

MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
SEPTEMBER 20, 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 20th, 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. Munaretto gave the invocation/personal remarks.

ROLL CALL

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

MINUTES

Mr. Heisler made a motion seconded by Ms. Yensen to approve County Board minutes of September 6, 2011.

Chairman Koehler asked if there were any changes or corrections. Mr. Hammerand asked to make a change to his comment on page 6. The change is noted and will be done.

Noting no further discussion, Chairman Koehler asked for a voice vote, the ayes having it, he declared County Board minutes of September 6th, 2011 have passed as corrected.

CHAIRMAN'S REMARKS

Chairman Koehler thanked everyone for their well wishes for his son's wedding, it turned out to be a beautiful day and the wedding was lovely.

Chairman Koehler said in regard to the Superintendent of Schools issue, the Governor prevailed in his court case and was not forced to provide funding for this position. With all of the candidates that the County has had they did not meet the qualifications to hold the position. The Chairman said at this point all of our schools have opened on time and Lake County will continue to help us where needed. He will keep the board posted on any new developments.

Mr. Donley asked if there were any updates on Metra. Chairman Koehler said at this time there is no update.

SPECIAL RECOGNITION/REPORTS

7.1 Certificate of completion as an Emergency Management Agency for the Village of Fox River Grove
Mr. Christiansen came forward along with representatives from Fox River Grove. Mr. Christiansen said one of the duties of the EMA is to certify local agencies in their emergency management programs. Fox River Grove is the first one he has had the honor of certifying. This entails them having an Operations Plan, exercising that plan and a number of other requirements which they have accomplished. Mr. Christiansen presented the Mayor and Police Chief with a plaque for their accomplishment and thanked them for their work. Chairman Koehler noted that this is the first one and he hopes that many other communities will follow suit.

SPECIAL PRESENTATIONS

8.1 FY 2012 Budget Development Update – Peter Austin and Ralph Sarbaugh

Mr. Austin said we are two months out from adopting the budget. He feels we are in pretty good shape having completed all of our meetings and noted we are still recognizing about a \$1.8 million dollar shortfall in our predicted revenues and expenditures. Mr. Austin said they have put money back into programs that they had to cut last year and have met commitments that they stepped away from last year in a handful of instances. As they have talked about they have made sure there is money in place for non-union employees to get a wage increase this year. Mr. Austin and Mr. Sarbaugh went over power point slides noting the things that had to be done i.e. court rooms for new judges and the Drug Court. They went on to talk about other items of note such as a Domestic Violence Court, Drug Court, Stormwater issues and the possible need to redo the Stormwater Ordinance; IT needs which are significant, and all the offices involved in criminal justice continue to have needs.

Mr. Sarbaugh said that at the last COW meeting on August 16th there was a lot of discussion around the reserve and fund balance. The reserve in governmental accounting is the difference between the assets and the liabilities. What is remaining is considered a fund balance and that fund balance is divided into two categories and in the near future with the new GASBY ruling it will be divided into many more categories. As of right now it's two: reserved fund balance which is where all of these dollars are committed already and then there is unreserved dollars which is the money that the County Board has the right to appropriate as it is not committed to any one program or function. Mr. Sarbaugh said the GFOA recommends that all government agencies have some kind of reserve, at least a minimum of two months. Back in 2002 the County Board made a policy that stated our organization would maintain a five month cash fund balance reserve. We know from past history that when we get down to three months the County Board had to issue tax anticipation warrants in order to pay its bills from March to June which cost our tax payers additional money and the knowledge that we can't run this organization with a three month reserve. Mr. Sarbaugh reminded the board that when we finished FY 2010 the General Fund unreserved fund balance was at 6.8 months. This is due to postponing projects so that we could provide services as normal and keeping ourselves from drawing down our fund balance. Mr. Sarbaugh said there have been many questions on how did the county fund balance grow for the general fund. He said it was due to the policies that the County Board has established over the last 10 years making sure that our future was going to be stable and we would have the money to operate and continue to provide services. Mr. Austin said the question now is, is it appropriate to use fund reserves and if so when. He said we don't want to tie this to an ongoing expense. It was suggested that a couple of annual debt payments be made from the fund reserve to bring down the fund reserve a little bit and we free up about \$1.8 million in our operating budget and have then balanced the budget at that point.

