

PUBLIC HEALTH & HUMAN SERVICES COMMITTEE
McHenry County Administration Building
667 Ware Road, Conference Room A
Woodstock IL 60098

MINUTES OF FRIDAY, JULY 14, 2006

Chairman Peschke called the meeting to order at 8:15a.m. The following Committee Members were present: Virginia Peschke, Chairman; Blake Hobson; Lyn Orphal; Rick Klasen; and Don Larson. Sandra Salgado and Anna May Miller were absent. Also present: Ed Varga, Board of Health; Pat McNulty and Patti Nomm, Health Department; John Labaj, Deputy County Administrator; Carl Martens, Workforce Investment Board; Bill Stanton and Jamie Rein, States Attorney; and interested public.

Virginia Peschke, Chairman	
Don Larson	Richard Klasen
Anna May Miller	Lyn Orphal
Sandra Salgado	Blake Hobson

MINUTES

Committee members reviewed the Public Health & Human Services Committee minutes of June 23, 2006. Ms. Orphal made a motion, seconded by Mr. Hobson to recommend approval of Public Health & Human Services Committee minutes of June 23, 2006 as presented. The minutes were approved with a unanimous voice vote.

PUBLIC PARTICIPATION

None

PRESENTATION

None

OLD BUSINESS

None

NEW BUSINESS

Resolution authorizing the designation of the week of August 27, 2006 as "Workforce Development Week": Committee members reviewed a Resolution authorizing the designation of the week of August 27, 2006 as "Workforce Development Week. Mr. Martens joined the committee and informed them that Springfield had adopted a Resolution to designate August 27, 2006 as Workforce Development Week and he is now requesting McHenry County adopt a similar Resolution. After review, Mr. Hobson made a motion, seconded by Ms. Orphal to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye.

Resolution authorizing a budget line item transfer in the Health Department's FY06 budget: Committee members reviewed a Resolution authorizing a budget line item transfer in the Health Department's FY06 budget. Mr. McNulty noted they would like to move funds from the office supplies line item to purchase a printer for the WIC office. After review, Mr. Hobson made a motion, seconded by Ms. Orphal to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye.

Resolution authorizing acceptance of a \$30,600 grant from the Illinois Department of Public Health to conduct a West Nile Virus Mosquito Vector Surveillance Program and an emergency appropriation to the Health Department's FY06 budget: Mr. McNulty stated this is a two year grant that will only affect this year's budget. He noted that the 2nd year of the grant would be included in next year's budget. He noted that the funds will track the spread of the virus as well as for education and bird collection. After review, Mr. Hobson made a motion, seconded by Mr. Klasen to recommend approval of the above Resolution as presented. The motion carried with all members present voting aye.

Ordinance on Open Burning: Mr. Labaj joined committee members regarding recommendations for the Burning Ordinance, from the Open Burning Task Force. He noted that the changes would shift the enforcement of the ordinance to the Health Department. This would allow for county wide enforcement. Instead of a total ban on burning, burning would be limited to within 150' from a habitable structure and 50' from an uninhabited structure. He noted they are still working on finding alternate disposal efforts and education. He noted this is for review only at this time. This will go before the Board of Health for consideration of the changes to the Health Ordinance on the 24th. He noted they would like the County to take the lead in enforcement of the Ordinance. He noted there is no time line for changes to the ordinance. Committee members thanked Mr. Labaj for his work on this effort.

Ordinance on Cat Registration: Committee members were informed that the Board of Health has unanimously supported cat registration in the county. They believe they would collect approximately \$160,000 per year for this service. The Animal Control Advisory Committee stated this would bring all cat registration in line with dog registration. It has been estimated that a new animal control facility would create an additional \$100,000 per year in costs. Cat registration would be new income for the department. The Board of Health will be moving forward with changes to the Health Ordinance in the near future.

