

MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
JULY 19, 2005

Chairman of the Board – Kenneth Koehler (District 2)

District 1	District 2	District 3
Donald R. Brewer	Marie M. Chmiel	Ed Dvorak
Marc Munaretto	James Heisler	Ann Kate
Anna May Miller	Kenneth Koehler	Nick Provenzano
Dan Shea	Lyn Orphal	Barbara Wheeler
District 4	District 5	District 6
Sue Draffkorn	John Jung Jr.	Ann Gilman
John Hammerand	Perry Moy	Richard Klasen
Pete Merkel	Virginia Peschke	Don Larson
Sandra Fay Salgado	Tina Hill	Mary Lou Zierer

The Honorable County Board of McHenry County, Illinois met in Regular Session on Tuesday, July 19, 2005.

Chairman Koehler called the meeting to order at 7:00 p.m. The Pledge of Allegiance to the Flag was led by County Clerk Katherine C. Schultz with Members of the Board, department heads and visitors participating. Ms. Miller gave the invocation/personal remarks.

ROLL CALL

The roll was called by County Clerk Katherine C. Schultz. The following members responded: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Hammerand, Heisler, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto and Koehler. Absent: Dvorak, Gilman, Hill and Merkel. Chairman Koehler noted a quorum present with twenty (20) members responding.

MINUTES

None

CHAIRMAN'S REMARKS

Chairman Koehler said it had been brought to his attention that Will County passed a resolution this morning in regard to the severe drought conditions for the farmers. He said he is planning on going across the county in the next couple of days to survey the conditions of McHenry County for that same purpose.

SPECIAL RECOGNITION

Ms. Miller made a motion seconded by Ms. Kate to approve the following Eagle Scout recognition:
Matthew Harvey of Troop #161 Oakwood Hills/Cary

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

Resolution Honoring retiring McHenry County Mental Health Board Director Dennis G. Smith

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

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

Chairman Koehler asked Mr. Smith to come forward and presented him with a Certificate of Appreciation for dedicated service on behalf of the County Board. Mr. Smith thanked the board and made a few comments. Mr. Larson added that although Mr. Smith has retired he is still serving until we have a new director. Last night he introduced a new program that will make the billing for all of the agencies that serve

the county more efficient and will be able to collect more funds with a quicker turn around. He thanked Mr. Smith for his innovations of the past and the new ones that are coming along.

Resolution Honoring Sharon Felde for celebrating thirty-five years of service as an employee of the Circuit Clerk's office.

Mr. Brewer made a motion seconded by Mr. Provenzano to approve the above-named resolution.

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

ZBA CONSENT AGENDA

Mr. Heisler asked if anyone wished to remove any petitions. Ms. Peschke removed Petition #05-23.

Mr. Heisler made a motion seconded by Mr. Klasen to approve the following Petitions:

- Exb. #04-90; McHenry Twp; MrzygLod; reclass of R1 to R1V
- Exb. #05-33; Dunham Twp; Gamble; reclass of R1 to R1V
- Exb. #05-47; Coral Twp; McClendon; reclass of A1 to A2
- Exb. #05-58; Algonquin Twp; Poulsen; reclass of R1 to R1V
- Exb. #05-66; Algonquin Twp; Johnson; reclass of R1 to R1V
- Exb. #05-73; Alden Twp; Wiersma/Endres; reclass of A1 to A1V
- Exb. #05-77; Seneca Twp; Keller; reclass of A1C to A1CV

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Hammerand, Heisler, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto and Koehler. Absent: Dvorak, Gilman, Hill and Merkel. The vote being twenty (20) aye votes noting four (4) absent, Chairman Koehler declared the motion passed.

Mr. Heisler made a motion seconded by Ms. Peschke to approve the following Petition:

- Exb. #05-23; McHenry Twp; Schey; reclass of A1 to A1C

Ms. Peschke made a motion seconded by Ms. Orphal to amend Petition #05-23 by removing the last sentence in Paragraph #4 in the third WHEREAS and the same change in the NOW THEREFORE section of the Ordinance. She said the wording in this part is beyond the scope of the ZBA to determine that.

