

MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
SEPTEMBER 6, 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, September 6, 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. Miller gave the invocation/personal remarks.

ROLL CALL

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

MINUTES

Minutes of County Board Regular Session meetings of August 2nd & 16th, 2011 and COW meeting of August 16, 2011
Mr. Heisler made a motion seconded by Ms. Yensen to approve County Board minutes of August 2nd & 16th, 2011 and COW meeting of August 16th, 2011

Chairman Koehler asked if there were any changes/corrections to the minutes, there were none.

Chairman Koehler asked for a voice vote, the ayes having it, he declared the motion to approve County Board minutes of August 2nd & 16th, 2011 and COW meeting August 16th, 2011 has passed.

CHAIRMAN'S REMARKS

Chairman Koehler said many of us remember what we were doing when the news of 9/11 occurred. It has been a hard time for our country in many ways over the last ten years. Remember how important the flag and our country is to us and how in just a few seconds we can have such a tragedy take place on our sovereign soil. Take the time this weekend on the 11th to remember those who lost their lives and all those service men and women that are out there defending our country on behalf of all of us.

SPECIAL RECOGNITION/REPORTS

7.1 *Proclamation to recognize Kevin Charles for public service with the McHenry County DOT and the United States Army Corps of Engineers*

Ms. Miller made a motion seconded by Ms. Peschke to approve the above-named Proclamation.

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

Chairman Koehler asked Mr. Korpalski of the DOT to come forward to accept the award on behalf of Mr. Charles. Mr. Korpalski thanked the board on behalf of Mr. Charles saying he does shy away from the limelight but he has many accomplishments and recommendations to be proud of and he will be sure to give this recognition to him.

7.2 Proclamation proclaiming Monday, September 26, 2011 as Family Day

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

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

Ms. Peschke said this happens to be the same day as her birthday so this is a great excuse to get her six children and sixteen grandchildren to come and eat dinner with her!

7.3 Traffic Safety Challenge Award – McHenry County Sheriff's Department

Under Sheriff Zinke said that on August 24th, 2011 the McHenry County Sheriff's office was recognized and awarded first place at the annual IL Traffic Safety Challenge Ceremony in Peoria IL. One of the highlights is the reduction in traffic crashes and fatal crashes since 2006. In 2006, 23 fatality accidents were reported on McHenry County unincorporated roads and since then they have been dramatically reduced, noting in 2010 there were 7. The ultimate goal is zero but they are very proud of this accomplishment and what the officers and men and women of the department have accomplished. Under Sheriff Zinke said this recognition goes to the many hard working men and women who serve the Sheriff's office 24/7, their overall service and dedication to the safety for those who travel the roads of McHenry County and keep the Sheriff's office operating effectively is the real accomplishment. He asked those employees present to stand and be recognized. Lastly he said everyone might have heard about things going on around the Marengo area the last few weeks. He is pleased to announce that as of Friday afternoon their detectives had those people in custody who were responsible for several burglaries in that area. Working jointly they were able to apprehend burglars who were responsible for crimes in Ogle County, Boone County, DeKalb County and Winnebago County and they were apprehended in Rock County WI thanks to their efforts. Under Sheriff Zinke said our detectives went to Rockford and assisted in executing a search warrant and they found stolen property that completely filled a truck and a half.

Chairman Koehler thanked the Sheriff's Department on behalf of the County Board for the work that they do in keeping the citizens of McHenry County safe.

