

AGENDA
MANAGEMENT SERVICES COMMITTEE
MONDAY, OCTOBER 24, 2011 – 8:30 A.M.
McHenry County Government Center – Administration Building
667 Ware Road – County Board Conference Room
Woodstock, IL 60098

- 1.0 Call to Order
- 2.0 [Minute](#) Approval
- 3.0 Public Comment
- 4.0 Presentation
- 5.0 New Business
 - 5.05 [Resolution Approving Illinois Department of Transportation Land Acquisition for Improvements to U.S. 14 and an Emergency Appropriation to the Non-Departmental Fiscal Year 2011 Budget](#)
 - 5.10 [Resolution Authorizing a Budget Line Item Transfer in the Facilities Management Fiscal Year 2011 Budget](#)
 - 5.15 [Resolution Authorizing Approval of the County of McHenry's Property and Casualty Insurance Program for FY2011-2012](#)
 - 5.20 County Board Attendance on the County Website
 - 5.25 Agenda Management/Webcasting
 - 5.30 Strategic Planning for 2012
 - 5.35 [Ordinance Amending Ordinance No. O-201011-12-060 Adopting the McHenry County Statement of Economic Interests Addendum Ordinance](#)
 - 5.40 Update on County Administrator's Goals
 - 5.45 Discussion on Branch Court
- 6.0 Old Business
 - 6.05 [Ordinance Amending Building Use Ordinance](#)
- 7.0 Reports to Committee, as applicable
 - 7.05 Administrator
 - 7.10 Council of Governments
 - 7.15 Veteran's Assistance Commission
 - 7.20 Victory Garden – Update
- 8.0 Future Topics
 - 8.05 Vendor Fair Update
 - 8.10 Succession Planning
- 9.0 Member's Comments
- 10.0 Executive Session (as necessary)
- 11.0 Adjournment

MANAGEMENT SERVICES COMMITTEE
McHenry County Government – Administration Building
667 Ware Road
Woodstock, IL 60098

MINUTES OF MONDAY, SEPTEMBER 26, 2011

Chairman Schuster called the Management Services Committee meeting to order at 8:30 a.m. The following members were present: Chairman Ersel Schuster; Kathleen Bergan Schmidt; Sandy Salgado and Paula Yensen. Barbara Wheeler arrived at 8:32 a.m. Donna Kurtz arrived at 8:34 a.m. Anna May Miller was absent. Also in attendance: Peter Austin, County Administrator; John Labaj, Deputy County Administrator; Tom Sullivan, IT; Adam Lehmann, Assistant to the County Administrator; John Hadley, Facilities Management; Nicole Gatusso, GIS; Jamie Rein, States Attorney; Dan Wallis, Court Administration; and the press.

Ersel Schuster, Chairman	
Donna Kurtz	Anna May Miller
Sandra Salgado	Kathleen Bergan Schmidt
Barbara Wheeler	Paula Yensen

MINUTE APPROVAL

Committee members reviewed the Management Services Committee minutes of August 22 2011. Ms. Schmidt made a motion, seconded by Ms. Salgado recommending approval of the above minutes as presented. The motion carried with all members present voting aye on a roll call vote.

Ms. Wheeler arrived at 8:32a.m.

PUBLIC COMMENT

None.

Ms. Kurtz arrived at 8:34a.m.

PRESENTATION

Statement of Economic Interest Addendum (Disclosure Ordinance): Ms. Rein from the State's Attorney's office joined committee members to discuss the addendum that was created and required to be filed for the first time this year. The committee entered into a discussion on how this process worked. This addendum came out of a request from ALAW (Alliance for Land, Agriculture and Water). Committee members were reminded that a lot of discussion and draft versions were created before coming up with an approved product. Most of the individuals that file the Statement of Economic Interest would be required to file the Addendum as well. The process was to dovetail with the current Statement of Economic Interest filings. At the time of the filings it was recognized that some changes would be needed in the process. Unfortunately, the forms did not go out at the same time. Since these forms looked similar, individuals were confused whether they would be required to file the form. Ms. Rein will work with the County Clerk to help to differentiate the two forms. The County Clerk wants to keep these forms separate and each form will be distinguished with different colors. Ms. Rein noted that there is currently is no filing deadlines or penalties outlined in the ordinance. She stated that she would work to make these clear in the ordinance. The County Clerk has a set time to send out reminder letters for the Statement of Economic Interest. She does not send out a secondary request for the addendum form. Committee members were informed that 460 addendums were sent out. All but 30 of these forms were received back. Of those that did not return the form, they thought the forms were the same as the Statement of Economic Interest that they had already filed. Only two resignations were received because of the new requirement. This process has made the County more aware of the requirements for the Statement of Economic Interest. They stated they need to make sure the chairman of any committee is made aware of the requirements for these filings so they can be discussed by a board or commission. The list will be reviewed to make sure those who need to be are included on this list. Committee members questioned if a workshop should be provided in order to lay out this process. This workshop could help to clarify the process to determine who should file. It was stated that it is up to each entity to educate them on the process. It was determined that the CDBG members are an advisory group as they make recommendations to the board. The CDBG is currently reviewing their process on how the board functions because previously grant makers were the same individuals that were making decisions to give themselves grants, creating conflicts. Additional advisory groups will be removed from this list. This includes, but is not limited to the Disaster Planning and Emergency Planning Commissions. Ms. Salgado noted that the Senior Services Grant Commission requires conflicts and they are truly an advisory board as well. These grants go through three committees for approvals. It was stated

that it is important to have diversity on these boards. Ms. Kurtz commended Ms. Salgado on the allocation process used for the grant funding for the Senior Services Grant Commission. She stated there may be times a conflict exists and it is great that a member should recuse themselves from voting on an issue. She stated that it would be great to create these boards where no conflict exists in any way. She stated that under programs run by the United Way they make sure no one is serving on the board that is requesting grant funding from the group. They also require that their members sign an ethics statement in order to serve on this board. She stated that as County Board Members they need to always say they are doing what is right, without any conflicts. It was stated that it is hard to totally remove yourself from conflicts and it is hopeful that the County Board Members are responsible enough to make sure no conflict exists. It was suggested that the Public Health and Human Services Committee members have a discussion regarding this issue about the Senior Services Grant Commission as well.

Mr. Austin reminded committee members that some of the groups that the County wanted to require filings for were from Metra, RTA and Pace. These boards file their statements with Chicago/Cook County as the forms come from the County from where the group is from. They are not required to file a statement with McHenry County nor are they required to file the addendum form, even though they are a McHenry County representative on these boards. Committee members questioned if the form could be sent to these individuals, even if not required. Concern was voiced that this would "muddy" the process for the County Clerk. Committee members were informed that an appointment to the Metra Board will be coming before the County in the near future. It was suggested that the questions on the addendum form become a part of the application process in order to get these questions answered up front. It was stated that information for these individuals will need to be brought forward during the application process. Concern was voiced regarding these multi-year appointments.

A letter will be sent from the County Clerk, to all agencies sending names to the County, reminding them to be thoughtful as to who they are putting on the list to send these forms out to. It was suggested that Ms. Rein work on the form and ordinance and bring them back to committee for consideration. Ms. Schultz would be asked to attend the next committee meeting to answer questions from the committee.

NEW BUSINESS

Resolution Setting the 2012 Meeting Dates for the McHenry County Board: Ms. Yensen made a motion, seconded by Ms. Kurtz recommending approval of the above Resolution as presented. Ms. Kurtz requested that the County Board Strategic Planning Committee meeting be included on this list. She stated that this should be a meeting that is required to be attended by the County Board Members. Mr. Austin noted that he and Mr. Labaj are working to provide a discussion on the completion of the current three year strategic plan. This conclusion presentation is scheduled to take place within the next couple of months. They had discussed creating a 12 month strategic program for 2012, with ideas that will come from the plan. They had discussed that the next strategic planning session be a ½ day session. They would like to hold these sessions yearly in early January with a requirement that every County Board member attend. It was stated that there needs to be an expectation for everyone to be there. Mr. Austin stated that if the committee desires, he would bring a suggested schedule to the next committee meeting for the proposed Strategic Planning Session. The motion carried with all members present voting aye on a voice vote.

Proposed Countywide Vendor Fair: Committee members entered into a discussion on a proposed vendor fair for 2012. The previous vendor fair was held in the Administration Building and at that time the County adopted a local vendor preference. Another vendor fair has been proposed that will include all local governments. This event will be hosted this spring at MCC and will take place on March 28th. It was decided that these events would be held every other year. Businesses and government entities will be notified of this event. It was stated that it is important that businesses know that governments spend millions of dollar on commodities which could help with future potential work. It was stated that a lot of the local businesses do not know if the local governments need their goods and this vendor fair would provide information to the business community. Information packets will be sent out to local businesses prior to this event. They will reach out to the government groups through McCog and Leadership Greater McHenry County. They are currently developing ideas to get contracts out to local vendors for local projects. It was suggested that the labor council be notified of these events as well.

2011 GIS Day: Ms. Gattuso joined committee members to inform them of the proposed 2011 GIS Day. She informed committee members that this event was held last year on a Tuesday evening prior to a County Board Meeting. During this event, they had eight (8) departments that use GIS at the event to demonstrate

how they use the GIS in their working processes. This event was well attended by Municipalities, public and staff. This event is celebrated internationally across 80 countries. The next proposed event will be held at MCC on November 16th from 10:00a.m. until 2:00p.m. in order to reach out to the students and faculty. Ms. Kurtz stated this was a great idea and suggested a contest for the event. It was stated that they did not like the "time" of the event and suggested that an alternative time be considered. Ms. Gattuso stated that they had received complaints last year that this event should be held earlier.

