

**MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
FEBRUARY 15, 2005**

Chairman of the Board – Kenneth Koehler (District 2)

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

The Honorable County Board of McHenry County, Illinois met in Regular Session on Tuesday, February 15, 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. Mr. Dvorak gave the invocation/personal remarks.

ROLL CALL

The roll was called by County Clerk Katherine C. Schultz. The following members responded: Heisler, Hill, Jung, Kate, Klasen, Larson, Merkel, Miller, Moy, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman and Koehler. Absent: Munaretto and Hammerand. Chairman Koehler declared a quorum present with twenty-two (22) members responding.

MINUTES

None

CHAIRMAN’S REMARKS

Chairman Koehler told the board that the County Board will be receiving a slight pay adjustment this pay period. Mr. Sarbaugh detected a small problem in the payroll back on December 17th so everyone will see about \$18 difference this one time.

Also, the special presentation from Comcast will be delayed as some of the participants in the presentation have been detained in traffic.

ZBA CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the ZBA Consent Agenda. Mr. Larson asked to remove Petition #04-108.

Ms. Gilman made a motion seconded by Mr. Klasen to approve the following petitions:

- Exb. #04-35; Seneca Twp; Keller, reclass of A1 to A1C
- Exb. #04-91; Algonquin Twp; Koidahl; reclass of R1 to R1V
- Exb. #04-121; Dorr Twp; Hughes; reclass of A1C to A2CV
- Exb. #04-129; Greenwood Twp; Sosinski; reclass of A1 to E3
- Exb. #05-01; Algonquin Twp; VanPatten; reclass of R1 to R1V
- Exb. #05-02; Dunham Twp; White; reclass of E5CV to E5CV
- Exb. #05-16; Dorr Twp; First Midwest/Staley; reclass E3 to E3V

Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Hill, Jung, Kate, Klasen, Larson, Merkel, Miller, Moy, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman and Koehler. Absent: Munaretto and Hammerand. The vote being twenty-two (22) aye votes noting two (2) absent, Chairman Koehler declared the motion passed.

Ms. Gilman made a motion seconded by Mr. Brewer to approve the following petition:
Exb. #04-108; Chemung Twp; Levitan; reclass of A1 to E1V

Chairman Koehler asked for any discussion. Mr. Larson said he pulled this because he feels the only thing that they thought of in this request was how much money they could make on the property and he feels this is not right. Ms. Zierer and Mr. Klasen said that this does fit in with the area and should be approved.

Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Hill, Jung, Kate, Klasen, Merkel, Miller, Moy, Orphal, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman and Koehler. Nay: Larson and Peschke. Absent: Munaretto and Hammerand. The vote being twenty (20) aye votes, two (2) nay votes noting two (2) absent, Chairman Koehler declared the motion passed.

PUBLIC PARTICIPATION

None

NEW AND UNFINISHED BUSINESS

Resolution authorizing final reconciliation of debt certificate funds for use in the Administration Building project.

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

Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Hill, Jung, Kate, Klasen, Larson, Merkel, Miller, Moy, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman and Koehler. Absent: Munaretto and Hammerand. The vote being twenty-two (22) aye votes noting two (2) absent, Chairman Koehler declared the motion passed.

APPOINTMENTS

Ms. Orphal made a motion seconded by Ms. Zierer to approve the following appointment:
Marengo Rescue Squad Board of Trustees

Corey J. Brackmann	term to expire 12/2005
Robert E. Bower	term to expire 12/2006

Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Hill, Jung, Kate, Klasen, Larson, Merkel, Miller, Moy, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman and Koehler. Absent: Munaretto and Hammerand. The vote being twenty-two (22) aye votes noting two (2) absent, Chairman Koehler declared the motion passed.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the agenda. Noting none he asked for a motion to approve. Also, he explained that in regard to 14.2 B(1) you have received on your desk changes made to this resolution shown on the back showing the disbursements to the different accounts.

Mr. Shea made a motion seconded by Mr. Brewer to approve the Routine Consent Agenda as presented. Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Hill, Jung, Kate, Klasen, Larson, Merkel, Miller, Moy, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman and Koehler. Absent: Munaretto and Hammerand. The vote being twenty-two (22) aye votes noting two (2) absent, Chairman Koehler declared the motion passed.

