

MCHENRY COUNTY BOARD
MINUTES OF THE REGULAR SESSION MEETING
FEBRUARY 17, 2009

Chairman of the Board – Kenneth D. Koehler (District 2)

District 1 Yvonne M. Barnes Robert Bless Anna May Miller Marc Munaretto	District 2 J.S. "Scott" Breeden James Heisler Kenneth Koehler Lyn Orphal	District 3 Mary L Donner Ed Dvorak Kathleen Bergan Schmidt Barbara Wheeler
District 4 Sue Draffkorn John Hammerand Pete Merkel Sandra Fay Salgado	District 5 Tina Hill James P Kennedy Virginia Peschke Paula Yensen	District 6 Randall Donley Mary T McCann Daniel P Ryan Ersel C Schuster

The Honorable County Board of McHenry County, Illinois met in Regular Session on Tuesday, February 19, 2009.

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 Schultz with Members of the Board, department heads and visitors participating. Ms. Schmidt gave the invocation/personal remarks.

ROLL CALL

The roll was called by County Clerk Katherine Schultz. The following members responded: Draffkorn, Dvorak, Hammerand, Hill, Kennedy, McCann, Miller, Munaretto, Orphal, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner and Koehler. Absent: Heisler, Merkel and Peschke. Chairman Koehler declared a quorum present with twenty-one (21) members responding. Mr. Heisler and Ms. Peschke arrived after the roll was called.

MINUTES

Mr. Dvorak made a motion seconded by Mr. Ryan to approve County Board minutes from February 3rd, 2009. Chairman Koehler asked if there were any changes or corrections, there were none. Chairman Koehler asked for a voice vote, the ayes having it, the motion to approve the minutes was passed.

CHAIRMAN'S REMARKS

Chairman Koehler reported to the board about the success of the meeting held on Friday that discussed a lot of the issues in the housing market. It was very well attended, well over 120 people showed up for many different reasons. He said he felt this was a good starting point but we have a lot to do to make it successful so that people can wade through the housing issue. He thanked everyone who was involved in putting this together.

SPECIAL RECOGNITION/REPORTS

Mr. Kennedy made a motion seconded by Mr. Dvorak to approve the following Eagle Scout recognitions:

Brandon Hicks	Lake in the Hills	Troop #369
Kevin Krohn	Lake in the Hills	Troop #369
Brian Lenell	Lake in the Hills	Troop #369
Mike Moe	Lake in the Hills	Troop #369
Daniel Pedraza	Lake in the Hills	Troop #369
Robert Stephanic	Lake in the Hills	Troop #369
Gerald Thomas	Lake in the Hills	Troop #369

Chairman Koehler asked for a voice vote, the ayes having it, Chairman Koehler declared the motion passed. Scout Mike Moe and Daniel Pedraza came forward and told what their service project was. Chairman Koehler presented the boys with a Certificate for their accomplishment and a miniature County flag for their attendance here this evening.

SPECIAL PRESENTATIONS

None

ZBA CONSENT AGENDA

Chairman Koehler noted that by request of the petitioner, Exb #08-24 is being pulled this evening and will be brought back on March 17th. He asked if any other petitions needed to be removed. Ms. Peschke removed Exb #08-65.

Ms. Hill made a motion seconded by Ms. Yensen to approve the following Petitions:

- Exb #08-68; Algonquin Twp; Jorge/Laura Alvarez; reclass B1 to R1
- Exb #08-79; Chemung Twp; Robert/Terrence Kirkpatrick; reclass I1V to I1V

Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Dvorak, Hammerand Heisler, Hill, Kennedy, McCann, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner and Koehler. Absent: Merkel. The vote being twenty-three (23) ayes noting one (1) absent, Chairman Koehler declared the motion passed.

Ms. Hill made a motion seconded by Ms. Orphal to approve the following Petition:

- Exb #08-65; Dorr Twp; Sherry Pavels; reclass E3 to E3C

Chairman Koehler asked for any discussion. Ms. Peschke said she is in favor of the bed and breakfast but asked Mr. Kelly about the petitioners operating their business without a permit and the possible use of their horses which was not mentioned in the hearing. Mr. Kelly responded that they gave tours of their home but it was not used as a bed and breakfast and the horses are on the property but guests will not be using them. It was noted that the petitioners have two Clydesdale horses and they will be used for the carriage rides on the property.

Mr. Hammerand made a **motion to amend** seconded by Ms. McCann to **change language in Condition #3 as it pertains to amplified music: that amplified sound cannot be heard outside of the property lines and will not be allowed after 9 p.m. on any day.**

Chairman Koehler asked for any discussion on the motion to amend. Some board members shared their concern about loud music upsetting the neighboring property owner's way of life. Others felt that the music would not be an issue.

Chairman Koehler asked for a voice vote on the motion to amend, the nays having it, the **motion to amend** as noted above **has failed**.