Chairman Koehler asked for a voice vote on the motion to amend, the ayes having it the motion is passed.

Chairman Koehler asked for a roll call vote on the main motion to approve Petition #05-23 as amended. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Hammerand, Heisler, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto and Koehler. Absent: Dvorak, Gilman, Hill and Merkel. The vote being twenty (20) aye votes noting four (4) absent, Chairman Koehler declared the motion passed.

PUBLIC PARTICIPATION

Chairman Koehler explained the rules of public participation. The following people spoke:

Mary Hoffing of Barrington Hills	against	Duda property proposed development
Janet Agnoletti of Barrington Area Council of Govt.	against	Duda property proposed development

Noting no other persons wishing to speak, Chairman Koehler closed this section of the meeting.

NEW AND UNFINISHED BUSINESS

Resolution authorizing submission of an application by the Illinois Railroad Museum for ITEP funding.

Mr. Shea made a motion seconded by Mr. Heisler to approve the above-named resolution.

Mr. Labaj explained that Mr. Nick Kallas, General Mgr of the IL Railroad Museum, came to him on Friday with a request to put forth a resolution to sponsor an Illinois Transportation Enhancement Program application for the railroad museum. Mr. Labaj said IDOT has available some funds that were not being utilized and put forth an aggressive schedule to apply for these funds. The applications are due August 1st and there is supposed to be a funding decision on the applications in December. The IL Railroad Museum received work from IDOT that they were eligible for this program on July 5th. The funds would be used to construct a visitor center at the Railroad Museum in Union. They will be applying for \$2 million dollars of the grant. One of the requirements of the application is that a local government sponsor this and McHenry County would be that sponsor. This does put the county in a fiduciary responsibility if we receive the grant. A lot of those responsibilities can be delegated under a sub-agreement between the county and the IL Railroad Museum. Mr. Munaretto expanded on this by saying there is a 20% match but the source of funds will be the IL Railroad Museum. It was asked if there was a length of time the county had to be the sponsor. Mr. Labaj said it would last for the period of the grant. Several members of the board expressed their support of this grant.

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Hammerand, Heisler, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto and Koehler. Absent: Dvorak, Gilman, Hill and Merkel. The vote being twenty (20) aye votes noting four (4) absent, Chairman Koehler declared the motion passed.

APPOINTMENTS

Ms. Zierer made a motion seconded by Mr. Heisler to approve the following Appointments:

Valley Hi Cemetery Board

Mark Justen, Katherine Schultz and Michael Murray terms to expire 08/01/2008

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Hammerand, Heisler, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto and Koehler. Absent: Dvorak, Gilman, Hill and Merkel. The vote being twenty (20) aye votes noting four (4) absent, Chairman Koehler declared the motion passed.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Routine Consent Agenda. Chairman Koehler was asked to remove #14.2 B(8) from the agenda today due to lack of answers for many questions being asked regarding this resolution. Mr. Brewer removed 14.2 B(2); Mr. Hammerand removed 14.2 B(6) and Ms. Salgado asked to remove 14.2 G(1).

Mr. Klasen made a motion seconded by Ms. Miller to approve the Routine Consent Agenda with items removed.

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Hammerand, Heisler, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto and Koehler. Absent: Dvorak, Gilman, Hill and Merkel. The vote being twenty (20) aye votes noting four (4) absent, Chairman Koehler declared the motion passed.

14.2 B(2) *Resolution authorizing the creation of new funds to account for Public Act 94-0118 allowing for the County Recorder to collect the Rental Housing Support Program Fund State surcharge.*

Mr. Munaretto made a motion seconded by Mr. Shea to approve the above-named resolution.