Mr. Sarbaugh said he and Cindy have put together all of the supplemental requests that have been submitted for the 2012 budget process. There is about \$13.695 million in new requests; for the General Fund there is \$11.469 million in requests. He and Mr. Austin are in the process of reviewing these requests and will meet with departments again and see what needs are urgent and must be met vs. something that would just be nice to have and utilize. Mr. Sarbaugh said they will call a meeting in the near future to go over all the supplemental with the County Board. Mr. Austin suggested that the chairs of the committees could meet after the County Board meeting on October 4th and whoever else would like to

stay for discussion. Mr. Austin said we won't be in a position to be able to fund a great deal of supplemental requests. There will be further discussion with the Finance Committee on the 27th.

Chairman Koehler asked if there were questions. Ms. Schuster asked what they anticipate setting the levy at. Mr. Austin said 1.5% higher than it is now, which is what we are allowed to do. In regard to the supplemental requests Ms. Schuster asked of these requests if they've gone over them to make sure that we don't have requests that should be legitimately expended (should be expenses of the current budget). Mr. Austin said when they create the supplemental list they err on the side of including it because that is a tool they show the County Board members of what the requests are. The supplemental list will be gone over carefully to see where needs can be met. Ms. Schuster said if we have a \$1.8 million dollar shortfall and we pull money out of the reserve to cover that aren't we actually taking money out of the cash reserves to run the county. Mr. Austin said if we were taking that money to commit them to expenses that are going to be ongoing then yes, but this is somewhat off the line. Ms. Schuster said payments on the debts are legitimate expenses of the obligations of the county so if you take payment from the cash reserve, next year you won't be able to do that. Mr. Sarbaugh said that you have to remember that when the County borrows money it is usually tied to a revenue stream. The revenues have been declining and those payments are not in any one departments operating budget. In the past when we were borrowing the funds we were showing steady increase in revenues and growing as an organization so the County Board never had to direct him to pull the money from a department's operating budget to cover the costs of those payments. We're now in a situation where the revenues and the new growth is stale with only a slight increase being seen but they aren't anywhere near where they were in 2006. Mr. Sarbaugh said these debt service payments, especially the last two, which were tied to general fund revenue streams, they're really now competing against the other departments operating budget and therefore the only way to really fund them if we don't look at the reserve is to say to departments that they have to come up with another \$1.8 million so they can make the payments on the last two debt issuances. He said when we were incurring the growth the budget was able to handle those payments with no issue. Ms. Schuster said she would prefer we took additional cuts in the county's expenditures rather than to be dipping into the cash reserves for these. She is concerned because this will be going on for future years as well.

Mr. Provenzano asked how much the 1.5% increase in the levy would equate to. Mr. Austin said about \$1.1 million dollars. Mr. Provenzano said then in essence we are really at \$2.9 million in shortfall if we don't increase the levy. He is also very concerned because it seems that everything is adding up to not being as fiscally conservative as prior County Boards have been in the past. If we're spending \$1.8 million out of the general fund to cover our budget he doesn't understand how this isn't ongoing expenses.