ORDINANCES

For Review: *Ordinance amending the fee schedule for petitions before the McHenry Co ZBA*

For Action: Ordinance amending the County Code to allow for an increase in the Law Library fee
Mr. Brewer made a motion seconded by Mr. Dvorak to approve the above-named ordinance.

Chairman Koehler asked for any discussion. Mr. Brewer noted that this fee goes on to ever lawsuit that is filed.

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

For Action: Ordinance recertifying zoning maps

Ms. Gilman made a motion seconded by Mr. Heisler to approve the above-named ordinance.

Ms. Gilman noted that all 18 zoning maps including detail maps are in the room for review and this certification is effective nunc pro tunc as of February 01, 2005.

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

ADMINISTRATOR'S REPORT

Mr. Labaj reported for Mr. Bernotas saying that there is a survey in board members mailboxes for the annual strategic planning retreat. He asked that those get filled out and returned to either himself or Mr. Bernotas by the end of the month.

SPECIAL PRESENTATION

Chairman Koehler said the gentlemen from Comcast have arrived so we will now hear their presentation. Robert Ryan, Vice-President of Government Affairs from Comcast came forward to explain the services offered by Comcast. A slide presentation was given in conjunction with what was being said. Mr. Ryan wanted to assure the board that they do not hold a monopoly on cable services in McHenry County and that there is competition out there. He encouraged the board to vote down any resolution that may come before them to regulate franchise cable services. Mr. Ryan said Comcast has spent millions of dollars updating their services so that the residents of McHenry County can benefit from the services that they offer. Comcast holds about 53% of the business in McHenry County and about 45% in the City of Woodstock and because basic service is offered rates are less expensive than some carriers. Ms. Kate expressed concern about the rate increases. Mr. Ryan said they are now at market rate and typically the increase is 4-6% a year. Ms. Kate said she would like to be able to pay for just the channels she is interested in rather than a flat fee for 90 channels that she doesn't watch half of. Mr. Ryan said it is not financially feasible to do a per channel rate and added that none of the other companies offer a rate per channel either. Ms. Kate referred to Senator McCain's website where he sums up what she actually meant in the offer of a resolution. He says in this resolution "despite industry claims of vigorous competition the FCC reported last week that cable rates continue to outpace inflation at an annual rate of over 5%. It's no wonder then that the previous day the nation's largest cable operator announced a 10.4% increase in earnings for the fourth quarter." Ms. Kate continued to read excerpts of Senator McCain's resolution. She said that if the County Board does pass a resolution in regard to the cable franchises she will send copies to local legislators including Senator McCain to show our support of his efforts because we would like some relief. Mr. Ryan said we should be careful what we wish for because he doesn't know that we want the federal government regulating our cable services. Further discussion ensued about the coverage that the county has and the cost of laying cable. Mr. Ryan thanked Ms. Kate and the board for giving them the opportunity to come in and explain their services to them. Chairman Koehler and Ms. Kate thanked them also for their time and presentation.

EXECUTIVE SESSION

Chairman Koehler said there was a need to go into executive session to discuss Pending Litigation.

Ms. Orphal made a motion seconded by Mr. Larson to go into executive session at 8 p.m.

Executive session ran from 8 p.m. to 8:15 p.m.

Mr. Heisler made a motion seconded by Mr. Jung to back into regular session. Chairman Koehler asked for a roll call vote. The following members responded aye: Heisler, Hill, Jung, Kate, Klasen, Larson, Merkel, Miller, Moy, Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Brewer, Chmiel, Draffkorn, Dvorak, Gilman and Koehler. Absent: Munaretto and Hammerand. The vote being twenty-two (22) aye votes noting two (2) absent, Chairman Koehler declared the motion passed.

MEMBERS' COMMENTS

Mr. Brewer said regarding Consent Agenda item #14.2 B(9), he thought everyone should know that the monies are being set aside into the Highway Fund and will be used to retire the debt certificates on the highway building. Out of the \$2.8 million we used \$1 million for the contribution with the Conservation District for Camp Algonquin and this is the remainder of that money from the County Club property.

Mr. Heisler thanked the board for the flowers and prayers for his wife and family. It is all very much appreciated.

Ms. Peschke asked if we can put the statutory reports in binders rather than making forty copies. We could have the binders out in the Administration Office for the board to review. Many board members agreed with this suggestion.

ADJOURNMENT

Mr. Klasen made a motion seconded by Ms. Salgado to adjourn at 8:18 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 15th day of March, A.D., 2005.

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

ATTEST:

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