Branch Court - Discussion: Committee members entered into a discussion with Mr. Wallis from Court Administration regarding the idea of a branch court in the southeast section of the County. Previously the County knew they would receive additional judges. In 2007, the government center had a shell of a courtroom in room 104. This courtroom opens today. Courtrooms 101, 102 and 103 are being modified to meet the current needs of the courts. When completed, the county will have 17 courtrooms and 17 judges. They also have an additional small space that was previously used for ceremonial purposes, which will be turned into a functioning courtroom. On December 1st the County is expected to receive 2 additional judges.

Recently the Circuit leadership came to Administration to speak about creating a branch court in the Southeast section of the County. This is an option that may be worth considering as there is no additional space in the courthouse in which a courtroom could be created. The branch court would handle high volume tickets and ordinance issues. The creation of this court would address the parking issue for the courthouse as well. There are currently 55,000+ traffic cases filed yearly. All of the violations issued east of Route 47 would go to the branch court. This would result in 37,000 less cases being heard at the courthouse.

Mr. Wallis stated that this morning they are in the process of seating people for 2, two week jury trials. Because of the increased need for these cases, they have received a lot of complaints regarding the parking issue. The municipal police departments would be able to address their issues closer to their locations as well.

They have been looking at property in the Route 31, Route 14 area. If/When a Public Safety Center is built it would address this space issue. Unfortunately, additional space will not become available until the Sheriff moves from the facility. Committee members questioned if the ICE contract has been extended and if not, will the County still need this additional facility. Committee members were informed that if the ICE contract should go away, the county would have to address reduction of correction staff. The need to reduce labor costs would become a reality but, the jail would not move. This space would not be used to create additional courtrooms. The court issues would still need to be addressed. If contracts for bed space at the jail are not extended, the Public Safety Building would be pushed off until a later date. The jail and branch court is two different issues.

Mr. Wallis noted that he has toured the southeast corner of the County and stated that they can find space for use at a very good price. The county could rent the space for an extended period of time which could solve several issues at the same time. He noted that they are trying to narrow down the properties based on the specific needs of the County. The County has also received word that they have been awarded their own Arbitrator Administrator. This is a State Employee that will need three offices for their functions. Medication space will be needed as well. Committee members were informed that this proposed branch court would not be a permanent site.

Committee members stated that they need to know the total costs for this process. Chairman Schuster voiced concern. She stated that the County purchased property to address these needs in a central location in the County. Now they want to place another facility, in another corner of the County which more than likely will include huge additional costs for the County. She stated that it would be less expensive to locate this facility in Woodstock which would have a better chance of staying in Woodstock once the Public Safety facility is built. She stated that the County should continue with the plans they currently have in place as she feels these additional plans would be a tremendous expense to the County. The last courtroom was expected to cost \$600,000. These expenses have gone above \$900,000, which has included the costs to refurbish the other courtrooms. These expenses are on top of the fact that a majority of the courtrooms are not in use after 2:00 p.m. Committee members stated that there needs to be a better way to administer these services. They stated that they need to be more creative with the space they have.

Mr. Wallis stated that Judge Sullivan would be happy to discuss these issues with the Committee. He stated that "courts" do not happen just in the Courtrooms so they need the space to address these needs. Committee members stated that there were good questions raised about this issue. They stated they need a financial analysis to show why it would be a good idea to rent a facility for branch court versus building. They stated they need a more complete picture of the costs and the impacts created by the additional judges. Committee members were informed that this issue will be discussed at the Law and Justice Committee meeting next week.

OLD BUSINESS

Building Use Policy – Discussion: Mr. Labaj joined committee members for a discussion on recommended changes to the Building Use Policy. He stated that the copy includes additions and suggested changes to the policy. This policy has not been revised since it was adopted. The Sheriff's Department and State's Attorney has reviewed the existing Ordinance and made some recommended changes. All recommended modifications are highlighted for review. Committee members questioned if we should charge larger fees for use of the facility in order to cover the costs for the use of the space. It was stated that this facility is a "public building" and therefore we should not charge for the use of the facility. They also stated that these facilities should not be open after hours. They noted that we don't want this facility to become the first choice to hold after hours meetings as this places additional burdens on staff. They stated that if it is a commercial activity, the county should charge for the security and utility costs. The county should not lose money by allowing the use of the facility by others. Committee members requested Mr. Labaj to make sure there is no commercial rental of the facility. They requested that Mr. Labaj review and amend the Ordinance and bring it back for committee review.

REPORTS TO THE COMMITTEE

Administrator's Report: Mr. Austin reported that this is a big week for County Administration. The new ADP payroll system has been rolled out. Personnel from ADP are here assisting with this process. He stated that he believes the County will be a better organization because of these changes.

Mr. Austin reported he has a budget meeting scheduled with Mr. Breeden today. They are working on how to frame the questions for the Finance Committee. There are questions on whether the budget process should remain the same, what the levy should be, if any, and how to use the reserve as a tool for the County. He stated that he expects this to be a big meeting.

Mr. Austin reported that they are working on the draft ordinance for those elected officials that they will incorporate an inflation rate of 4% into their pay. He will be working with Ms. Rein on this ordinance. This will affect four elected positions. The State's Attorney's salary is set by the State. The Sheriff is expected to receive an increase this time around.

Committee members questioned if there was any way to freeze this increase. They questioned what the County Board could do as they do not believe that raises for elected officials are in the best interest of the County. They stated that this wage was set by the previous board and there is no way to change this current increase. It was suggested that another layer added to any upcoming ordinance that states that the raises would be the CPI or the percentage being provided to the non-union wage increase request, whichever is less. Committee members again voiced concern that these elected officials would be receiving a raise. They also stated that the County Board Members all should be making the same amount. They stated that there should not be any disparity on the board. Committee members were informed that the County Board Members would all make the same after the next election. Committee members asked if they could be informed what the specific dollar amount will be if the County should provide raises to non-union employees versus the costs without raises. It was suggested that the Chairman's pay be frozen for two years and then tied to the CPI or non-union wage increase, whichever is less. It was stated that they would try to break out each piece in order to make the budget easier to amend. Chairman Schuster stated that the County Board sets the salaries so these issues need to be addressed during these budget discussions.

Mr. Austin informed committee members that the Codification process is almost complete. A final draft was sent to the Codification Company for review. After review of the final product, they will send the final draft in for review. He stated that he feels it will be at least six weeks before the completed draft is returned. It is hopeful that this process is approved by the end of the year. This will be required to be updated yearly.

The group did find a few Resolutions/Ordinances that now longer apply so they have been eliminated. It will be good to have a finished product as this process has been a long time coming.

Mr. Hadley stated that they had a life safety review of the employee entrance to the Sheriff's Department. Concern was raised while reviewing recommended changes to this entrance at a previous committee meeting. This area is in compliance and there is not an issue at this entrance.

Mr. Lehman reported that the bid for the hardware for the Agenda Management program and the RFP for the Agenda Management/Web Streaming process has went out. These bids are due back between October 4th and October 14th. The bid sheets will be reviewed by this committee. The County Board has 120 days to acts on these bids, as stated in the bid/RFP documents.

EXECUTIVE SESSION

None

MEMBER'S COMMENTS

Committee members questioned if there were any updates on legislation being proposed by Representative Franks. It was stated that he had proposed legislation regarding how property taxes on properties have remained the same while that property has lost significant value. Mr. Austin stated that he has a meeting scheduled for October 5th with Representatives Gaffney and Tryon on this issue. They are the co-sponsor of this proposed legislation. Committee members stated that this would be an interesting topic for the Legislative and Intergovernmental Affairs Committee to discuss.

Ms. Kurtz questioned if there has been any update on a proposal for succession planning. She also suggested that there be an attendance record created on the website informing the public of the public of the attendance to committee/county board meetings for all of the County Board Members. She stated that this would create a mechanism for accountability to attend all required meetings. It was stated that Kane County has created a similar product and it was suggested that this be reviewed for consideration by McHenry County. Chairman Schuster stated this is one of the reasons she has been pushing for per diem payments for the County Board Members. She stated if someone did not attend a meeting, they would not be paid.

Committee members entered into training for their new I-PADs at 10:35a.m.

ADJOURNMENT:

The meeting adjourned at 11:37 a.m. on a motion by Ms. Kurtz, seconded by Ms. Wheeler with all members present voting aye.

RECOMMENDED FOR COMMITTEE/BOARD ACTION

Resolution Setting the 2012 Meeting Dates for the McHenry County Board

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RESOLUTION

APPROVING ILLINOIS DEPARTMENT OF TRANSPORTATION LAND ACQUISITION FOR IMPROVEMENTS TO US 14 AND AN EMERGENCY APPROPRIATION TO THE NON-DEPARTMENTAL FISCAL YEAR 2011 BUDGET

WHEREAS, the County of McHenry is in ownership of property commonly known as 100 Virginia Street in Crystal Lake, Illinois (Parcel No. 1CV0221 & TE) in which the offices of the McHenry Health Department's Clinic and Animal Control are located; and

WHEREAS, the Illinois Department of Transportation has tendered an offer for the acquisition of a Fee Simple Title of 0.181 acre (7,884 square feet) and a Temporary Easement of 0.004 acre (179 square feet) of the property for proposed improvements of US 14; and

WHEREAS, in consideration of the acquisition of land and temporary easement the Illinois Department of Transportation has offered the County of McHenry the sum of fifty three thousand four hundred dollars (\$53,400); and

WHEREAS, per consultation with the County's Bond Council and State's Attorney's office, said funds can only be utilized for capital expenditures or towards the annual debt service payment.

NOW THEREFORE BE IT RESOLVED, that this County Board of McHenry County, Illinois hereby authorizes the acceptance of the acquisition amount offered by the Illinois Department of Transportation for .0181 acres of County property located at 100 Virginia Street, Crystal Lake, Illinois; and

BE IT FURTHER RESOLVED, that an emergency appropriation of \$53,400 to OCA 900020-6000 (Non-Departmental – Capital Projects) budget is also hereby authorized and is to be offset by a revenue budget line item entry to OCA 900020-9435 (Non-Departmental – State Reimbursements) to allow for the above proceeds of the acquisition to be allocated to approved County capital expenditures; and

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

DATED at Woodstock, Illinois this 1st day of November, A.D., 2011.