Ms. Salgado somewhat agrees. Somehow in a recession the county was able to grow their money to a 6.8 month reserve but there are needs to be addressed. She asked if there was a dollar amount we are looking at for the supplemental requests. Mr. Austin said right now they have no new dollars for supplemental. They hope to find some money to do a handful of things and there are some things that can't be avoided such as staff for the new judges. He believes they will come up with an amount in the six figure range. Mr. Austin said we are on a track to finish this year in the black so perhaps some of those dollars can be targeted to some of the supplemental needs. Ms. Salgado asked to confirm that there is a monitoring system in place for how many days we can be below or above the 5 month reserve. Mr. Sarbaugh said the policy says we are to keep at least a 150 day or 5 month fund balance. When it goes above the Finance & Audit Committee is supposed to address how that money will be spent down. If it should go below 4.5 months the Finance & Audit Committee needs to come up with a plan on how we will increase it back up to the 5 months. There is not a specific period in time stated when they have to do that. Ms. Salgado said if we remain at 6.8 months do we have to change our policy. Mr. Sarbaugh said if we were to stay true to our financial model we could start a new Public Safety building and bring it right down because those payments are built into the financial model, they've been moved to FY 2013,

when you start having those payments the fund reserve drops very steadily on its own. Ms. Salgado asked about paying on Valley Hi. Mr. Austin said that is separate from these numbers.

Ms. Donner asked how much the \$1.8 million equates to in how much the county spends in a month. Mr. Sarbaugh said right now it takes about \$7 million dollars a month to run the county so it's 1/7th of a month. Mr. Austin said we are still in a very strong position as an organization even if we use this. Ms. Donner pointed out it would only bring us down a very small amount.

Ms. Yensen said she is in agreement with Ms. Schuster and Mr. Provenzano about looking at our finances now and in the future. She asked for clarification on commitments of the past being paid if they are items such as the Convention & Visitors Bureau, Soil & Water, Cooperative Extension, EDC and IL Breast & Cervical Cancer program and are they being funded at the same level this funding cycle vs. what we have been funding them. Mr. Austin said when we made cuts last year we pulled 15% out of EDC and Convention & Visitors Bureau and we made proposed cuts to Soil & Water, Cooperative Extension and actual cuts to the Breast & Cervical Cancer program. He said what we have done, for discussion purposes, is to make whole all those groups and go back to where our contracts say we should be. Ms. Yensen said she believes that the EDC needs to be free standing and as a not-for-profit organization they need to start generating fundraising efforts to be free standing. She said if they would like to come forward and ask for request money she thinks they should submit a grant application just like every other not-for-profit organization. She believes there should be discussion about the money we give to these other organizations as well. Ms. Yensen said she questions the expense of having a lobbyist because we have some very able bodied legislators that we have good relationships with and who advocate on our behalf. Ms. Yensen noted that she does support the EDC's mission and good work but she believes they need to be economically self sufficient.

Mr. Hammerand said he agrees with Ms. Yensen, Ms. Schuster and Mr. Provenzano. He asked about the general fund outstanding debt that was listed and if any of them are callable now. Mr. Sarbaugh said yes the 2003 A and C could be callable. They are working with our bank underwriter to discuss maybe doing a defeasance and lowering the debt service payment on those two. Mr. Hammerand said he was in favor of retiring debt which is a one-time expense. Retiring either one of these would be a savings. Mr. Austin said they are in discussions about that because it is another way to free up some cash potentially in next year's budget. Mr. Hammerand said he does have a problem with just paying the interest. Mr. Hammerand noted that he feels we should work with our employees first before compensating outside agencies that should be standing on their own. Mr. Hammerand said he would like to see what we pay for memberships brought to committee.

Mr. Sarbaugh clarified that when you talk about the 1.5% on to the tax levy that is not all to the general fund. That would also be reducing the Highway Transportation funds, the TB fund, the Vet's fund etc. The \$1.1 million is hitting all of those funds not just the General Fund.

Mr. Hammerand said the economy has hit everyone and our constituents have to come up with the increased tax when we increase our levy.

Ms. Wheeler thanked Mr. Austin and Mr. Sarbaugh for delivering the tough messages. She said there needs to be a lengthy discussion with the full County Board as to whether or not we should be raising the levy as even \$8 per household can be tough on a person who has lost their job. She asked what the average is that we spend on supplemental. Mr. Austin said it's been from \$5 million down to zero the last couple of years. Mr. Austin said the question of not raising the levy has never been asked but you have to ask what it will mean in the long run.

