COUNTY from all claims and liability due to activities of himself, his agents, and his employees and will comply with all Federal, State, and local laws and ordinances.
20. CONSULTANT agrees that this contract or any part thereof will not be sublet or transferred without the written consent of the COUNTY accepting this proposal.
21. In the event this proposal is accepted, it shall constitute a contract as of the date it is approved by the COUNTY and shall be binding on CONSULTANT, his executors, administrators, successors or assigns, as may be applicable.
22. CONSULTANT is hereby notified that the COUNTY, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252) and the Department of Transportation, Title 49, Code of Federal Regulations, Part 21, issued pursuant to such Act, will affirmatively insure that any contract entered into pursuant to this proposal will be awarded without discrimination on the grounds of race, color, or national origin.
23. CONSULTANT will provide COUNTY with a status report outlining the progress of negotiations on an approximately monthly schedule. CONSULTANT will be available for a monthly status meeting with representatives of the COUNTY.

24. CONSULTANT warrants and represents that it is fully qualified to provide the services hereunder provided for in this Agreement.
25. It is agreed by the parties hereunder that at all times and for all purposes, the CONSULTANT is an independent contractor, and no employee of the CONSULTANT is an employee of the COUNTY. No statement contained in this agreement shall be construed so as to find the CONSULTANT or any of its employees to be an employee of the COUNTY. CONSULTANT and its employees shall not be entitled to any of the rights, privileges or benefits of COUNTY employees, except as otherwise stated herein.
26. CONSULTANT shall obtain Commercial General Liability in a broad form, to include but not be limited to, coverage for the following where exposure exists:  
Bodily Injury and Property Damage, Premises/Operations, Independent Contractors, Products/Completed Operations, Personal Injury, Professional Liability and Contractual Liability; limits of liability not less than: \$1,000,000.00 per occurrence and \$2,000,000.00 in the aggregate. Business Auto Liability to include, but not be limited to, coverage for the following where exposure exists:  
Owned Vehicles, Hired and Non-Owned Vehicles and Employee Non-Ownership; limits of liability not less than: \$1,000,000.00 per occurrence, combined single limit for Bodily Injury and Property Damage Liability. Workers' Compensation Insurance will cover all employees that meet statutory limit in compliance with applicable state and federal laws. The coverage must also include employer's liability with minimum limits of \$100,000.00 for each incident.

The COUNTY shall be provided with Certificates of Insurance evidencing the above required insurance prior to the commencement of the Services and thereafter with the certificates evidencing renewals or changes to said policies of insurance at least fifteen (15) days prior to the expiration or cancellation of any such policies. McHenry County shall be named as additional insured on all liability policies, and Mathewson Right of Way Company acknowledges that any insurance maintained by the County shall apply in excess of, and not contribute to, insurance provided by Mathewson Right of Way Company. The contractual liability arising out of the contract shall be acknowledged on the Certificate of Insurance by the insurance company.

The County shall be provided with thirty (30) day prior notice, in writing, of Notice of Cancellation or material change and said notification requirements shall be stated on the Certificate of Insurance.

Insurance Notices shall be provided to:

McHenry County Insurance Department  
2200 N. Seminary Avenue, B160  
Woodstock, Illinois 60098

The parties agree that any dispute, action, claim, cause of action, breach of contract, or other remedy or relief sought pursuant to the provisions of this Agreement shall be controlled and decided by the laws of the State of Illinois. The parties further agree that the appropriate venue for such dispute shall be the Circuit Court for the 22<sup>nd</sup> Judicial Circuit, McHenry County, Illinois.

Submitted this 29th day of July, 2011.

MATHEWSON RIGHT OF WAY COMPANY

By:  \_\_\_\_\_

Accepted as of date of attached Resolution.

COUNTY OF McHENRY

By: \_\_\_\_\_

**RESOLUTION  
TO APPROVE ADOPT-A-HIGHWAY VOLUNTEER GROUP  
AGREEMENTS**

**WHEREAS**, in order to augment the McHenry County Division of Transportation’s litter collection efforts, McHenry County enacted the McHenry County Adopt-A-Highway Ordinance to allow for volunteer groups to adopt various sections of highways for the purpose of litter collection; and

**WHEREAS**, the Adopt-A-Highway Ordinance requires said volunteer groups to enter into an agreement with McHenry County defining the responsibilities of the volunteer group and the County; and

**WHEREAS**, the Transportation Committee recommends approval of the following group for inclusion in the Adopt-A-Highway Program:

<u>Group</u>	<u>Section of Roadway</u>
St. Mary’s Mens Club – Woodstock	Alden Road from Nelson Road to St. Patrick Road

**NOW THEREFORE BE IT RESOLVED**, by the County Board of McHenry County, Illinois, that the agreement between McHenry County and the above listed volunteer group is hereby approved; and

**BE IT FURTHER RESOLVED**, that the County Board Chairman is authorized to execute said agreement; and

**BE IT FURTHER RESOLVED**, that the County Clerk is hereby directed to transmit one certified copy of this resolution to the Director of Transportation/County Engineer.

**DATED** at Woodstock, Illinois, this 6<sup>th</sup> day of September, A.D., 2011.

\_\_\_\_\_  
KENNETH D. KOEHLER, Chairman  
McHenry County Board

ATTEST:

\_\_\_\_\_  
KATHERINE C. SCHULTZ, County Clerk



# EXHIBIT A

## ADOPTED SECTION OF COUNTY HIGHWAY

Section: 01-09  
Road Name: Alden Road  
From: Nelson Road  
To: St. Patrick Road