KENNETH D. KOEHLER, Chairman
McHenry County Board

ATTEST:

KATHERINE C. SCHULTZ, County Clerk



TO: Management Services Committee

FROM: John W. Labaj, Deputy County Administrator

DATE: October 12, 2011

RE: Illinois Department of Transportation Acquisition Offer 100 Virginia Street

Board/Committee Action Requested

Approval of Illinois Department of Transportation (IDOT) offer for acquisition of Fee Simple Title of 0.181 acre (7,884 square feet) and a Temporary Easement of 0.004 acre (179 square feet) from the property commonly known as 100 Virginia Street, Crystal Lake, Illinois.

Discussion

IDOT is in the process of acquiring rights of way and temporary easements to commence the improvement of US 14 from Crystal Lake to Woodstock. On September 20, 2011 McHenry County received an offer from IDOT for a needed acquisition and temporary easement along 100 Virginia Street which houses the McHenry County Health Department's Clinic and Animal Control facility. The acquisition and temporary easement are needed for the proposed expansion of US 14.

The McHenry County Health Department and the McHenry County Division of Transportation (McDOT) reviewed preliminary construction drawings provided by IDOT to the County to assess the impact, if any, the proposed taking would have on Health Department operations. It was determined that the acquisition and temporary easement will have no impact on any physical structure or operations of the facility.

Impact on Human Resources

No impact on Human Resources

Impact on Budget (Revenue, Expenses, Fringe Benefits)

IDOT has offered \$53,400 for the proposed acquisition and temporary easement (\$53,000 for the acquisition and \$400 for the temporary easement). That equates out to \$6.72 a square foot or \$292,723 an acre. The amount offered is fair and equitable and in keeping with comparables and McDOT acquisition experience in Crystal Lake.

Impact on Capital Expenditures

The facility was acquired and rehabilitated for the McHenry County Health Department with the proceeds of the Debt Certificate 2006-A. Therefore, acquisition proceeds must be used to either retire bond debt or capital improvement expenditures. It is recommended that acquisition proceeds be used to fund needed County capital improvements currently not funded.

Impact on Physical Space

No impact to physical space.

Impact on other County Departments or outside Agencies

Positive impact on capital needs of County Department(s).

Conformity to Board Ordinance and Policies

Conforms to Board policies to promote increased IDOT expenditures in the County to improve State Highways.

Attachments/Appendices

Resolution and State offering documents attached.

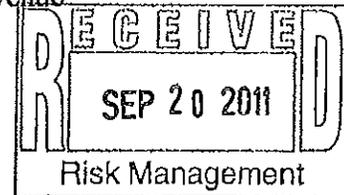


Illinois Department of Transportation

Division of Highways/District 1
201 West Center Court/Schaumburg, Illinois 60196-1096

LAND ACQUISITION

Project: US Rte 14
Limits: West Lake Shore Drive to Crystal Lake Avenue
Job No: R-91-015-98
Parcel No.: 1CV0221 & TE
County: McHenry



Certified Mail Receipt 7008 1140 0004 7443 2401
Return Receipt Requested

September 19, 2011

Mr. John Labaj, Deputy County Administrator
McHenry County
2200 N. Seminary
Woodstock, IL 60098

Dear Mr. Labaj:

Please find attached herewith a package of documents related to the acquisition of right of way as it proposed to improve US 14 from West Lake Shore Drive to Crystal Lake Avenue. This project requires the acquisition of a Fee Simple Title of 0.181 acre and a Temporary Easement of 0.004 acre (179 sq. ft.) from a property commonly known as 100 Virginia St. in Crystal Lake, or Parcel No. 1CV0221 & TE, which we find in the public records as owned by McHenry County.

The Department seeks a negotiated settlement with you for the purchase of this parcel. Please review our offer. We will consider any relevant materials you submit to us which you believe show a different value of the parcel. The construction schedule for this project requires that we obtain the parcel as soon as possible.

Enclosed in the package please find the following items:

1. Offer to Purchase / Basis of Compensation
2. The approved Appraisal and Review Appraisal
3. Plat of Highways and Legal Description
4. Title Commitment
5. Brochures entitled (i) A Landowner's Guide to Land Acquisition by the State and Eminent Domain and (ii) Highway Improvements & Property Rights

Page 2
September 19, 2011

If the offer herein is acceptable, the Department will prepare the necessary documents and funds to close the acquisition. Please be reminded that any encumbrances (liens, judgments, mortgages, unpaid taxes, etc.) must be released or paid from your proceeds to complete a negotiated settlement.

If you would like to meet in person to discuss the process of acquisition, the property affected by the taking, and the offer being made, please contact Ms. Sheila Derka at (847) 705-4291. Thank you in advance for your immediate attention and assistance in this matter.

Very truly yours,

Diane M. O'Keefe, P.E.
Deputy Director of Highways,
Region One Engineer

By: 
Jose Rios, P.E.
Bureau Chief of Land Acquisition

Enclosures



Route US Rte 14
 Section: W Lake Shore Dr to Dole Ave
 County: McHenry
 Project: _____
 Job No.: R-91-015-98
 Parcel No. 1CV0221 & TE

Owner(s) of Real Property: McHenry County
2200 Seminary Ave, Bld A, Woodstock, IL 60098

Location of Property: 100 Virginia Street
Crystal Lake IL 60014

Pursuant to 735 ILCS 30/10-5-15, the following has been prepared in order to fully inform you of the details of the acquisition of a portion of your property as right of way for the proposed improvement of US Route 14. The legal descriptions of the parcels to be acquired are found on the attached instruments of conveyance.

The amounts shown below are the full amounts of the approved values and are based on fair market value of the property. The fair market value of the part to be acquired is estimated without regard for any decrease or increase in the fair market value caused by the project for which the property is being acquired; however, the damage to the remaining property, if any, is estimated with full consideration of the effect of the proposed improvement.

1. Existing Property:

Total area 3.155 acres more or less

Highest and best use Office

2. Land to be Acquired In Fee Simple:

New right of way 0.181 acres

Existing right of way (when applicable) n/a acres

Total right of way 0.181 acres

3. Improvements and/or Fixtures to be Acquired:

n/a

4. Compensation for Land Acquired in Fee Simple:

Fair market value of the 0.181 acres to be acquired including all improvements as part of the whole property, based on an analysis of market data in the vicinity of the acquisition. \$ 53,000.00

Damage to the remaining property as a result of the acquisition (if any) \$ 0.00

Total compensation for permanent right of way acquired in fee simple \$ 53,000.00

Less cost of construction to be offset against total compensation \$ 0.00

Net compensation \$ 53,000.00

Benefits in the amount of \$0 have been estimated to the remaining property. These benefits have been offset against any possible damages but have not been offset against any part of the compensation of the part acquired.

5. Compensation for Easements Including Any Damages or Benefits:

Permanent Easements - n/a acres for n/a (state purpose) \$ 0.00

5 Year Temporary Easement - 0.004 acre (179 sq. ft.) for construction \$ 400.00

Total compensation for easements (when applicable) \$ 400.00

6. Total Compensation for Entire Acquisition, which includes all interests in the land required for the highway improvement and damages to the remainder property, if any. (sum of 4+5) \$ 53,400.00

7. Personal Property (Not Being Acquired) located on the Proposed Right of Way:
none

You may want to retain and remove from the right of way some, or all, of the improvements included in the acquisition. If so, the following owner-retention values have been established for the improvements listed above in item 3, and the total of the owner-retention values for the improvements retained will be deducted from the total compensation.

Improvement	Owner-Retention Value
<u>n/a</u>	\$ <u> </u>
	\$ <u> </u>

Any agreement to retain such improvements does not convey with it a permit to move the improvements on, or over, any state highway. Ms. Sheila Derka will be happy to furnish information for your use in applying for a permit if one is needed.

Deane O'Keefe
Regional Engineer 819

On behalf of the Illinois Department of Transportation, Division of Highways, and as outlined in the above summary, I hereby offer you the sum of \$53,400.00 for the property described on the attached instruments free and clear of all claims of other parties, liens, taxes and encumbrances.

Sheila Derka
Realty Specialist

9-19-11
Date

R E S O L U T I O N**AUTHORIZING A BUDGET LINE ITEM TRANSFER IN THE FACILITIES
MANAGEMENT FISCAL YEAR 2011 BUDGET**

WHEREAS, the Facilities Management Department is responsible for the maintenance and repair of all the County owned facilities including the Government Center Campus, the Division of Transportation, Valley Hi Nursing Home, and the Health Department Facility in Crystal Lake; and

WHEREAS, as part of the maintenance responsibility, Facilities Management oversees the housekeeping staff and the cleanliness of each facility; and

WHEREAS, in order to maintain the floors and carpet in each facility, and to ensure the longevity of the floor materials and carpet, housekeeping uses a floor/carpet extractor machine on a scheduled routine basis to maintain the appearance the facilities; and

WHEREAS, the current floor/carpet extractor machine is over nine years old and is in use daily by the housekeeping staff, causing concern for the Director of Facilities Management and the Housekeeping Supervisor that the machine may be reaching its life usefulness and that a new machine should be purchased; and

WHEREAS, the Facilities Department Fiscal Year 2011 budget has funds available to purchase a new machine under its contractual budget and is requesting a budget line item transfer to move the funds to its capital budget in order to properly record the purchase of the machine as a capital asset.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois that a budget line item transfer of \$6,500 from OCA 160001-4320 (Facilities Management – Repair & Maintenance Heavy Machinery) to OCA 160001-6040 (Facilities Management – Machinery & Equipment > \$5,000) is hereby authorized in the Facilities Management fiscal year 2011 budget for the purpose of purchasing a new floor/carpet extractor machine; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to 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 1st day of November, A.D., 2011.

