

MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
JULY 18, 2006

Chairman of the Board – Kenneth D. 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 Blake Hobson 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, July 18, 2006.

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. Hill gave the invocation/personal remarks. A moment of silence was observed for Mr. Moy's mother who recently passed away.

ROLL CALL

The roll was called by County Clerk Katherine C. Schultz. The following members responded: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand, Heisler, Hill, Hobson, Jung, Klasen, Larson, Miller, Munaretto and Koehler. Absent: Brewer, Merkel and Moy. Chairman Koehler declared a quorum present with twenty-one (21) members responding.

MINUTES

Mr. Larson made a motion seconded by Ms. Miller to approve County Board Regular Session minutes from June 20th, 2006.

Chairman Koehler asked for any changes or corrections; a question was asked and responded to. Chairman Koehler asked for a voice vote, the ayes having it, the motion is passed.

CHAIRMAN'S REMARKS

Chairman Koehler spoke regarding the Metra appointment. He said Jack Schaefer has been received very well since our appointment of him to that board. Because of conflicts between Cook and DuPage county we don't have a chairman as of yet, but one should be appointed by the first part of August.

Chairman Koehler said himself and a few other members of staff attended a Pandemic Flu exercise yesterday at the Holiday Inn. He felt that it was very impressive that three county's could be brought together to discuss an issue that we hope will never occur.

Lastly, he mentioned that everyone has draft copies of the employee manual. Ms. Orphal thanked everyone involved in the process of putting this manual together as it was a lot of work. It should come before the board the 1st of August for approval. She asked that everyone go through the manual and if there are any questions or concerns contact someone in H.R. or Mr. Ivetec.

SPECIAL RECOGNITION

Special recognition of Martha Carver, McHenry Conservation District Trustee
Chairman Koehler asked Ms. Carver to come forward then presented her with a plaque recognizing her for her years of service with the Conservation District on behalf of the County Board. Ms. Carver thanked the board for their help and participation with the Conservation District and this recognition.

ZBA CONSENT AGENDA

Ms. Gilman asked if anyone wished to remove a petition from the agenda, there were none. Ms. Gilman made a motion seconded by Mr. Klasen to approve the following Petitions:
Exb. #05-140; Nunda Twp; Wollerman; reclass of R1 to R1V
Exb. #06-30; Chemung Twp; Hathaway; reclass of A1 to E1
Exb. #06-33; Nunda Twp; Catherine Arredia Trust; reclass of R1 to R1V

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand, Heisler, Hill, Hobson, Jung, Klasen, Larson, Miller, Munaretto and Koehler. Absent: Brewer, Merkel and Moy. The vote being twenty-one ayes, noting three (3) absent, Chairman Koehler the motion passed.

ZBA REGULAR AGENDA

Ms. Gilman said this petition will be voted on in two parts as there are two recommendations In the variance and conditional use there is a recommendation for denial, and because the zoning board rules say that if it is a variance that is denied it requires a $\frac{3}{4}$ vote by the board.

Ms. Gilman made a motion seconded by Ms. Salgado to approve reclassification of the following Petition:

Exb. #05-100; Richmond Twp; Robert/Sandra Mahoney; reclass of A1 to A2CV
ZBA recommends approval of Reclassification;

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand, Heisler, Hill, Hobson, Jung, Klasen, Larson, Miller, Munaretto and Koehler. Absent: Brewer, Merkel and Moy. The vote being twenty-one ayes, noting three (3) absent, Chairman Koehler the motion passed.

Ms. Gilman made a motion seconded by Mr. Shea to Deny a variance and conditional use on the following Petition:

Exb. #05-100; Richmond Twp; Robert/Sandra Mahoney; Variance & Conditional Use
ZBA recommends denial of this request.

Mr. Larson made a **motion to amend** seconded by Mr. Hammerand **to approve the Variance and Conditional Use on Petition #05-100.**

Mr. Larson stated that the petitioner is asking to be able to park equipment in the winter that they do not use in their business inside a building on their property. Ms. Salgado added that there is no outdoor storage of this equipment. Other board members agreed with this amendment.

Chairman Koehler asked for a roll call vote on the motion to amend. A $\frac{3}{4}$ vote is needed to pass. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand, Heisler, Hill, Hobson, Jung, Klasen, Larson, Miller, Munaretto and Koehler. Absent: Brewer, Merkel and Moy.