Ms. Kurtz said she would like to see the estimates for the various concerns remaining where they've identified the two new judges etc. Mr. Austin said they will be able to put a figure on those but it's going

to come after they sit with their leaders from those different divisions and talk with them. They have preliminary figures and they hope they are larger than what is needed. Ms. Kurtz asked about the \$1.8 million in deficits being projected for 2012, if it is based on the combination of all of these new concerns on the horizon. Mr. Austin said no. Ms. Kurtz said a questions could be raised about how we feel taking cash reserves and paying for any one of these new concerns.

Ms. Schuster said she has been asking people if they would accept a minor increase in their tax bills for the county so that we can continue to provide the services that we are currently providing and to provide salary increases for elected officials and staff. Resoundingly the answer has been no. Another issue is that realtors are having sessions where they are inviting people to come in and they will help find comparables for the residents to be able to protest their taxes. The sessions are full. Ms. Schuster said when she was a township supervisor there was a policy put into place that said we don't tax our public to hand money to organizations that you may or may not agree with. She thinks that is something the county needs to consider as well.

Mr. Provenzano said we should be looking at each individual budget to find \$3.9 million dollars that we can eliminate without having to go into reserves and without asking the taxpayers for more money.

Noting no further discussion, Chairman Koehler thanked Mr. Austin and Mr. Sarbaugh for their presentation.

ZBA CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove a petition noting that Petitions #10-29, #10-32 and #10-37 will be taken separately.

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

Exb #11-26; Dorr Twp; Philip Hellyer; reclass B1V-B1V

Exb #11-31; Riley Twp; A R Land Co/Peter Baker & Son Co; reclass A1C-A1C (renewal)

Exb #11-33; Nunda Twp; MMR Holdings, LLC; reclass I1-I1V

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

Ms. Hill made a motion seconded by Ms. Miller to approve the following Petition noting that this came with no recommendation from the ZBA:

Exb #10-29; Dunham Twp; Edmonds Trust; reclass B1-B3C (objection filed by Dunham Twp)

Chairman Koehler asked for any discussion. Ms. McCann said this is a small piece of property and one acre of B1 zoning will probably never go back to A1 zoning. The use in our current ordinance says that this would need to be B3. Going through the UDO process Camiros has talked to us about there being very little difference between B1 and B3. She noted that this property has been cleaned up and is in favor of this petition. Ms. Evertsen said she is opposed to this as this should be a business contiguous to a municipality where infrastructure is already in place. Other board members agreed. Of note was that Dunham Twp did file an objection to this petition. It was noted that the B1 zoning won't change and there are conditions that must be followed and the criteria has been met.

Chairman Koehler asked for a roll call vote noting that 13 yes votes would be needed to pass this. The following members responded aye: Schmidt, Wheeler, Yensen, Bless, Donner, Draffkorn, Hill, McCann, Merkel, Miller, Munaretto, Nowak, Provenzano, Salgado and Koehler. Nay: Schuster, Breeden,

Donley, Evertsen, Hammerand, Heisler, Jung, Kurtz and Peschke. The vote being fifteen (15) ayes and nine (9) nays, the Chairman declared the **motion to approve Exb. #10-29 has passed.**

Ms. Hill made a motion seconded by Ms. McCann to approve the following Petition noting that this came with no recommendation from the ZBA:

#10-32; Dorr Twp; Erich/Terry Utech; A1-A1C

Chairman Koehler asked for any discussion, noting none he asked for a roll call vote. The following members responded aye: Bless, Donley, Donner, Hill, Jung, Merkel, Miller, Munaretto and Provenzano. Nay: Schmidt, Schuster, Wheeler, Yensen, Breeden, Draffkorn, Evertsen, Hammerand, Heisler, Kurtz, McCann, Nowak, Peschke, Salgado and Koehler. The vote being nine (9) ayes and fifteen (15) nays, the Chairman declared the **motion to approve Exb #10-32 has been denied.**