KENNETH D. KOEHLER, Chairman
McHenry County Board

ATTEST:

KATHERINE C. SCHULTZ, County Clerk

**RESOLUTION
AUTHORIZING APPROVAL OF THE
COUNTY OF McHENRY'S PROPERTY AND CASUALTY
INSURANCE PROGRAM FOR FY 2011-2012**

WHEREAS, the County of McHenry's Insurance Broker of Record, Market Financial Group, Ltd. has solicited quotations on property, casualty and specialty insurance coverage from various insurance markets in addition to necessary services related to the administration of the County's Insurance Program for FY 2011-2012; and

WHEREAS, the Management Services Committee and Finance and Audit Committee reviewed the recommendations made by the Market Financial Group, Ltd. for causality, excess liability, property, professional liability, excess Workers' Compensation, employee thief, medical (dental clinic and inmate medical) coverage and third party claims management thought Go Self-Insured Inc.; and

WHEREAS, the Management Services Committee and the Finance and Audit Committee approved the recommendations for the County of McHenry's Insurance Program for the policy period beginning December 1, 2011 through December 1, 2012 as noted on the Attachments to this Resolution; and

WHEREAS, funding of the insurance premiums and related costs of the Insurance Program for FY 2011-2012 in the amount not to exceed nine hundred and sixty thousand (\$960,000) is budgeted in Department 18 Administration Fund 320, OCA 180320 Insurance Liability Fund.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that the Chairman of the Board is hereby authorized to execute the necessary documentation to bind insurance coverage and to obtain the related insurance services for the County of McHenry's Insurance Program for FY 2011-2012; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the County Auditor, County Administrator, Deputy County Administrator, Associate County Administrator for Finance and the Purchasing Director.

DATED at Woodstock, Illinois, this 15th day of November, A.D., 2011.

KENNETH D. KOEHLER, Chairman
McHenry County Board

ATTEST:

KATHERINE C. SCHULTZ, County Clerk



TO: Management Services Committee /
Finance and Audit Committee

FROM: John W. Labaj, Deputy County Administrator

DATE: October 18, 2011

SUBJECT: 2011-2012 County Insurance Program

Board/Committee Action Requested:

Staff is seeking the approval from the County Board of its recommendations for the County's Fiscal Year 2011-2012 Insurance Program as per the attached resolution.

Background:

Market Financial Group, Ltd., the County's broker and insurance consultant, obtained quotes from various insurance carriers for casualty, property, worker's compensation and other specialized insurance policies per consultation with the County on appropriate coverage levels for the 2011 through 2012 fiscal year. Their recommendations are contained in this memorandum. In addition, it is recommended that the County retain Go Self Insured Ltd. as its Third Party Administrator (TPA) to adjudicate workers' compensations and subrogated auto liability claims and Market Financial Group Ltd., for insurance consultant and broker services. Recommended carriers and coverage levels are reviewed in the text of this memorandum.

Discussion:

Casualty Insurance / Excess Liability

Staff directed the Market Financial Group to survey the marketplace for competitive quotes for casualty insurance. Solicitation and inquiries were sent to multiple companies. Gotham Insurance, One Beacon, Safety National and Travelers' Insurance prepared quotes. Gotham declined to submit a formal quote advising that their premium would be approximately \$500,000, One Beacon declined to submit a formal quote and Safety National has declined but may reconsider providing a proposal.

The County is in its third year with Travelers' Insurance Company as its major causality provider. Travelers' delivers a full insurance product, is fully staffed to adjudicate claims, provides in-house re-insurance and currently enjoys a Best Insurance rating of A+ Superior. Market Financial Group found no other causality insurer willing to compete with Travelers' on price or coverage. The proposed basic renewal rate is \$375,933 which reflects a 5.5% increase over the FY '10-'11 premium. Of the various line of coverage (General Liability, Employee Benefits, Employment Practices, Law Enforcement Auto Liability and Umbrella) the majority of the increase is under Public Entity Management and Umbrella coverage lines. This reflects a firming up in the national marketplace which in large part is due to the volume of sustained

weather related losses. Market Financial Group recommends the County continue to place its causality coverage with Travelers’.

Valley Hi Casualty Insurance/Excess Liability

The County has separately insured Valley Hi for the past three years. Last year’s coverage was switched to GuideOne Insurance, a mid-sized Iowa Insurance Company specializing in property and casualty insurance coverage for senior living facilities and home health care agencies. Both past insurer, CAN, and GuideOne submitted proposals.

GuideOne has submitted a proposal for \$97,268 which is an 8% decrease over last year’s premium. Reduction in premium can be attributed to GuideOne becoming more comfortable with the account, an excellent loss record and competition with CNA. Market Financial recommends retaining GuideOne as casualty excess insurer for Valley Hi.

Property/Boiler/Machinery

Market Financial solicited quotations for property/boiler/machinery insurance from Affiliated FM, Chubb, Hartford and Travelers’ Insurance. Affiliated FM, Chubb and Hartford were very interested in providing coverage but did not quote stating that they could not compete with Travelers’ on coverage and cost. The premium rates provided by Travelers’ reflect a level of comfort with our account that other carriers find difficult to match. Travelers’ has been the County’s long term property insurance provider for well over 18 years. The base Travelers’ quote of \$141,674 reflects a 1.8% over the FY ‘10-‘11 premium. The rate has stayed constant, but the premium increase reflects the addition of the new archive building. Market Financial recommends retaining the Travelers’ as the County’s property insurance carrier.

Professional Liability State’s Attorney, Public Defender, Judiciary

The County provides Professional Liability Insurance for the State’s Attorney and Public Defender through the National District Attorneys Association (NDAA). This is a long standing policy underwritten by Lloyds of London. Policy cost and coverage has not changed from last year. Market Financial recommends maintaining the current policy with NDAA. An additional line of coverage, Criminal Defense coverage, has been requested by the State’s Attorney’s Office. The accompanying chart details cost and coverage.

Additionally, the Insurance Liability Fund provides professional liability insurance to eight judges under a long standing policy with the Columbia Casualty Company. Market Financial has not found comparable insurance as competitively priced and therefore recommends renewal with Columbia. There is no premium increase over last year.

Crime and Fidelity

Market Financial has recommended retaining crime and fidelity coverage with Great American Insurance Company with a renewal premium of \$4,026, a slight decrease from last year.

Dental Clinic Professional Liability

Landmark American Insurance Company has quoted coverage for the Health Department's Dental Program at \$19,082, which represents a premium increase of 41%. The increase is due to patient increase of approximately 4,000 to 7,000. The policy will also provide professional liability insurance for one dentist at the clinic. Market Financial recommends maintaining coverage with Landmark American Insurance Company.

Inmate Medical

The County has purchased a long standing policy through the International Medical Group (IMG) / Sirius for excess medical in the event of a catastrophic medical need of a jail inmate. Unfortunately, coverage under the policy has deteriorated over the years necessitating a search for alternative coverage. An alternate proposal for Correct Care Solution (CCS), our current jail medical provider, through Gerber Life Insurance Company has been offered. The CCS / Gerber Life Insurance proposal offers broader coverage and similar limits. Increasing the deductible to \$35,000 from the current \$25,000 under the current IMG /Sirius policy will keep the premium at current levels. The trade off of increased coverage for a slightly highly deductible is warranted, therefore it is recommend the County change providers to CCS / Gerber.

Workers' Compensation

Market Financial Group approached alternate markets for excess Workers' Compensation Insurance. None were competitive with the County's current carrier, Safety National. The rate offered by Safety Nation has increased by 11.3%, translating into a 15.5% premium increase. Due to the hefty premium increase we recommend increasing the current Self-Insured Retention (SIR) amount from \$500,000 to \$550,000, which bring the premium percentage increase down to a 3.6% increase. Market Financial recommends retaining our Workers' Compensation account with Safety National.

Third Party Administrator (TPA)

Travelers' will provide in-house claim service for all general liability, law enforcement liability, auto and errors and omission claims. A loss fund account of \$65,000 is established at Travelers' for this purpose. Go Self Insured (GSI) will be retained to provide TPA services to adjudicate workers' compensation claims and subrogated auto liability claims. GSI's fee is \$34,000.

Insurance Consultant Fee

Market Finance Group Ltd. will provide continuing insurance consultant and broker services at its annual existing flat fee of \$47,000 for a three year period based on performance and appropriation of funds.

Surety Bonds

The County is responsible under state statue to provide surety bonds to elected official. The current surety bond for renewal is for the Regional Superintendent, which may or may not be needed.

Additional Optional Coverage Considerations

In late June staff provided the Management Services Committee with a number of current risk exposures that were to be reviewed during the process of establishing the 2012 County Insurance Program. Specifically coverage areas for the following were reviewed:

- Cyber Liability
- Contingent Liability Insurance for jail operations (Business Interruption)
- Sexual Molestation
- Surgery Coverage for Animal Control
- Underground Storage Tank Coverage

The attached chart details the coverage and cost issues associated with adding these new lines of optional coverage to the County's insurance program.

Human Resources:

There will be no personnel impacts on Human Resources as a result of the County's anticipated FY 2011 - 2012 insurance program.

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

The proposed County budget for FY'11-'12 includes \$905,660 for insurance premiums and related professional services. Currently quoted insurance costs and professional fees for existing lines of coverage are \$889,329. If all optional lines of coverage are selected, an additional premium of \$68,634 will be required. The Insurance Liability Fund has sufficient funds to cover the current recommended premium costs of for the FY'11-'12 program year.

Impact on Capital Expenditures:

There will be no impact on the County's Capital expenditures as a result of this action.

Impact on Physical Space:

There will be no need for additional space as a result of this action.