SPECIAL PRESENTATIONS

8.1 Drug Court Program – Dan Wallis and Scott Block

Mr. Wallis said they will be kicking off this program within the next couple of months. Mr. Wallis said he has been in the criminal justice system for 22 years with 13 of them being involved with specialty courts. When he first started he was an opponent to the Drug Court, he thought it was soft on crime and it didn't make sense. Now, he is a proponent because it now makes sense and they work. Mr. Wallis said 80% of offenders abuse substances; nearly 50% of the jail and prison inmates are clinically addicted; and almost 60% of individuals arrested test positive for illicit drugs at the time of their arrest or they are under the influence; 60% - 80% of the drug abusers commit a new crime after they are released from prison and 95% of those return to drug abuse after they are released from prison. It wouldn't seem that prison is the answer. Mr. Wallis said 1/100 people in the United States are incarcerated and 1/32 are on probation, parole or incarcerated. In the State of IL it's at a cost of \$1.2 billion dollars. He said the US is the third most populated country in the world following China as #1 and India #2 but the US is #1 in residents who are incarcerated per 100,000; China is 111/100,000 people, England is 139, Canada is 100, Australia is 100, Japan is 75, the United States is 737, way above everyone else. The US has 4.5% of the population of the world and we have 25% of the incarceration population in the world. Mr. Wallis said the Drug Court is a nontraditional approach to handling this problem and it's based on research and evidence. He said one of the caveats to this program is if you are a criminal offender who is addicted to drugs or alcohol you have to be in this program within 60 days of your first appearance with counsel. This means the offender has plead guilty and has been sentenced and if you're not you don't get in and this is because the evidence says if you can't get the offender at the time of the incident your outcome is diminished, Mr. Wallis would like to see the time frame down to 30 days. He said this program isn't for everybody and it's not an easy program. The drug program will bring together intensive treatment with intensive probation with intensive judicial oversight. The ideal participant for this program is the person that no one wants to deal with; it's easier to lock them up; it's the person who keeps taking resources and there is no return; it's the person that has been to prison or is in line to end up there. The Drug Court will have people who started using drugs at less than 14 years old or have been a criminal since the age of 16 or earlier, prior treatment probation failures, anti-social, history of crime in the family or history of addiction. Persons not ideal for the program are casual users or first time offenders and people who don't think they have a problem with drugs or alcohol. Mr. Wallis said Drug Courts are smart on crime and they work.

Scott Block, Special Courts Coordinator came forward. He said the Drug Court will be using drug counselors, intensive probation counselors, nurses, treatment providers as well as the usual people involved with the courts. What they seek to do is develop a program and work with individuals from a person centered approach where they get the personal treatment and the understanding of dealing with the issues that come as a result of the substance abuse. They will focus on treatment, accountability and community and judicial supervision. Mr. Block said people may ask why a Drug Court; when done correctly this type of program can reduce recidivism 30% - 40% and actually reduce the entire crime rate by up to 50%. He said we need to treat the disease not the symptoms of the disease which is the crime. Mr. Block said in 1999 the McHenry County Drug Taskforce was developed and at that time it was determined that the program was not needed but in 2009 McHenry County's Drug Court Taskforce reconvened and started to look at developing a program. In January of 2010 HB 3795 was signed into law which states that all judicial circuits must and shall have a Drug Court program. As of now, our Drug Court will be operational on December 1, 2011 and they hope to start a little early. He reiterated Mr. Wallis's remarks about the people they will have in the Drug Court program, namely felony offenders only and there will be 50 – 60 participants at a time in the program. Mr. Block said this being a post sentence program after pleading guilty, if the participant does not comply and fails the 12- 18 month program they move straight to sentencing. All participants must voluntarily come into the program and will know this up front. Mr. Block went on to say there are three phases: the first phase focuses on treatment; after that they will look at community integration such as volunteer work and employment trying to get them back into the positive parts of our community; and then finally the third phase will deal with continuing care, staying engaged in self-help groups, treatment process and continue moving forward with their lives. Mr. Block said they will look at helping veterans as well as getting referrals from family members, friends, police officers, public defenders and so on. The treatment providers in the program will include agencies that use evidence based practices such as the Mental Health Board, Family Services and Centegra. They will use intensive outpatient programs, partial hospitalization programs, dual diagnosis programs and whatever it takes for the individual to get their treatment needs met. Funding for the program will come from a five dollar fee that has been collected since May of 2010 from all guilty pleas filed and community supervision cases, as well as funds from the Mental Health Board to work with their Drug Court evaluator and counselor and Court Services and Court Administration are supplying some personnel. Mr. Block said they thank the County Board for supporting this program.