Ms. Hill made a motion seconded by Ms. Miller to approve the following Petition noting that this came with no recommendation from the ZBA:

Exb #10-37; Nunda Twp; Clow Trust; reclass A1C-A1CV

Chairman Koehler asked for any discussion. It was noted that this will need 18 yes votes to pass because the CUP came with a variance. Ms. Schmidt commented that she visited the property and didn't feel that this business was hurting the aquifer which has been a concern and didn't believe the sign would be an issue as this food pantry is run by appointment only. Ms. Salgado agreed adding that there is an obvious need for this service and felt that the conditions that have been placed are good. Ms. Donner talked about consistencies and feels that the CUP should be for 5 years not 10 and offered the following change.

Ms. Donner made a **motion** seconded by Ms. Yensen **to amend Condition #1 from ten (10) years to five (5) years.**

Chairman Koehler asked for any discussion on the motion to amend. Mr. Hammerand said when he talked to the applicant his concern is what would happen if this property got sold and they changed the use. Ms. Wheeler said it should be up to the property owner on what they want to do on the property and she is against this amendment. Ms. Kurtz reminded members that a comment was made by one of the ZBA members that if this food pantry is very successful there are going to be some significant traffic problems as this location is not suited for a high traffic area.

Noting no further discussion, the Chairman asked for a voice vote on the motion to amend. The voice vote being too close to call he asked for a roll call vote on the motion to amend. The following members responded aye: Schuster, Yensen, Donner, Evertsen, Hammerand, Heisler, Hill, Jung, Kurtz, Merkel, Peschke and Salgado. Nay: Schmidt, Wheeler, Bless, Breeden, Donley, Draffkorn, McCann, Miller, Munaretto, Nowak, Provenzano and Koehler. The vote being twelve (12) ayes and twelve (12) nays, the Chairman declared the **motion to amend Condition #1 to five (5) years has failed.**

Chairman Koehler asked for any further discussion on the main to motion to approve #10-37.

Mr. Kelly of the ZBA noted that the variance request requires a $\frac{3}{4}$ vote of the County Board, it would be possible to vote on the CUP separately if the board wants to as that only requires a majority vote.

Mr. Sandquist said if the board splits this up they should vote on the Variance first because if that doesn't pass, he would recommend an additional stipulation on the CUP that the petitioner has to through an alternative method acquire the extra four feet of driveway that is needed otherwise they wouldn't be able to move forward with the CUP as they wouldn't be able to meet the access requirements.

Ms. Peschke commented that this is difficult because there is a need but this is about a zoning petition not a need. She feels that once a sign is put up people will come from all over and that could be a traffic problem as this is an estate/residential area. Also of note is that Island Lake and some neighbors are

opposed to this. Some board members agreed but pointed out that the ZBA seemed to base their decision on the what-ifs with this petition and found no problem with this request.

Ms. Donner made a **motion** seconded by Mr. Hammerand to **add Condition #10 that Faith Acres Foundation provide their 990 tax forms to the County on an annual basis showing that they continue to be a not-for-profit organization to prove compliance.**

Chairman Koehler asked for any discussion on the motion for receipt of 990 tax forms. Noting no discussion, the Chairman asked for a voice vote, the nays having it he declared the **motion to approve receipt of 990 tax forms has failed.**

Chairman Koehler asked for any further discussion on the main motion. Chairman Koehler said he has driven on Dowell Road many times and it is a dangerous intersection. This road is a combination of Island Lake and County jurisdiction. Today he drove down there to observe and he talked with an Island Lake police officer who happened to be in the area doing his job. The officer told him there isn't a tremendous amount of traffic on that road. Mr. Donley said he is in support of this and said the petitioners should have asked for AG Tourism zoning then this board would have let them do what they wanted. Ms. Schuster said she is opposed to this for the same reason.