Impact on Other County Departments or Outside Agencies:

County Departments receive the benefits of the insurance coverage in transference of risks from the County to the insurer. Risk Management practices required by insurance providers helps to foster a safe and secure work environment.

Conformity to Board Ordinances and Policies:

Continuation of the current insurance program conforms to County Board policy of self-insurance while also transferring risk to insurance carriers to reduce overall insurance costs for the County.

Attachments/Appendices:

Resolution for approval of the FY 2011 through 2012 Insurance Program and related charts.

McHENRY COUNTY 2011-2012 INSURANCE PROGRAM				10/13/2011
INSURANCE TYPE	COVERAGES	ACTUAL '11 COSTS	EST. '12 COSTS	ACTUAL '12 COSTS
Casualty Insurance including:	General Liability - 1 mil per occurrence/3 mil aggregate			
Auto, General/Pro Liability	Law Enforcement - 1 mil per occurrence/3mil aggregate			
General Liability	Auto Liability			
Law Enforcement	Public Official Liability			
Health Dept.	Excess Liability - 9 mil			
Errors&Omissions	Self Insured Retention (SIR) - 250,000			
Excess Liability	Includes additional coverage for Marine Unit	355,124	372,900	375,933
Valley Hi Nursing Home	Pro. Liability-1 mil per occurrence/3 mil aggregate			
Casualty Insurance including:	Gen. Liability-1mil per occurrence/3mil aggregate			
Professional Liability	Aggregate Limit 9 mil Claims Made Deductible 100,000	105,705	111,000	97,268
Property Boiler/Machinery	Total insured 234 mil deductible 25,000 (est.)	139,000	146,000	141,674
State's Attorney	Generally 1 mil per occurrence	39,923	42,000	39,923
Public Defender	Generally 1 mill per occurrence	5,402	5,670	5,402
Crime & Fidelity	1 mil per occurrence, 50,000 deductible	4,227	4,440	4,026
Dental Clinic	1 mil per occurrence, 3 mil aggregate, 5,000 deductible	13,478	14,150	21,670
Workers' Compensation	Statutory limit, 2.5 mil liability limit, 500,000 SIR	77,104	81,000	79,997
Inmate Medical	225,000 limit, 25,000 deduction	31,208	32,800	30,506
Third Party Administrator	TPA for W. C. Claims (plus add. auto subrogation)	34,700	34,700	34,000
Consultant/Broker Fee	Fixed Fee for Broker/Consulting Services	47,000	47,000	47,000
Judges Professional Liability	1 mil per occurrence, no deductible, 8 policies	9,563	13,000	10,930
Surety Bonds	Surety Bonds for Regional Superintendent	2,875	1,000	1,000
TOTAL:		865,309	905,660	889,329

ORDINANCE NO. _____

**AMENDING ORDINANCE NO. O-201011-12-060
ADOPTING THE MCHENRY COUNTY STATEMENT OF ECONOMIC
INTERESTS ADDENDUM ORDINANCE**

WHEREAS, the County of McHenry (“County”) and its elected officials understand the need for transparent government; and

WHEREAS, it is essential that the residents of the County are confident that the County’s elected and appointed officials disclose any conflicts of interest, including, but not limited to conflicts related to the ownership of property and indebtedness; and

WHEREAS, State statute currently requires certain elected and appointed officials to file verified written statements of economic interests pursuant to and in accordance with 5 ILCS 420/4A-101, *et seq.*; and

WHEREAS, County is authorized to enact financial disclosure requirements that mandate more information than required by 5 ILCS 420/4A-101, *et seq.*; and

WHEREAS, the County Board may pass all ordinances and make all rules and regulations proper or necessary, to carry into effect the powers granted to counties, with such fines or penalties as may be deemed proper except where a specific provision for a fine or penalty is provided by law.

NOW, THEREFORE BE IT ORDAINED, that the Amended McHenry County Statement of Economic Interests Addendum Ordinance is hereby adopted and shall take effect on _____, 2011; and

BE IT FURTHER ORDAINED, that the County Clerk is hereby directed to distribute a certified copy of this Ordinance to the County Administrator and the State’s Attorney.

Dated at Woodstock, Illinois, this ____ day of _____, A.D., 2011.

KENNETH D. KOEHLER, Chairman
McHenry County Board

ATTEST:

KATHERINE C. SCHULTZ, County Clerk

STATE OF ILLINOIS)
) SS
COUNTY OF MCHENRY)

I, Katherine C. Schultz, McHenry County Clerk, within and for said County and State aforesaid, do hereby certify the foregoing to be a true and complete copy of Ordinance No. _____, Amending Ordinance No. O-201011-12-060 Adopting the McHenry County Statement of Economic Interests Addendum Ordinance.

WHEREFORE, I have hereunto subscribed my hand and affixed the official seal of said County, at my office in Woodstock, Illinois this _____ day of _____ A.D., 2011.

KATHERINE C. SCHULTZ
McHenry County Clerk

MCHENRY COUNTY STATEMENT OF ECONOMIC INTERESTS ADDENDUM ORDINANCE

Article I – Purpose and Intent

The provisions of this ordinance are to continue to ensure confidence to the residents of McHenry County (hereinafter referred to as “County”) in their elected and appointed public officials by creating an addendum to the Illinois Statement of Economic Interests which will provide for a more transparent government.

The ordinance is adopted pursuant to 55 ILCS 5/5-1113 as amended from time to time. This ordinance is not intended to replace the provisions of 5 ILCS 420/4A, *et seq. Disclosure of Economic Interests*, but to enact financial disclosure requirements that require information in addition to that which is currently required under said Act., as permitted by 5 ILCS 420/4A-101 *Persons Required to File*, that reads as follows: This Section shall not be construed to prevent any unit of local government from enacting financial disclosure requirements that mandate more information than required by this Act.

Article II – Definitions

For purposes of this Ordinance, the following words and terms shall be given the meaning as defined in Article II of this Ordinance.

1. **“Doing business with the county or any other local, public government”** means the person, business or professional entity has a relationship of a contractual nature with the county or any other local, public government in McHenry County within the last 36 months for the provision of goods or services to the county or to any unit of the county or any other local, public government in McHenry County.
2. **“Immediate family”** means an individual’s spouse, dependent children, or others if the interest herein required to be disclosed is constructively controlled by the person required to file a conflict of interest disclaimer and/or statement of economic interest pursuant to state statutes.
3. **“Interest”** means an economic, contractual, and beneficial or ownership interest in the proceeding or action, including an interest in real property affected by the proceeding or action.
4. **“Professional entity”** means an entity that provides professional services as defined in 5 ILCS 420/1-116, to wit: services rendered in the practice of law, accounting, engineering, medicine, architecture, dentistry or clinical psychology. For purposes of this ordinance, Professional Entity also includes any other entity whose business must be licensed or conducted by persons required to be licensed in their profession.

- 5. **“Real property”** means property consisting of land, buildings, crops or other resources still attached to or within the land or improvements or fixtures permanently attached to the land or a structure on it.

Article III – Disclosure of Economic Interests Addendum

(a) All elected or appointed county public officials who are required by law to file a Statement of Economic Interests shall file with the county clerk, a verified Addendum to Statement of Economic Interests responding in detail to the following questions:

- 1. Other than your principal residence, do you or any members of your immediate family own any interest in real property located within the County? _____

If your answer is affirmative, state the following information for each such interest owned:

- a. The nature of your interest in the real property and your instrument of ownership as defined in 5 ILCS 420/1-115 (deeds, common or preferred stock certificates, rights, warrants, options, bills of sale, contracts, interests in proprietorships, partnerships and joint ventures, and beneficial interests in trusts or land trusts).
- b. The location of the real property (for improved property, provide the street address; for unimproved property, state its location in relation to existing streets);
- c. The property's permanent real estate tax identification number.

- 2. Do you or members of your immediate family own an interest in any business or professional entity doing business with the County or any other public/local government agency within McHenry County? _____. Are you or any members of your immediate family an officer or director of any business or professional entity doing business with the County or any other local, public government agency within McHenry County? _____

If your answer to either of the foregoing questions is in the affirmative, state the following: the name of the business or professional entity, the nature of your relationship to the business or professional entity; the type of product produced or service rendered by the business or professional entity and the extent or percentage of the interest.

- 3. Other than a debt to secure a mortgage upon your principal residence or business loan are you or members of your immediate family indebted to any person or business or professional entity doing business with the County or any other local, public government within McHenry County?
Circle One: **YES NO**

If yes, list each such person, business or professional entity to which you or members of your immediate family are indebted and the amount of each debt. EXCLUDE: Any liability of \$1,200.00 or less; student loans; installment loans (cars, household effects, ect.); medical and dental debts; credit card purchases; support or alimony obligations; debts owed to spouse or close relative; and debts incurred in the maintenance of your household.

4. If you or members of your immediate family have been released from any indebtedness from any person, business or professional entity doing business with the County or any other local, public government within McHenry County exceeding in its principal amount of \$1,200.00 within the last year without repaying the total balance due on such indebtedness, list the name of the creditor providing the release, the nature and the amount of the indebtedness, and describe the circumstances surrounding the release. EXCLUDE: Any liability of \$1,200.00 or less; student loans; installment loans (cars, household effects, etc.); medical and dental debts; credit card purchases; support or alimony obligations; debts owed to spouse or close relative; and debts incurred in the maintenance of your household.

(b) All elected or appointed county public officials who are required by law to file a Statement of Economic Interests shall file with the county clerk, on an annual basis, an Addendum to Statement of Economic Interests in conjunction with the Statement of Economic Interests to be filed with the Secretary of State pursuant to 5 ILCS 420/4A-105.

Article IV – Applicability of Other Laws

Nothing in this ordinance shall be deemed to in any way restrict the application of any state, local or common law provision with respect to conflict of interest, malfeasance, misfeasance or nonfeasance in office or employment that would otherwise be applicable to any individual subject to the provisions of this ordinance. The provisions of this ordinance shall be deemed to be additional requirements and shall in no way be construed as a derogation of present statutory penalties and other local remedies for acts prohibited in this ordinance.