The vote being twenty-one ayes, noting three (3) absent, Chairman Koehler the **motion to amend #05-100 to approve the conditional use and variance has passed.**

Chairman Koehler asked for a roll call **vote on the main motion as amended.** The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand, Heisler, Hill, Hobson, Jung, Klasen, Larson, Miller, Munaretto and Koehler. Absent: Brewer, Merkel and Moy. The vote being twenty-one ayes, noting three (3) absent, Chairman Koehler the motion passed.

Exb. #05-111 - Ms. Gilman noted a change requested from the petitioner that the only parcel being changed is Parcel A. Parcel B is exempt or removed from this reclassification as this parcel has been sold to the State of IL Conservation Department (about 6 acres). This change was duly noted.

As there is no recommendation from the ZBA on the following petition, Ms. Gilman asked for a motion from the floor.

Ms. Hill made a motion seconded by Ms. Wheeler to approve the following Petition with Parcel B being exempted from the reclassification:

Exb. #05-111; Nunda Twp; Barshinger/Larowe; reclass of E3 to E1

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand, Heisler, Hill, Hobson, Jung, Klasen, Larson, Miller, Munaretto and Koehler. Absent: Brewer, Merkel and Moy. The vote being twenty-one ayes, noting three (3) absent, Chairman Koehler the motion passed.

Chairman Koehler asked to remove Exb. #05-129 from the agenda today because of a written request received from the petitioner.

PLATS

None

PUBLIC PARTICIPATION

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

Rosanna Pulido of Chicago	for	federal program on illegal immigrants
Marcie Millman of Crystal Lake	against	Petition #06-18 (Pease)
Rita Keene of Crystal Lake	against	Petition #06-18 (Pease)
Sue Racansky of Crystal Lake	against	Petition #06-18 (Pease)
Lisa Stanton of Union	for	Animal Control facility & federal program on illegal immigrants
Diane Evertsen of Harvard	against	illegal immigration
Doug Heaton of Elgin	for	ICE Coop
Robert Abboud of Barrington Hills	against	Barrington Farms Devel. (Duda) and re: 2030 Plan
Joseph Bogacz of Round Lake	re	federal program on illegal immigrants
Susan Costello of Prairie View	re	illegal immigrants
Ersel Schuster of Woodstock	re	illegal immigrants

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

NEW AND UNFINISHED BUSINESS

Ms. Hill stated that there are two resolutions here brought by the Management Services Committee to consider for Animal Control. A report was prepared and put in everyone's mailbox about a week ago.

Chairman Koehler asked for any questions before bringing forth the resolution. She asked about the policy on euthanasia and if there were any thought about it being changed. Mr. McNulty said no, Dr. Mahanovic felt very strongly about the time frame that is in the policy. He said that part of the issue is the intake side of the facility and even if we reduce the holding time of animals, he feels that we would still have a big back up on the incoming side of the facility.

Ms. Chmiel asked about Prime Hoffman's analysis from April 2006 of the existing facility and the water damage that is there. Mr. Austin said that Prime took a good look at the building and he felt that they made some good generalizations about the kind of work that they would need to be doing with everything. Until they get into the work, some things can not be determined. She questioned the impervious concrete issue and the ability to expand. Chairman Koehler said the imperviousness of the parking lot right now does not allow you to do any expansion on it and would have to be discussed with the City of Crystal Lake.

Mr. Munaretto pointed out that if the board agrees to buy this piece of property in Crystal Lake (the State Farm building) they will be obligated to sign off on a settlement agreement between an adjudication that was initiated by State Farm and was ultimately settled by the city of Crystal Lake. Based on the information supplied to Management Services there is no assurance that further development on this site will be permitted.

Resolution authorizing the purchase of property at 100 N. Virginia Ave. in Crystal Lake for an Animal Control facility.

Ms. Hill made a motion seconded by Mr. Jung to approve the above-named resolution.

Chairman Koehler asked for any discussion on the motion. There was a great deal of discussion about the location and funding for the property. Mr. Munaretto stated that the Finance Committee evaluated what they thought we could afford and this facility did not fit within the criteria. He further stated that to take \$4 million dollars from the General Fund to pay for this is not responsible stewardship on behalf of the board. He also questioned the efficacy of the contract that was negotiated with State Farm Insurance because the contract contains no environmental protections. Mr. Austin responded that when they were negotiating with State Farm the State's Attorney's office alerted them to the absence of language on this and that we are accepting the property as is. The State's Attorney recommended that the county try to get some kind of language put in but State Farm would not do it. Mr. Austin said with the history of the property they did not feel there was a real concern. There was a Phase I environmental site assessment and nothing was alerted at that point. A concern of the board was that if this is not approved it could take 3-5 years for a new facility to be built on county property and the need is now.