Chairman Koehler asked if there were any questions. Ms. Salgado asked if someone who graduated from the Drug Court be would be eligible for the Mental Health Court in the future or do they graduate from one or start the other? Mr. Block said there are many individuals they expect will have dual diagnosis, meaning both addiction and mental health needs, and fortunately Centegra and Family Service have programs that meet those clinical needs. The difference will be that the Drug Court is a post plea program and the Mental Health Court is a pre-plea program. By statutory language, if an individual is in a Drug Court one time that's it, they get one shot at that. If you are in a Mental Health Court you have to wait another three years before you can reapply. Instead of trying to flip flop people amongst the programs they will try to meet their clinical needs throughout the treatment providers and then base the community supervision needs through Court Services and the judicial monitoring. Ms. Salgado asked how many people they will start the program with in December. Mr. Block said they have a few already and expect spots to fill up quickly.

Ms. Peschke commented that she was involved with the Drug Court Taskforce ten years ago and they took a trip to Lafayette LA and through their program in two years they had diverted 165 people from prison. Many of those people thanked the people involved in the program and have gone on to live productive and happy lives.

Ms. Kurtz said she would like Mr. Block and Mr. Wallis to come back before the board after the Drug Court has been running for a year and show the board how this new approach is paying off. This would help support and grow the program. Mr. Block said that can and will be done as one of the key components that go into developing a Drug Court is continuous program evaluation and measurement of outcome. They will have an Integrated Management Information System set up where they will be able to record and give their outcomes at community presentations.

Ms. Schuster asked about incarceration not being the answer because they continue to get the drugs. She hoped that our jails were not allowing this to happen. Mr. Zinke responded that is happening in the state and federal prisons **not** in the McHenry County Jail.

Chairman Koehler and board members commended Mr. Wallis and Mr. Block for their presentation here today and wished them the best of luck as this Drug Court program gets up and running.

8.2 County Artwork – Tina Hill

Ms. Hill introduced artist Kurt Campbell who talked about the farmscape paintings being presented here today and how he got his inspiration for the paintings. Ms. Schuster thanked Mr. Campbell for depicting what McHenry County is about.

PLATS

None

PUBLIC COMMENT

Chairman Koehler explained the rules of Public Comment. The following person(s) spoke:

Mary McNamara of Palatine	for	Petition #10-37 CUP (food pantry)
Jodie Clow of McHenry	for	Petition #10-37 CUP (food pantry)
Jeff Clow of McHenry	for	Petition #10-37 CUP (food pantry)
Sandy Alberda or Lake Villa	for	Petition #10-37 CUP (food pantry)
Rev. Kent Lundstrum of Grayslake	for	Petition #10-37 CUP (food pantry)
Elizabeth Dobbartz of McHenry	for	Petition #10-37 CUP (food pantry)
Stanley Cotton of Woodstock	for	Petition #10-37 CUP (food pantry)
Happi Berger of Fox River Grove	for	Petition #10-37 CUP (food pantry)
Jim Kennedy of Lake in the Hills	regarding	Valley Hi Operating Board budget
Richard Liverette of McHenry	for	Petition #10-37 CUP (food pantry)

Noting no others wishing to speak, Chairman Koehler closed Public Comment.

NEW AND UNFINISHED BUSINESS

None

APPOINTMENTS

Ms. Schuster made a motion seconded by Ms. Peschke to approve the following Appointments:

McHenry County Public Building Commission	
Steven L. Finzel	term to expire 09/01/2016

Chairman Koehler asked for a roll call vote. The following members responded aye: Salgado, Schmidt, Schuster, Wheeler, Bless, Breeden, Donley, Donner, Draffkorn, Evertsen, Hammerand, Hill, Jung, McCann, Merkel, Miller, Munaretto, Peschke, Provenzano and Koehler. Absent: Yensen, Heisler, Kurtz and Nowak. The vote being twenty (20) ayes noting four (4) absent, the Chairman declared the above-named Appointment has passed.