Article V – Procedures and Duties of County Clerk

The relevant provisions of 5 ILCS 420/4A, et seq. are hereby incorporated into this code as procedure regarding time for filing, where to file, notification to persons required to file, ~~penalties for failure to file~~ and other miscellaneous provisions.

If any person who is required to file a statement fails to file by May 1 of any year, the County Clerk shall, within 7 days after May 1, notify such person by certified mail of his or her failure to file by the specific date. Failure to file by May 31, shall be a violation of this ordinance.

Any person who becomes required to file within 30 days prior to May 1, and fails to file by May 31, shall be notified by the County Clerk within 7 days after May 31, of his or her failure to file by the specific date. Failure to file by June 30, shall be a violation of this ordinance.

The county clerk will receive and maintain a log of all complaints made against individuals subject to this ordinance. All complaints against elected or appointed county officials, county department heads, or the county administrator alleging a violation of the disclosure provision of this ordinance shall be submitted to the State's Attorney for investigation.

Article VI – Penalty for Violation of Ordinance

The penalty for failure to file a statement by May 31 or June 30 as proscribed herein or for knowingly and intentionally filing a false or incomplete statement shall be an ordinance violation subject to fines and penalties not to exceed \$1,000.00 pursuant to 55 ILCS 5/5-1113. All ordinance violations shall be filed within the McHenry County Circuit Court located at 2200 N. Seminary Avenue, Woodstock, Illinois.

**ADDENDUM TO STATEMENT OF ECONOMIC INTERESTS
TO BE FILED WITH
THE CLERK OF McHENRY COUNTY, ILLINOIS**

(Name of person for which this Addendum is Filed)

(List each Office or Position of Employment for which this Addendum is Filed)

(Full Post Office Address to which Notification of an Examination of this Addendum should be Sent)

GENERAL DIRECTIONS

The interest (if constructively controlled by the person making the statement) of a spouse or any other party; including dependent children or others of interest, shall be considered to be the same as the interest of the person making the statement. Campaign receipts shall not be included in this statement.

If additional space is needed, please attach a supplemental listing.

1. Other than your principal residence, do you or any members of your immediate family own any interest in real property located within the County? _____

If your answer is affirmative, state the following information for each such interest owned:

- a. The nature of your interest in the real property and your instrument of ownership as defined in 5 ILCS 420/1-115 (deeds, common or preferred stock certificates, rights, warrants, options, bills of sale, contracts, interests in proprietorships, partnerships and joint ventures, and beneficial interests in trusts or land trusts).
- b. The location of the real property (for improved property, provide the street address; for unimproved property, state its location in relation to existing streets);
- c. The property's permanent real estate tax identification number.

2. Do you or members of your immediate family own an interest in any business or professional entity doing business with the County or any other public/local government agency within McHenry County? _____. Are you or any members of your immediate family an officer or director of any business or professional entity doing business with the County or any other local, public government agency within McHenry County? _____

If your answer to either of the foregoing questions is in the affirmative, state the following: the name of the business or professional entity, the nature of your relationship to the business or

professional entity; the type of product produced or service rendered by the business or professional entity and the extent or percentage of the interest.

3. Other than a debt to secure a mortgage upon your principal residence or business loan are you or members of your immediate family indebted to any person or business or professional entity doing business with the County or any other local, public government within McHenry County?
Circle One: **YES NO**

If yes, list each such person, business or professional entity to which you or members of your immediate family are indebted and the amount of each debt. EXCLUDE: Any liability of \$1,200.00 or less; student loans; installment loans (cars, household effects, etc.); medical and dental debts; credit card purchases; support or alimony obligations; debts owed to spouse or close relative; and debts incurred in the maintenance of your household.

4. If you or members of your immediate family have been released from any indebtedness from any person, business or professional entity doing business with the County or any other local, public government within McHenry County exceeding in its principal amount of \$1,200.00 within the last year without repaying the total balance due on such indebtedness, list the name of the creditor providing the release, the nature and the amount of the indebtedness, and describe the circumstances surrounding the release. EXCLUDE: Any liability of \$1,200.00 or less; student loans; installment loans (cars, household effects, etc.); medical and dental debts; credit card purchases; support or alimony obligations; debts owed to spouse or close relative; and debts incurred in the maintenance of your household.

Verification:

“I declare that this Disclosure of Economic Interests (including any accompanying attachments) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of my economic interests as required by the McHenry County Economic Interests Resolution and Conflicts of Interest Disclosure Ordinance. I understand that the penalty for knowingly and intentionally filing a false or incomplete statement shall be an ordinance violation subject to fines and penalties not to exceed \$1,000.00 (5 ILCS 5/5-1113).”

(Date of filing)

(Signature of person making the statement)

ORDINANCE NO. _____

AMENDING BUILDING USE ORDINANCE

WHEREAS, it is felt that the use of the buildings and grounds under the charge and control of the County of McHenry is most appropriately governed by unified rules and regulations; and

WHEREAS, it is the recommendation of your Management Service Committee that such rules and regulations should be embodied in an Ordinance; and

WHEREAS, the McHenry County Board did on August 15, 2000 approve a Building Use Ordinance; and

WHEREAS, it has become necessary to amend the Ordinance to reflect changes in facilities and conditions governing the use of building and grounds under the charge and control of the County of McHenry.

NOW, THEREFORE BE IT ORDAINED, that the following rules and regulations shall apply to all buildings and grounds under the charge and control of the County of McHenry; and

BE IT FURTHER ORDAINED, that this Ordinance shall govern the use of any public meeting areas of buildings and grounds owned, leased or otherwise occupied exclusively or managed by the County of McHenry by groups wishing to use such facilities or land for its own purposes.

DATED at Woodstock, Illinois the 6th day of December, A.D., 2011.

KENNETH D. KOEHLER, Chairman
McHenry County Board

ATTEST:

KATHERINE C. SCHULTZ, County Clerk

BUILDING USE ORDINANCE

WHEREAS, it is felt that the use of the buildings and grounds under the charge and control of the County of McHenry is most appropriately governed by unified rules and regulations; and

WHEREAS, it is the recommendation of your Management Services and Finance Committees that such rules and regulations should be embodied in an Ordinance; and

WHEREAS, the McHenry County Board did on August 15, 2000 approve a Building Use Ordinance; and

WHEREAS, it has become needed to amend the Ordinance to reflect changes in facilities and conditions governing the use of buildings and grounds under the charge and control of the County of McHenry.

NOW, THEREFORE BE IT ORDAINED, that the following rules and regulations shall apply to all buildings and grounds under the charge and control of the County of McHenry. This Ordinance shall govern the use of any public meeting areas of buildings and grounds owned, leased, or otherwise occupied exclusively or managed by the County of McHenry by groups wishing to use such facilities or land for its own purposes. Public meeting areas are these areas accessible without having to enter office or work space.

To wit:

SECTION I. Title: This Ordinance shall be known as the McHenry County Building Use Ordinance.

SECTION II. Authority: This Ordinance is adopted pursuant to 55 ILCS 5/5-1005 and 55 ILCS 5/5-1015.

SECTION III. Accessibility: All County controlled property ~~that is~~ shall be open to the public for the transaction of business during normal business hours (8:00 a.m. until 4:30 p.m.). Access within departments shall be at the discretion of the relevant department head/elected official. Use of County controlled property after hours shall be governed by Section XI below.

SECTION IV. Prohibitions: It shall be unlawful to:

- A. Dispose of rubbish on County controlled property in unauthorized containers.
- B. Willfully destroy or damage County controlled property.
- C. Remove County property from the premises.
- D. Create a hazard of any kind on County controlled property.
- E. Throw articles of any kind from or at a County controlled building.
- F. Climb on any part of a County controlled building. ~~However, from time to time, public safety training may be conducted by the McHenry County Sheriff's Department from a County controlled building. If such training includes a non-County organization, a formal agreement with that agency shall be executed.~~
- G. Loiter, initiate disorderly conduct, or initiate any conduct which creates a nuisance; reasonably obstructs the usual use of entrances, foyers, lobbies, corridors, offices, elevators, stairways, or parking lots; impedes or disrupts the performance of the official duties of County employees; or which prevents the general public from conducting business in a timely manner.

H. Enter upon County-controlled property, or while on the property, be under the influence of, use or be in possession of any narcotic drug, hallucinogen, marijuana, barbiturate or amphetamine. This prohibition shall not apply in cases where the drug or substance is prescribed for a patient by a licensed physician.

I. Enter upon County controlled property, or while on the property be under the influence of alcoholic beverages. The use of alcoholic beverages on County controlled property is strictly prohibited. This prohibition shall not apply in instances where alcohol is allowed to be used by patients under the care of the County. **There shall be no alcoholic beverages served upon, consumed upon, or brought onto County property. Smoking is prohibited in all County buildings at all times in conformance with the Smoke Free Illinois Act [Public Act 95-0017] effective January 1, 2008 and the McHenry County Smoking Policy.**

J. Erect a tent, monument, structure, portable toilet, platform, or sign on the grounds of County controlled property.

K. Camp on the grounds of County controlled property.

L. Carry into a County controlled building sticks, poles, or any device used for hoisting signs or placards overhead or for any other purpose.

SECTION V. Solicitation, Vending, and Debt Collection: The solicitation of alms, commercial solicitation, and unauthorized commercial vending, the unauthorized distribution or display of commercial advertising and the collection of private debts on County controlled property is prohibited. This prohibition shall not apply to:

A. Local drives for funds for welfare, health or other purposes as authorized by the County **Administrator** in accordance with Section XI of this Ordinance;

B. Advertisements and concessions authorized by the County, and concessions or personal notices posted by employees on authorized bulletin boards;

C. Solicitation of labor organizations membership or dues as authorized by the County under the Illinois Public Labor Relations Act (5 ILCS 315/1 et.seq.);

D. Solicitation of funds by non-profit charitable, fraternal, religious, veterans and political groups in accordance with Section XI of this Ordinance. Public areas of County controlled property may be used for activities permitted in accordance with Section XI.