Chairman Koehler asked for a roll call vote. The following members responded aye: Provenzano, Shea, Wheeler, Zierer, Dvorak, Heisler, Hill, Hobson, Jung, Larson, Miller and Koehler. Nays: Orphal, Peschke, Salgado, Chmiel, Draffkorn, Gilman, Hammerand, Klasen and Munaretto. Absent: Brewer, Merkel and Moy. The vote being twelve (12) ayes and nine (9) nays noting three (3) absent, Chairman Koehler declared the **motion to purchase property in Crystal Lake for an Animal Control facility has passed.**

Chairman Koehler said 12.2 will not be necessary as the first resolution above has passed.

APPOINTMENTS

Ms. Peschke made a motion seconded by Mr. Larson to approve the following appointments:

Mental Health Board	
Terrance L. Ellis	term to expire 01/01/2009
McHenry Co Transit Plan Implementation Task Force	
John Rossi	term to expire 03/23/2008

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand, Heisler, Hill, Hobson, Jung, Klasen, Larson, Miller, Munaretto and Koehler. Absent: Brewer, Merkel and Moy. The vote being twenty-one (21) ayes, noting three (3) absent, Chairman Koehler declared the motion passed.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if any one wished to remove an item from the agenda, there were none. Mr. Shea made a motion seconded by Mr. Provenzano to approve the Routine Consent Agenda as presented.

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand, Heisler, Hill, Hobson, Jung, Klasen, Larson, Miller, Munaretto and Koehler. Absent: Brewer, Merkel and Moy. The vote being twenty-one ayes, noting three (3) absent, Chairman Koehler the motion passed.

ORDINANCES

None

ADMINISTRATOR'S REPORT

Mr. Austin told the board that last week there was a meeting with Maggio, the builder at Valley Hi and a finishing date has been set for October 2nd. He will report regularly on the progress of meeting this date as the builder has been behind schedule so far. It was noted that after the building is completed the state must come in and do their inspection before occupancy can take place. Mr. Austin noted that on board members desks are strategic plan action items. This is to update the board on progress towards these issues.

EXECUTIVE SESSION

Chairman Koehler said there is a need for executive session to discuss Pending Litigation.

Mr. Heisler made a motion seconded by Ms. Salgado to go into executive session.

Executive Session ran from 8:32 p.m. to 8:38 p.m.

Mr. Shea made a motion seconded by Mr. Heisler to go into open session.

Chairman Koehler asked for a roll call vote. The following members responded aye: Orphal, Peschke, Provenzano, Salgado, Shea, Wheeler, Zierer, Chmiel, Draffkorn, Dvorak, Gilman, Hammerand, Heisler, Hill, Hobson, Jung, Klasen, Larson, Miller, Munaretto and Koehler. Absent: Brewer, Merkel and Moy. The vote being twenty-one ayes, noting three (3) absent, Chairman Koehler the motion passed.

MEMBER'S COMMENTS

Ms. Hill said that the County Administrator's evaluation report is on member's desk for review. This was done by Management Services in executive session.

Ms. Zierer reminded the board that 9 people have not paid their flower fund contribution yet.

Ms. Chmiel commented regarding the Animal Control facility project that she has concerns and would like more information on the over half million dollars that is proposed to be spent on the Health Department; especially since the Director of that department states there is no immediate need for that project. She feels we need to keep a close eye on this project so it doesn't go way over cost.

Ms. Peschke reminded the board that there will be a joint meeting of the Public Health and Human Services Committee and the Board of Health on Monday, July 24th. Cat licensing will be one of the topics for discussion.

Mr. Shea reminded the board that the Transportation Committee meeting is cancelled for tomorrow.

Ms. Orphal asked board members to please review the Employee Policy Manual. She asked if Susan Connor had gone through the changes that were made and signed off on them. Ms. Connor said the numbers that are in there are not numbers that she necessarily thinks are the correct numbers, you can change them however is deemed necessary. Mr. Austin responded to this by saying the manual here today does not modify vacation accrual but it does propose to pull back a little bit on sick accrual. This will be discussed again with department heads on Friday and with Human Resources Committee on Monday.

Chairman Koehler thanked everyone who has worked so hard on the Animal Control facility issue. In regard to the Health Department component of this, this can be put on the back burner of this process to save some money initially.

ADJOURNMENT

Mr. Heisler made a motion seconded by Ms. Gilman to adjourn at 8:43p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 1st day of August, A.D., 2006.

S/ Kenneth D. Koehler
Kenneth D. Koehler, Chairman
McHenry County Board

ATTEST:

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