Chairman Koehler asked for a hand count if anyone wished to split the vote to separate the CUP from the Variance. The majority saying no the vote will be done on both items together.

Mr. Hammerand asked how P&D will enforce Condition #3, distribution of household goods and food pantry. Mr. Sandquist said they will do their annual CUP inspection. If the property is sold any other food pantry could operate. Mr. Hammerand asked if this CUP could be tied to this property owner.

Mr. Hammerand made a **motion** seconded by Ms. Evertsen to **add a Condition #10 that this CUP will be limited to the Petitioner, Clow Trust.**

Chairman Koehler asked for any discussion on the motion to add a Condition #10 as noted above. Noting none, the Chairman asked for a voice vote, the nays having it the motion **to add a Condition #10 that this CUP will be limited to the Petitioner, Clow Trust has failed.**

Noting no further discussion, Chairman Koehler asked for a roll call vote to approve Petition #10-37 noting that eighteen (18) yes votes are needed to pass. The following members responded aye: Schmidt, Wheeler, Yensen, Bless, Breeden, Donley, Donner, Draffkorn, Hammerand, Heisler, Hill, Jung, McCann, Merkel, Miller, Munaretto, Nowak, Provenzano, Salgado and Koehler. Nay: Schuster, Evertsen, Kurtz and Peschke. The vote being twenty (20) ayes and four (4) nays, the Chairman declared the **motion to approve Petition #10-37 has passed.**

PLATS
None

PUBLIC COMMENT

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

Amanda Geyer of McHenry	regarding/for	Petition #10-37/Clow Tr.
Jerry Marzullo of Chicago	regarding/for	wage increase for Circuit Clerks
Patty Boyd of McHenry	regarding/for	wage increase for Circuit Clerks
Jodie Clow of McHenry	regarding/for	Petition #10-37/Clow Tr.
Joe Kersten of Woodstock	regarding	McHenry Co Vet. Asst Comm.
Valerie Ebel of Union	regarding/for	wage increase for Circuit Clerks
Theresa Pigoni of Woodstock	regarding/for	wage increase for Circuit Clerks

Public Comment continued:

Katte O'Brien of Wonder Lake regarding/for wage increase for Circuit Clerks

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

NEW AND UNFINISHED BUSINESS

None

APPOINTMENTS

None

STANDING COMMITTEE CHAIRMAN UPDATES

None

ROUTINE CONSENT AGENDA

Chairman Koehler asked if any one wished to remove an item from the Consent Agenda. Ms. Donner removed item #15.2 K3; Ms. Schuster removed #15.2 B3 and #15.2 I1

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

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

15.2 B(3) Resolution to Approve entering into a contract with Mullins & Lonergan Associates for the preparation of an analysis of impediments to Fair Housing Choice

Mr. Breeden made a motion seconded by Ms. Donner to approve the above-named Resolution.

Chairman Koehler asked for any discussion. Ms. Schuster said she is against this. There was a Wall Street Journal report yesterday that talks about some of things that are happening; it's called Social Engineering in Suburbia. She hopes everyone will take a look at this article. She said grants have added costs and good conservatives are going to need to look at what we are doing to ourselves. Ms. Wheeler asked if staff had dollar amounts as to how much something like this actually costs the county. Mr. Sandquist responded that funding for this project is coming from Home Administration funds and the vast majority of the staff time would be from the Community Development staff which is 100% grant funded also.

Noting no further discussion, Chairman Koehler asked for a roll call vote. The following members responded aye: Schmidt, Wheeler, Yensen, Bless, Breeden, Donner, Draffkorn, Hill, Jung, McCann, Merkel, Miller, Munaretto, Nowak, Salgado and Koehler. Nay: Schuster, Donley, Evertsen, Hammerand, Heisler, Kurtz and Provenzano. The vote being sixteen (16) ayes and seven (7) nays, the Chairman declared the motion to approve #15.2 B(3) has passed.