Ordinance on noise: Committee members were joined by Sgt. Duane Cedergren, Sheriff's Department, Bill Stanton and Jamie Rein from the State's Attorney's office to answer questions surrounding enforcement of a disorderly conduct charge to address problems in the county stemming from "noise". At a previous meeting it was understood that the State's Attorney's office would address the Sheriff's Department, during roll call, to present ways to address problems associated from continuous noise issues. Mr. Stanton stated that the statute provides that there is a "standard of reasonableness". He noted that a loud engine noise at 3:00p.m. would be unenforceable, but, if the same noise happened at 3:00a.m. they would be able to show that the noise was unreasonable. He noted that the judges will not allow them to get past the charge unless they prove outrageous behavior. Committee members questioned issues of continuous noise. They were informed that each incident is a separate incident and they do not consider long term issues. He noted that some of the problems occur because of "neighbor" against "neighbor" issues and there are no laws to address harassment. He noted that most incidents would not be construed as disorderly conduct and the cases continuously get thrown out of court. He also stated that unfortunately laws cannot be written to address the courtesy of neighbors. He noted it will take time to try to use this charge to see if the charge will work to address the noise issue. Mr. Stanton stated they could review the cases with the Sheriff's Department to see what possible prosecution can take place. Ms. Rein stated it will be necessary to "more effectively prosecute" the cases to get them through the courts. Committee members questioned Mr. Stanton whether he has viewed ordinances received from surrounding counties to see if they would work within our county. He stated he had not, but, would look at the ordinance if directed to do so by Mr. Bianchi. Mr. Austin noted that Lake Counties Nuisance Ordinance touches on several issues in which they use a couple of measures to address the problems. Mr. Austin stated that in Lake County if you can hear excessive noise 100' from a property line you can be charged with a nuisance. Lake County does have decibel readers to monitor the sound. It was noted that in court, defenders could state that an individual was not trained properly with the use of the equipment or the equipment was not calibrated properly, causing the charges to be dismissed. Mr. Stanton stated he is not sure whether this type of ordinance would address a neighbor against neighbor issue. He noted that if someone is bent on offending a neighbor, they do not care about the costs. It was noted that Lake County's ordinance addresses several issues including noise, construction noise and lights. Mr. Stanton stated he would attend the Sheriff's roll calls to show where to use the charge of disorderly conduct and see how far they get in prosecution of the case. Ms. Rein and Mr. Stanton stated they would review the Lake County Ordinance and speak to the Lake County State's Attorney's office to see if they have had successful prosecution for the ordinance violation. Chairman Peschke stated that we should allow the two offices to work together to see how it works out. Committee members thanked Sgt. Cedergren, Mr. Stanton and Ms. Rein for joining committee members to address their concerns.

2006 County Strategic Action Plan – PH & HS Committee Update: Committee members were informed that administration is in the process of putting together some charts that address the separate responsibilities of each committee's responsibility to the County Strategic Action Plans. Mr. Labaj stated that they are trying to formalize the process to make sure the appropriate committees are addressing their issues of the plan. He noted that they would get a chart at the County Board meeting that addresses the issues on the list.

Committee members questioned Mr. Labaj whether the Open Burning Forum members would help with the education aspect of the plan. Mr. Labaj stated that once all of the proper tools are in place, education, enforcement and alternatives, they could have approval of the ordinance in the fall. Committee members stated maybe we should pass the ordinance with an effective date for sometime next year. They noted that in the interim, they could work on getting everything else in place. Mr. Labaj stated he would work on a timeline for the next committee meeting. It was also noted that the fines should be increased and state "a minimum of \$100" so it hits where it hurts.

EXECUTIVE SESSION

None

REPORTS TO COMMITTEE

WIB: None

HRC: None

Housing Authority: None

Board of Health: Committee members were reminded of the joint meeting with the Board of Health on July 24th at 7:00p.m. in Annex A.

Animal Control: Mr. McNulty informed the committee that they are holding a cat adoption event this Saturday at Animal Control until 3:00p.m.

Mental Health Board: Mr. Larson reported that the Mental Health Board meeting is scheduled for the 24th of July as well..

Noise Ordinance: see above.

Open Burning Forum: see above.

Senior Services Grant Commission: Mr. Labaj reported that the RFP's have been sent out for next years grant program. Two workshops have been held to discuss the RFP's. He noted that the proposals are due back in the office by August 1st. He noted they hope to have the process completed by December 1st this year.

Mr. Labaj noted that the Grant Commission had requested a State's Attorney opinion as to whether architectural drawings and soil borings could be done with the use of grant funds for Pioneer Center. Mr. Labaj reported that the County thinks it would be a good idea to have the borings completed at County expense. He noted this is because more than just Pioneer Center is requesting use of the property. He noted that Mr. Hadley is checking on the capacity of the septic system as well. Mr. Labaj stated they are getting the costs for a site investigation and would bring back this information at a future committee meeting. He noted that they have received a price of \$5200 for soil boring and would work on a budget for consideration at the next committee meeting.

ADJOURNMENT

Noting no further business, Ms. Orphal made a motion, seconded by Mr. Klasen to adjourn the meeting at 9:23 a.m. The motion carried with a unanimous voice vote.

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RECOMMENDED FOR BOARD ACTION:

Recommend approval of Resolution authorizing the designation of the week of August 27, 2006 as "Workforce Development Week".

Recommend approval of Resolution authorizing a budget line item transfer in the Health Department's FY06 budget

Recommend approval of Resolution authorizing acceptance of a \$30,600 grant from the Illinois Department of Public Health to conduct a West Nile Virus Mosquito Vector Surveillance Program and an emergency appropriation to the Health Department's FY06 budget

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