The posting or affixing of materials, such as posters, pamphlets, handbills or flyers, on bulletin boards or elsewhere in County controlled property is prohibited, except as authorized in this Section or when such displays are constructed as part of authorized County activities. Distribution of materials, such as pamphlets, handbills or flyers is prohibited, except in the public areas of the property as defined in Appendix 1 (attached hereto and made part of this Ordinance), and unless conducted as part of authorized County activities. Any person or organization proposing to distribute materials in a public area under this Section shall first obtain a permit from the County Administrator's Office pursuant to Section XI and shall conduct distribution in accordance with the provisions set forth therein. Failure to comply with those provisions is a violation of this Ordinance.

Photographs may be taken in space occupied by a County agency only with the consent of the relevant department head/elected official. Except where a court order or local rule prohibits it, photographs for news purposes may be taken in entrances, lobbies, foyers, corridors or auditoriums when used for public meetings. Subject to the

foregoing prohibitions, photographs for advertising and commercial purposes may be taken only with written permission of the relevant department head/elected official.

SECTION VI. Animals: All animals, except for support dogs for the physically impaired and animals that are part of official County business (including animals participating in Court appearances), shall not be allowed in or on County controlled property.

SECTION VII. Vehicular and Pedestrian Traffic: Drivers of all vehicles entering upon County controlled property shall drive in a careful and safe manner at all times and shall comply with all signals and directions of authorized individuals and all posted traffic signs. The blocking of entrances, driveways, walks, loading platforms or fire hydrants on County controlled property is prohibited.

SECTION VIII. Parking: Parking is provided for the convenience of the public and for County employees to attend their work. Parking without authority, parking in unauthorized locations or in locations reserved for other persons, or parking contrary to the direction of posted signs is prohibited. Vehicles parked in violation, where warning signs are posted, shall be subject to removal at the owners' risk and expense. This paragraph may be supplemented from time-to-time by the issuance and posting of specific traffic directives and when so issued and posted, such directives shall have the same force and effect as if made a part hereof. Proof that a motor vehicle was parked in violation of these regulations or directives may be taken as prima facie evidence that the registered owner was responsible for the violation.

SECTION IX. Weapons and Explosives: No person shall carry or possess firearms, other dangerous/deadly weapons, explosives, or materials intended to be

used to fabricate an explosive, or incendiary device while in or on County controlled property (whether carried openly or concealed) except for official purposes.

Weapons, reproductions of weapons, and any item capable of being conceived as weapons (except those carried by a law enforcement official on duty) are forbidden from being brought onto County property.

SECTION X. Demonstrations: The holding or conducting of any demonstration, public meeting, gathering, or parade on or in a County controlled building or their grounds is prohibited, unless a permit for such activity has been issued by the County. No such request shall take precedence over a County government activity which has been previously scheduled and approved by the County Administrator's Office. Any group seeking a permit hereunder, that will have 25 or more participants, shall have one marshal per every 25 participants. In such instances, the County Administrator's Office shall consult and coordinate with the Sheriff and other law enforcement agencies as may be needed and shall issue a permit to an applicant unless that intended activity will:

- A. Unreasonably interfere with the movement of vehicular traffic in the parking lots of the County controlled facility, or persons within the buildings or on the grounds;
- B. Occur in any area that will create or cause a health and/or safety hazard and that will impede the conduct of public business;
- C. Endanger the health and safety of the permit applicants; or the public; or
- D. Conflict in date, time, and place with a previously scheduled activity of another applicant or a County government agency.

No person or group of persons shall use any electronic loudspeaker, bullhorn, or any other sound amplifying device during a demonstration, public gathering, or parade, unless prior authorization by the County Administrator's Office is obtained pursuant to Section XI of this Ordinance.

SECTION XI. Public Use: Certain areas of County controlled buildings and grounds may be occasionally made available for cultural, educational, civic, and other public activities, including solicitation of funds as outlined in Section V of this Ordinance. The purpose of this Section is to outline procedures to be followed in permitting such occasional use.

A. Terms used in this Section shall have those definitions cited in Appendix 1.

B. Permits. Any person or organization desiring to use a public area of a County controlled building or its grounds shall first obtain a permit from the County Administrator's Office. To obtain this permit, a copy, sample, or description of any material or item proposed for distribution, sale or display shall be submitted along with an application setting forth the following:

1. The full name, mailing address, and telephone number of the applicant;
2. The full name, mailing address, and telephone number of the person or organization sponsoring, promoting, or conducting the proposed activity;
3. The full name, mailing address, and telephone number of the individual person or persons who will have supervision of and responsibility for the proposed activity;

4. A description of the proposed activity;
5. The proposed dates and hours during which the activity is to be conducted;
6. The approximate number of persons to be engaged in this activity; and
7. Any group using any County building or grounds pursuant to this ordinance shall be required to execute a release of liability for negligence for any damages to County property during the time of use. Moreover, any such group using County property shall be required to execute an agreement to indemnify and hold harmless the County for any liability to third parties for injuries caused by the group, or any persons or group invited to attend the meeting or session on County property. The group shall be liable to the County for any and all damages to County property or injuries to County employees, officers, agents or employees, or by any person attending or seeking to attend the group's meeting, whether or not such damage is the result of negligence, intention acts, or accident. Moreover, as part of any application for use, any such user whose use for a particular function will involve thirty (30) or more persons must provide ~~The indemnification of the County relative to the applicant's activities under the permit. When appropriate, the application shall be accompanied~~ by a certificate of insurance evidencing the following minimum insurance coverage: (i) \$100,000 damage and property; and (ii) \$500,000 general public liability. In addition, McHenry County shall be

named as an additional insured on the policy as their interest may appear.

See Appendix 2 for a sample application and permit forms. Appendix 2 is attached hereto and made part of this Ordinance.

If the applicant claims to represent an organization, a letter or other documentation is required showing that the applicant has authority to represent that organization.

Any person or organization desiring to use a public area of a County controlled building or grounds for the soliciting of funds not prohibited by Section V. of this Ordinance shall, in addition to the requirements cited above, submit a statement signed by the applicant that:

1. The applicant represents, and will be soliciting funds, for a non-profit charitable, fraternal, religious, veterans, or political group.
2. The applicant's organization has received an official Internal Revenue Service (IRS) ruling or letter of determination stating that the organization (or its parent organization) qualifies for tax-exempt status under 26 U.S.C. (c) (3); (c) (4); or (c) (5); or
3. Applicant's organization has applied to the IRS for a determination of tax-exempt status under 26 U.S.C. (c) (3); (c) (4); or (c) (5), and that the IRS has not yet issued a final administrative ruling or determination of this status.

Failure to submit the information required by this Section, including proof of tax exempt status, shall result in denial of a permit. However, the applicant will have the

opportunity to appeal the denial of a permit application in accordance with Section XI D of this Ordinance.

Applications shall be filed during regular working hours in the County Administrator's Office or such other place as he or she may designate. Applications may be submitted by mail or in person.

A single permit shall be issued within 10 (ten) working days following receipt of the completed application by the County Administrator's Office. Such a permit is deemed a privilege, and not a property right of the applicant.

C. Each permit shall authorize the permittee to conduct the activity for the period of time requested; provided that a permit shall not be issued for a period of time in excess of 30 calendar days, unless specifically approved by the Management Services Committee. After the expiration of the permit, a new permit may be issued to the former permit holder upon submission of a new application. In such a case, applicants may be permitted to incorporate by reference any required information or documentation filed with a previous application.

If permits are requested for the same public area for the same time period, the County Administrator's Office will issue permits on a first-come-first-serve basis.

It is the sole prerogative of the County to assign rooms based on anticipated group size, the nature of the event, and anticipated space needs for official purposes.

If possible, notification of cancellation should be made to the County at least 24 hours in advance of the proposed activities.

Due to the limitations on facilities and staff, the room configurations shall be approved by the County Administrator's Office, in consultation with the applicant. No

alterations in room configurations can be made without 24 hours advance notice and then only when the change requested is capable of being accomplished by the ~~Building Operations Department~~. **Facilities Management**.

The user shall be responsible for returning the furniture and fixtures in the meeting room to its original configuration and condition at the conclusion of the meeting or other use. No nails, pins, or tape may be used on the walls or woodwork of any County building.

Permits will be granted only if the date is available. All premises shall be returned to the condition in which they were found.

The County Administrator's Office shall initiate action to disapprove any application or to cancel an issued permit for use of a public area if the proposed use:

1. Is a commercial activity as defined in Appendix 1 of this Ordinance;
 2. Obstructs the free ingress and egress of the users of a public area;
 3. Damages the public building or any property within the public building;
 4. Disrupts the official business of the agency or agencies occupying the public buildings;
 5. Interferes with a tenant's quiet enjoyment of their leasehold;
 6. Interferes with a previously approved use of the public area by members of the public;
 7. Is obscene within the meaning of obscenity in 720 ILCS 5/11-20.
 8. Pertains to any judicial proceeding then pending in the public building and this use is intended to influence or impede the judicial proceeding;
- or

9. Is being conducted with a permit issued in response to an intentionally false or incomplete application.

Upon initiating action to disapprove an application or to cancel an issued permit for any of the above reasons, the County Administrator's Office shall:

1. Promptly notify the applicant or permittee (in writing) of the intent to disapprove or cancel and the reasons for this action; and
2. Inform the applicant of his or her right to appeal the pending disapproval or cancellation to the Management Services Committee under Sub-Section D of Section XI of this Ordinance.