15.2 I(1) Resolution Authorizing a contract for Brownfields Assessment Services with URS Corporation
Ms. Hill made a motion seconded by Ms. Donner to approve the above-named Resolution.

Chairman Koehler asked for any discussion. Ms. Schuster said although she doesn't have a problem with the concept if we are taking care of the rural areas where we are intended to be addressing these

issues. She does have a problem that we are County and the majority of this work will be done for municipalities.

Noting no further discussion, the Chairman asked for a roll call vote. The following members responded aye: Schmidt, Wheeler, Yensen, Bless, Breeden, Donley, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Hill, Jung, Kurtz, McCann, Merkel, Miller, Munaretto, Nowak, Provenzano, Salgado and Koehler. Nay: Schuster. Absent: Peschke. The vote being twenty-two (22) ayes and one (1) nay noting one (1) absent, the Chairman declared the motion to approve #15.2 I(1) has passed.

15.2 K(3) *Resolution Amending an Intergovernmental Agreement Amendment between McHenry County and PACE Suburban Bus to modify registration procedures for coordinated transportation services*
Ms. Miller made a motion seconded by Ms. Salgado to approve the above-named Resolution.

Chairman Koehler asked for any discussion. Ms. Donner asked to Abstain from the vote as she works for PACE. Ms. Ersel asked what the reason is for the change. Mr. Osborn said it was very cumbersome for people to call the PACE dial-a-ride only to be told to call the County to register and then the information had to be processed and transmitted to PACE who then re-entered that information into a data base. PACE asked the County to give them at least five days to process the information provided. Ideally when the person called to schedule a ride then their information would be in the system. What they decided is that they have good information on 1,700 individuals but moving forward it would be much easier for people to call PACE, give them their name, birth date and trip purpose. This should be adequate for most grant purposes moving forward. It makes it easier for the rider to schedule a trip. Mr. Osborn said they do have funding from the Senior Services grant for the portion of services being provided but their contract with PACE is for general public. Ms. Schuster said at a town hall meeting held by Senator Althoff and Rep. Franks, Adam Metz from Richmond Twp spoke up about putting together a service for three townships, she wondered why other entities are getting their own bus services. Ms. Donner said a few months ago Rep. Franks had a meeting with a number of the supervisors in the area in his district with members of PACE to see how we could improve transit in the county. The McRide Program takes care of a great number of people who live in more urban areas but there is a large sector of the northern corridor that does not get the same kind of transit. Richmond Twp has offered to spearhead and lead a program that would provide some service from Hebron to Richmond and Richmond Twp to Spring Grove on down to the Fox Lake Metra and PACE is working with them. This is still in the beginning stages of negotiation on being able to provide this service. The thought at PACE is that if we can provide them with a bus and a driver they are better able to take care of their constituents than we would be as a large provider. Ms. Miller commented said this amendment today is to just streamline the process to make it easier for residents.

Noting no further discussion, Chairman Koehler asked for a roll call vote. The following members responded aye: Schmidt, Wheeler, Yensen, Bless, Breeden, Draffkorn, Evertsen, Hammerand, Heisler, Jung, Kurtz, McCann, Merkel, Miller, Munaretto, Nowak, Provenzano, Salgado and Koehler. Nay: Schuster and Donley. Abstain: Donner. Absent: Hill and Peschke. The vote being nineteen (19) ayes and two (2) nays noting one (1) abstention and two (2) absent the Chairman declared the motion to approve #15.2 K3 has passed.