STANDING COMMITTEE CHAIRMAN UPDATES

Mr. Hammerand said looking over the report that the Sheriff's office gave them, he noticed that the DUI arrests for 2008 were 467, for 2009 were 410 and for 2010 were 177. He complimented the Sheriff's office on their enforcement and also commented that the Liquor and License Committee during that period of time was very stringent in enforcing regulations and when they were brought forth citations they dealt with them fairly but strongly. Mr. Hammerand said continued enforcement of our regulations on Liquor & License is very important and that we continue to run stings with the Sheriff's office. He congratulated the past Liquor Commission for their stringent enforcement of the law.

Ms. Hill said they are finishing up the technical memorandum from Camiros on the zoning ordinance. There will be another meeting on October 6th to continue working on this and she encouraged all board members to attend. She said she will be scheduling special P&D meetings to have some education on the zoning ordinance and will let everyone know when the dates have been set.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Consent Agenda, there were none.

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

Noting no discussion, the Chairman asked for a roll call vote. The following members responded aye: Salgado, Schmidt, Schuster, Wheeler, Yensen, Bless, Breeden, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, Kurtz, McCann, Merkel, Miller, Munaretto, Peschke and Koehler. Absent: Nowak and Provenzano. The vote being twenty-two (22) ayes noting two (2) absent, the Chairman declared the motion to approve the Routine Consent Agenda has passed.

ORDINANCES

None

ADMINISTRATOR'S REPORT

Mr. Austin said as of last Friday they've finished all of their budget reviews with departments and committees. He and Mr. Sarbaugh would like to plan on addressing the full board on the evening of September 20th to give an idea on where we are on the development of the fiscal year 2012 budget.

Tomorrow there is a planned meeting of the chairman of each of the standing committees to talk about elected official compensation beyond 2012. He has received a spread sheet from the Human Resources Committee with comparables from neighboring counties so he will be sending that out to everyone this afternoon. The meeting will take place here in the Admin Building at 10 a.m. or immediately following the Transportation Committee meeting.

Ms. Kurtz asked if any of the other counties pay on a per meeting basis as opposed to a salary. Mr. Austin said there are 102 counties and he suspects most of them pay on a per diem basis. The salary route is used more in the larger counties. She asked if that would be noted in the spread sheet, Mr. Austin said no as the spread sheet looks at the larger counties.

Mr. Austin said Saturday will be the Valley Hi family picnic. He encouraged board members to attend to meet staff and mingle with residents and their families. There will be lunch and a petting zoo. Chairman Koehler commented that the food at Valley Hi is very good and he also encouraged people to attend.

Ms. Yensen commended Mr. Austin for participating in the run and supporting the Sunset Festival.

Ms. Salgado asked Mr. Austin to review the schedule for the budget namely when they will see the supplemental requests. Mr. Austin said they don't have that date yet. The entire budget needs to be put on 30-day review at the evening meeting in October. He has received a copy of the supplemental requests and has begun the process of going through them and seeing what the must haves are and what are the unavoidable. He thinks they will be ready to have a review of the supplementals towards the end of the month. Commonly they have presented these to the committee chairs and then they allow a couple of weeks to get a reaction and send them out to the full board at that point so you can see what is being recommended.

MEMBERS' COMMENTS

Ms. Yensen said there is going to be a ribbon cutting ceremony for a new fire station near Square Barn Road and Algonquin Road at 8:30 a.m. Sunday morning and she encouraged board members to attend. She thanked MCDOT and Transportation Committee members for providing the help needed to get this fire station built as there had to be some special signalization and right of ways for this project.