D. Within seven (7) working days of notification of the initial decision to disapprove any application, or deny a fee request waiver, or cancel an issued permit under this Section, the applicant or permittee may appeal to the Management Services Committee by notifying the Committee, in writing, that he or she desires to appeal.

Although a formal hearing or presentation is not required, the applicant or permittee and the County Administrator shall have the opportunity to orally state the reasons that the application or cancellation should or should not be approved. Written materials and documents may also be submitted. The Management Services Committee shall affirm or reverse the County Administrator's determination based on this information. The Management Services Committee shall affirm or reverse the Administrator's determination within ten (10) working days of the date on which the Management Services Committee received the applicant or permittee's notification of his or her desire to appeal. If the Management Services Committee does not rule within this period, the application will be considered to be approved or the permit validly

issued. Upon reaching a decision on an appeal taken under this Section, the Management Services Committee shall promptly notify the applicant or permittee and the County Administrator of the decision and the reasons therefore. The decision of the Management Services Committee shall be final and shall represent the last step of administrative remedy available pursuant to this Ordinance.

E. Nothing in this Section shall prevent the County Administrator's Office from:

1. Reserving the use of public areas of the public buildings for official County business;
2. Setting aside certain days or time for maintenance, construction, or repair; or
3. Preempting an approved use of a public area for official County business.

F. Public areas made available may be used during or after the regular working hours of County agencies, provided this after hour use will not interfere with the conduct of County business. When public areas are used by permittees after normal working hours, all adjacent areas not approved for after hours usage shall be locked, identified by signs, or physically barricaded, as appropriate, to restrict the participants' movements to only that space or area(s) approved for usage. Appropriate notification of arrangements shall be made with building security in this regard. Under no circumstance will an afterhours meeting or event extend past 10:00 p.m. **Security is required at all after-hours events in buildings that have security on duty during business hours. Arrange Security through the Sheriff's Office for the Government and Risk Management for the Administration Building.**

G. The space to be provided under this Section is subject to a fee of \$50.00 for a period of four hours or less. A fee of \$100 will be charged for facility use greater than four hours but less than eight hours. The County Administrator may waive the fee if circumstances indicate doing so. If a request for a waiver of the fee is denied, the applicant has the opportunity to appeal said denial in accordance with Section XI D of this Ordinance.

H. There shall be no alteration to public areas used under this Ordinance. The permittee must make adequate provisions for the:

1. Protection of the safety to users of the public area; and
2. Prevention of damage to the public building and County-owned equipment.

I. County-owned equipment, including overhead projectors, VCR's, televisions, film projectors, and screens are not available for use.

J. The permittee shall not:

1. Misrepresent his or her identity;
2. Distribute any item for which the prior approval from the County Administrator's Office has not been obtained;
3. Leave leaflets or other material unattended at any place on County-controlled property;
4. Conduct any activities in a misleading or fraudulent manner;
5. Discriminate on the basis of race, creed, color, sex, handicap, age, or national origin, in conducting the permitted activities.

K. Initial clean-up from the permitted activity shall be the responsibility of the applicant. The ~~Building Operations~~ **Facilities Management** Manager shall report related damage to the County Administrator immediately. The permittee shall be liable for all costs to repair damage caused by the permitted activity, including loss of County equipment.

SECTION XII. Posting of Notices and Information: Only the following types of notices or information items may be posted on bulletin boards in non-public areas of a County-controlled building:

- A. Official business notices of the County;
- B. Request for funds for welfare, health, and other purposes, approved by the County of McHenry or by the head of the occupant agency;
- C. Personal notices of agency employees, such as the sale of an employee's property or requests for carpool participation; and
- D. Labor organization notices.

SECTION XIII. County Non-affiliation: The County reserves the right to advise the public through signs or announcements of the presence of any permittees in a building or on the grounds of County-controlled buildings and of their non-affiliation with the County of McHenry.

SECTION XIV. Emergencies: In case of any emergency, all persons within or upon a County-controlled building or its grounds shall comply with an evacuation procedures or oral instructions from security personnel **at facilities that have security personnel on duty**. ~~To report an emergency, contact the Security Office at extension 5061.~~ **Call 911 for all emergencies when no security personnel are on duty. When**

security is on duty and 911 needs to be called promptly, notify security personnel so that quick access to the building can be obtained for responding emergency agency.

SECTION XV. Enforcement: This Ordinance shall be enforced within all County-controlled facilities by the McHenry County Sheriff.

SECTION XVI. Penalties: Whoever shall be found guilty of violating any provision of this Ordinance while on any property under the control of the County of McHenry is subject to a fine of not less than \$50.00, nor more than \$500.00. Nothing in this Ordinance shall be construed to abrogate any other County laws or regulations or any State and local laws or regulations applicable to any area in which the relevant property is situated.

SECTION XVII. Building Commission: When necessary or appropriate, the County Administrator shall seek the advice and consent of the McHenry County Public Building Commission with respect to this Ordinance.

SECTION XVIII. Non-discrimination: There shall be no discrimination by segregation or otherwise against any person or persons because of race, creed, sex, color, handicap, age, or national origin in furnishing or by refusing to furnish to such person or persons the use of any facility of a public nature, including all services, privileges, accommodations and activities provided thereby on property controlled by the County.

SECTION XIX. Interpretations: The County Administrator, in consultation and collaboration with the Management Services Committee, shall be responsible for interpretation of this Ordinance.

SECTION XX. Supersede: This Ordinance shall supersede all Resolutions and Ordinances dealing with the use of County facilities previously approved by this County Board.

DATED at Woodstock, Illinois on ~~this fifteenth day of August, A.D. 2000.~~

2011.

~~MICHAEL W. TYON,~~
KENNETH D. KOEHLER
Chariman, McHenry County Board

ATTEST:

KATHERINE SCHULTZ
County Clerk

APPENDIX 1

Definitions

A. "Public building" shall mean any building and its grounds, or part thereof, under the charge and control of the McHenry County Board.

B. "Public area" shall mean any area of a public building or its grounds ordinarily open to members of the public, such as lobbies, courtyards, auditoriums, meetings rooms, and any other area not specifically leased by any lessee of the public building, and excluding office corridors, restroom facilities, elevators, stairways and parking areas for purposes of authorized distribution of literature or solicitation of funds since such activity in those places would substantially interfere with prompt and efficient County operations and pedestrian traffic, and would pose dangers to public safety.

C. "Applicant" shall mean any person or organization who applies for a permit to use a public area within a public building or on its grounds.

D. "Permittee" shall mean any person or organization that has been granted a permit to use a public area within a public building or on its grounds.

E. "Cultural activities" shall mean those activities pertaining to acquaintance with and taste in fine arts, humanities, and broad aspects of science as distinguished from vocational and technical skills.

F. "Educational activities" shall mean those activities pertaining to the action or process of providing or receiving academic, vocational or other instruction related to the improvement of human skills and knowledge.

G. "Civic activities" shall mean those activities pertaining to rights and duties of citizens and involving the general public, their activities, needs and understanding in relation to the local government and its citizenry.

H. "Commercial activities" shall mean activities undertaken for the primary purpose of obtaining a profit for the benefit of an individual or organization organized for profit, as opposed to activities whose purpose is the expression of ideas or advocacy of causes, whether of a religious, artistic, political, charitable, educational, or cultural nature, where the commercial aspects involved are incidental to the purpose of the activity.

APPENDIX 2



Permit Application
Public Building Use

INSTRUCTIONS

- 1. Complete application in its entirety. Please include all applicable attachments. Please type or print.
- 2. Submit to the County Administrator, 667 Ware Rd, Woodstock, IL. 60098, mailing address 2200 N. Seminary Ave., Room B120, Woodstock, IL 60098.
- 3. Permit will be issued to the applicant within ten (10) business days of receipt of this application.
- 4. In submitting a permit application, the applicant acknowledges that he/she understands, and is subject to, the McHenry County Building Use Ordinance.

I. APPLICANT INFORMATION

ORGANIZATION REPRESENTED
(If Applicable)

Full Name: _____
Street Address: _____
City/State/Zip: _____
Telephone Number: _____

II. DESCRIPTION OF PROPOSED USE

Proposed Use: _____
Proposed Date (s): _____ Proposed Hours: _____
(NO MEETING BEYOND 10:00 P.M.)
Proposed Location (s): _____
Estimated Number of Persons Attending: _____
Name and Address of Responsible On-Site Attendant (s): _____

- III. Applicant assures that applicant organization is tax exempt or has applied to the IRS for a determination of tax-exempt status under 26 U.S.C. 501 (c) (3), (c) (4), or (c) 5, and the IRS has not yet issued a final administrative ruling or determination of this status.
- IV. Applicant assures that individuals engaged in the authorized solicitation of funds shall visibly wear identification at all times while on County controlled property containing the individuals name, address, telephone number, and name of applicant organization.
- V. The applicant shall indemnify, hold harmless and defend the County of McHenry, its officers and employees against any and all liability, loss, costs, damages, expenses, claim or actions, including attorney's fees which the County of McHenry, its officers or employees may hereafter sustain, incur or be required to pay, resulting from the negligent, willful or wanton acts or omissions of the organization, its employees and agents, without limitation, arising out of or resulting from the use of the County of McHenry's facilities.
- VI. If the applicant (or the applicant organization) is insured, a certificate of insurance detailing the type and amount of coverage (per occurrence and in aggregate) shall be submitted to the County Administrator's Office at least ten (10) business days prior to the intended use date. Insurance will not be considered grounds for denial of a permit

Signature of Applicant _____

PERMIT NO:

PERMIT FOR PUBLIC BUILDING USE

This permit, as evidenced below by the signature of the County Administrator or designee, is issued in accordance with the McHenry County Building Use Ordinance and is based upon the proper application and assurances of the person named above.

Approved by: _____

Title: _____

Date: _____

cc: Permit File
~~Court Security~~ **Government Center or Risk Management**
~~Building Operations Manager~~ **Facilities Management**