ORDINANCES

None

ADMINISTRATOR'S REPORT

Mr. Austin said he provided a written report as well as e-mailed a report from this evening. He pointed out that they are trying with the Legislative Committee to get a more formal state legislative program together and take our first crack at reviewing some potential legislative items at the next

Legislative Committee meeting on the October 13th. He has put the word out to elected officials and department heads and is asking the board to think about issues and if you think there are things at the state level that need adjustment at the state level please let him, Adam or Legislative Committee members know. Mr. Austin said besides the budget another big issue going on in Administration that Mr. Sarbaugh and his staff are working on which is the automation of the time keeping process, ADP, for payroll. The County will be running parallel testing in the next payroll and then go live thereafter. This will give us tools to keep track of the most expensive thing we do and that is pay people. Mr. Austin asked Dan Wallis to tell the board what is going on with the courts.

Mr. Wallis said two weeks ago he and Mr. Block did a presentation on the Drug Court and the implementation. On Monday they received word from Senator Durbin's office followed up by the official word from the Bureau of Justice Assistance that the 22nd Judicial Circuit will be receiving a \$305,000 implementation grant. He said the Drug Court will be up and running in December. He publicly thanked Scott Block as he was the principal writer of the grant and it was a job well done.

MEMBERS' COMMENTS

Ms. Wheeler said earlier she talked about the budget presentation that was given. She said to Mr. Breeden and his committee that she thinks we're getting to a point where we/staff are making a lot of assumptions because we're not all in Finance and we don't go to the meetings. She said she would like to see more of a leadership coming from committee because we're getting to a point where these are decisions that have to be made by us as policy makers and the discussion really taken away from staff. She said there is a difference in philosophy of what is happening and she doesn't think the staff should be making those decisions and then come back before the full board and then disagree about why assumptions were made.

Ms. Evertsen said we have a children's violin group called Four Strings Attach who will be doing a volunteer presentation at Valley Hi on October 16th at 3 p.m. The children in this group are from ages 7 -17 years old and they will do a one hour program for the residents. She encouraged board members to attend.

Mr. Merkel said this evening some of our clerks spoke during public comment on salary issues. There are four different bargaining groups the County will be dealing with in negotiations. He would like to get an idea of where we are at in those negotiations and what ranges we are looking at as that is the big impact in the budget. When we talk about cuts to save money, this is where our largest expense is. Mr. Austin said in the budget process they don't budget more for union employees they budget the same amount. If we don't do something for the non-union employees we still have to anticipate some increase for the union employees. Mr. Austin said they will be talking more with the HR Committee.

Ms. McCann said she went to the Valley Hi picnic and she noted the positive changes in the feeling of the residents and how happy they are with everything.

Ms. Schmidt commented on Faith Acres that she was impressed with what she saw there. She feels it would be a good model for other people to follow by using appointments to keep things in order and they are treating the people with dignity.

EXECUTIVE SESSION

Chairman Koehler said there is a need to go into executive session to discuss probable or imminent litigation.

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

Chairman Koehler asked for a roll call vote. The following members responded aye: Schmidt, Schuster, Wheeler, Yensen, Bless, Breeden, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Jung, Kurtz,

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McCann, Merkel, Miller, Munaretto, Nowak, Provenzano, Salgado and Koehler. Absent: Donley, Hill and Peschke. The vote being twenty-one (21) ayes, Chairman Koehler declared the motion passed.

Ms. Donner made a motion seconded by Mr. Jung to return to Regular Session

Chairman Koehler asked for a roll call vote. The following members responded aye: Schmidt, Schuster, Wheeler, Yensen, Bless, Breeden, Donner, Draffkorn, Evertsen, Hammerand, Heisler, Jung, Kurtz, McCann, Merkel, Miller, Provenzano, Salgado and Koehler. Absent: Donley, Hill, Munaretto, Nowak and Peschke. Chairman Koehler declared the motion passed with nineteen (19) members responding.

Chairman Koehler said no action was taken in executive session.

ADJOURNMENT

Ms. Donner made a motion seconded by Mr. Breeden to adjourn at 10:20 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 4th day of October, A.D., 2011.

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

ATTEST:

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