Secondly, Ms. Yensen said she read an article speaking about Sunshine Laws and things like that and said she has a concern about the coordination between MCCOG to the lobbyists that we hire and legislative priorities so that we understand what those priorities are. Ms. Yensen said she has never received any update about what the legislative priorities are.

Mr. Austin said this is on the agenda for the Legislative Committee meeting on Thursday and he's asked Adam to review the Metro Counties document and have some discussion with the Legislative Committee. He also talked briefly with Kevin Craver about this as well. Mr. Austin said there was not an active review of Metro County's legislation and he doesn't know that there was a number of FOIA related legislative pieces. He said Metro Counties operates by having a very clear set of legislative tenants i.e. is it going to protect county authority, county cost, county revenue stream; they have to operate that way and this county board has adopted a very similar set of legislative tenants. He's not sure yet about what legislation was referenced by that article on the 23rd but he will have that for the committee on Thursday. How those legislative pieces measured against the Metro Counties tenants answers the question as to why Metro Counties stood opposed to those. Mr. Austin said these were not legislative priorities of Metro Counties as they typically make two to four priorities in a spring session. Mr. Austin said there are hundreds of Bills that they take a stance of neutral, opposed or against and we've been sharing some of those with the Legislative Committee. Mr. Austin said apparently a local reporter got a copy of that and pieced it together, but there was no active work, no priority of Metro Counties.

Ms. Peschke said this morning we had a number of people speak on behalf of the pantry, a specific Petition. It disturbs her that should someone have an objection to that Petition they now have no right to speak before this body. She urged the board to adopt an agenda that allows people to speak at both meetings before zoning so that we have some equity with respect to our citizens.

Ms. Donner said yesterday was the kickoff for programs regarding 9/11. She asked people to watch what is being presented on the 9/11 attack and don't forget, it's still here.

Ms. McCann thanked Under Sheriff Zinke for coming to speak to the seniors at McDonald's on Friday morning. Everyone enjoyed his presentation and learned from it. Secondly, she said on the agenda today we passed a resolution for professional services for MCDOT again with a long term contractor. While we haven't talked about what the local government can do for the economy she suggested that we as a board support efforts to spread funding around to different professional services so that they keep up their skills and we keep those kinds of businesses around here in McHenry County.

Ms. Schuster thanked Ms. Donner and echoed her comments. Regarding the point Ms. Yensen was making in reference to the information, she said we need to be kept in the loop better with the various organizations we are involved in and the appointments that we make. She feels it is disconcerting to after the fact find out that we've basically condoned or accepted some position on either legislation or action that some group has taken that actually comes back on us. Ms. Schuster said when the Management Services Committee was working on the board rules they touched lightly on the subject of identifying these various committees and trying to come together with some format under which they, the individuals which we appoint, can be more interactive with us on these various committees and commissions so that we have a better understanding of what they are dealing with before they take positions. She said if there are any comments or input please contact her.

Mr. Hammerand said he attended the meeting that Mr. Ross hosted with township assessors and found it very informative. He believes the point was made that we think the assessed valuation should reflect the true market value of the properties in McHenry County.

Chairman Koehler said he will be out of town as his son is getting married this weekend. As for the Superintendent of Schools issue nothing really has happened. He and Mr. Austin have a meeting scheduled next week with the Regional Superintendent of Lake County. She has been very helpful in getting McHenry County through the opening of schools this season. He hopes that after the meeting they might come up with some idea of what is going to happen. Chairman Koehler said he feels the Governor has failed the children of IL and it is one thing to be concerned about a budget but it's another thing to have a plan in place to implement before you take and jeopardize the children of IL. The Chairman said nobody has called the Governor on it and it's too bad as there is no good solution to this. This is all legislatively driven through the school code and the Governor has violated the school code.

EXECUTIVE SESSION

None

ADJOURNMENT

Ms. Donner made a motion seconded by Ms. Yensen to adjourn at 10:45 a.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 20th day of September, A.D., 2011.

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

ATTEST:

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