Chairman Koehler asked for any discussion. Mr. Brewer said we have little choice but to vote for this but this is the Governor's way of getting money back from every county in this state on everything that is real estate related and is recorded. Mr. Brewer went on to say that this is a prime example where they have no

idea how this is going to be administered or how the grants are going to work. Mr. Moy said he feels this is government at its worst.

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Kate, Larson, Miller and Munaretto. Nay: Provenzano, Hammerand, Heisler, Jung, Klasen, Moy and Koehler. Absent: Dvorak, Gilman, Hill and Merkel. The vote being thirteen (13) aye and seven (7) nay votes, noting four (4) absent, Chairman Koehler declared the motion passed.

14.2 B(6) Resolution authorizing support and funding for a McHenry County convention and Visitors Bureau.

Mr. Munaretto made a motion seconded by Mr. Moy to approve the above-named resolution.

Chairman Koehler asked for any discussion. Mr. Hammerand asked what is going to be done with the \$87,000. Chairman Koehler said he knows that they are planning on hiring an Executive Director. Mr. Munaretto said a budget was presented at both committee meetings. This amount only funds about one-third of the cost of operating the Convention and Visitors Bureau (CVB) every year. The other funds will flow in from hotels and a portion will come in from municipalities who will be supporting this as well as people who will become members. Several members of the board are in support of this resolution. Mr. Provenzano said he would like to see what municipalities are participating in this.

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Hammerand, Heisler, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto and Koehler. Absent: Dvorak, Gilman, Hill and Merkel. The vote being twenty (20) aye votes noting four (4) absent, Chairman Koehler declared the motion passed.

14.2 G(1) Resolution authorizing the transfers of CDBG grant funds between the Salvation Army and the Pioneer Center of McHenry County.

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

Chairman Koehler asked for any discussion. Ms. Salgado asked to abstain from voting on this.

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Hammerand, Heisler, Jung, Kate, Klasen, Larson, Miller, Moy, Munaretto and Koehler; Abstain: Salgado and absent: Dvorak, Gilman, Hill and Merkel. The vote being nineteen (19) aye votes noting four (4) absent and one (1) abstaining, Chairman Koehler declared the motion passed.

ORDINANCES

None

ADMINISTRATOR'S REPORT

Mr. Austin called in from Hawaii and said he was attending a lot of meetings and coming back with great ideas on how to collect money.

EXECUTIVE SESSION

None

MEMBERS' COMMENTS

Mr. Salgado said some of the members of the Mental Health Task Force went to DuPage County to view how they run their Mental Health court. She said it is a great program and there will be a meeting to go over things on August 3rd at 4 p.m. here if anyone is interested.

Ms. Peschke said she was disappointed at the last meeting when the developers for the Duda property came in for their presentation and we did not send them packing back to Algonquin and/or Barrington Hills. She thinks we should have and still should tell the developer to go back and work with the municipalities and not count on the county to bail them out. We have to show mutual respect for land use plans and try to develop strong relationships with the communities. Chairman Koehler agreed, he was surprised that this wasn't said when the developer was here. Ms. Wheeler agreed as she feels the development is too dense.

Mr. Brewer noted that the developers have a right to come to the county, the land has been disconnected. Going back to the Public Act resolution, he would like the Chairman to write a letter to the Governor expressing our displeasure in this type of legislation that his administration supported. Our local legislators voted against this which is important. He would like to discuss the potential of the county being on the cutting edge and possibly filing an injunction lawsuit against the state in the Court of Claims to not collect this starting August 1st to make sure that it does meet all of the requirements and that there is the proper parameters set up through the legislature for it. Mr. Moy said he supports Mr. Brewer on this.

ADJOURNMENT

Ms. Miller made a motion seconded by Mr. Heisler to adjourn at 8:15 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 2nd day of August, A.D., 2005.

S/ Kenneth D. Koehler
Kenneth D. Koehler, Chairman

ATTEST:

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