Chairman Koehler asked for any further discussion on the main motion to approve Petition #08-65. Noting none, Chairman Koehler asked for a roll call vote on the main motion. The following members responded aye: Draffkorn, Dvorak, Hammerand Heisler, Hill, Kennedy, McCann, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner and Koehler. Nay: Schuster. Absent: Merkel. The vote being twenty-two (22) ayes and one (1) nay noting one (1) absent, Chairman Koehler declared the motion passed.

ZBA REGULAR AGENDA

None

PLATS

Final Plat – Hennings, Phase 1 East, Coral Twp

Ms. Hill made a motion seconded by Ms. Donner to approve the above-named final plat noting that the Plat is in the room.

Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Dvorak, Hammerand Heisler, Hill, Kennedy, McCann, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner and Koehler. Absent: Merkel. The vote being twenty-three (23) ayes noting one (1) absent, Chairman Koehler declared the motion passed.

PUBLIC COMMENT

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

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|---------------------------------------|-----|--------------------------------------|
| Jodi Funk of Woodstock | for | posted speed limits on country roads |
| David Frederick of Woodstock | for | posted speed limits on country roads |
| Father John Lovell of Crystal Lake | for | posted speed limits on country roads |
| David Picchietti of Lake in the Hills | for | posted speed limits on country roads |
| Becky Marvin of Woodstock | for | posted speed limits on country roads |

Julie Frederick of Woodstock	for	posted speed limits on country roads
Bob Golembiewski of Woodstock	for	posted speed limits on country roads
Karen Golembiewski of Woodstock	for	posted speed limits on country roads
Tommy Frederick of Woodstock	for	posted speed limits on country roads
Eric Pavels of Woodstock	for	the passing of Petition #08-65

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

NEW AND UNFINISHED BUSINESS

12.1 Resolution – Family Service Day Proclamation

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

Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Dvorak, Hammerand Heisler, Hill, Kennedy, McCann, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner and Koehler. Absent: Merkel. The vote being twenty-three (23) ayes noting one (1) absent, Chairman Koehler declared the motion passed.

12.2 Resolution authorizing an emergency appropriation to the Emergency Telephone System Board (E-911) fiscal year 2009 budget

Ms. Barnes made a motion seconded by Ms. Donner to approve the above-named resolution.

Chairman Koehler asked for any discussion. Mr. Munaretto noted that this did not come before the Finance and Audit Committee at its last meeting and it was their recommendation that it be placed under New and Unfinished Business for this reason.

Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Dvorak, Hammerand Heisler, Hill, Kennedy, McCann, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner and Koehler. Absent: Merkel. The vote being twenty-three (23) ayes noting one (1) absent, Chairman Koehler declared the motion passed.

APPOINTMENTS

Ms. Hill made a motion seconded by Ms. Miller to approve the following Appointments:

Zoning Board of Appeals	
Holly Kohley	term to 09/01/2009
Hebron Drainage District	
William Hauri, Jr.	term to 09/01/2009
Bruce E Meier	term to 09/01/2010
Melvin Von Bergen	term to 09/01/2011

Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Dvorak, Hammerand Heisler, Hill, Kennedy, McCann, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner and Koehler. Absent: Merkel. The vote being twenty-three (23) ayes noting one (1) absent, Chairman Koehler declared the motion passed.

STANDING COMMITTEE CHAIRMAN UPDATES

Ms. Miller said board members have information at their desks about the process in place for setting or reducing speed limits. After going through this information if there are any questions you can contact anybody at DOT. She would like to direct constituents to this process and the highway commissioners of those townships. They will then bring it forward to DOT who will then do a speed limit survey from requests received from townships and the recommended speed limit by DOT would come before the County Board and at that time a speed limit would be able to be adjusted as needed.

Ms. Salgado said there will be a Human Resources meeting on February 24th at 8:15 a.m. noting that it will be short. There has been some recent material that they would like to get approved and send it over to Management Services and Finance Committee on that same day so it can get to the first County Board meeting in March.

ROUTINE CONSENT AGENDA

Chairman Koehler asked if anyone wished to remove an item from the Consent Agenda. Mr. Munaretto removed 15.2 B(4).

Mr. Heisler made a motion seconded by Ms. McCann to approve the Routine Consent Agenda with one item removed.

Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Dvorak, Hammerand Heisler, Hill, Kennedy, McCann, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner and Koehler. Absent: Merkel. The vote being twenty-three (23) ayes noting one (1) absent, Chairman Koehler declared the motion passed.

15.2 B(4) Resolution authorizing rescinding Resolution no. R-200811-12-300

Mr. Munaretto made a motion seconded by Ms. Orphal to approve the above named resolution noting that there is a revised copy of the resolution at member's desks. An incorrect resolution number was listed in the heading and has been corrected as noted above.

Chairman Koehler asked for a roll call vote. The following members responded aye: Draffkorn, Dvorak, Hammerand Heisler, Hill, Kennedy, McCann, Miller, Munaretto, Orphal, Peschke, Ryan, Salgado, Schmidt, Schuster, Wheeler, Yensen, Barnes, Bless, Breeden, Donley, Donner and Koehler. Absent: Merkel. The vote being twenty-three (23) ayes noting one (1) absent, Chairman Koehler declared the motion passed.

ORDINANCES

For Review: Ordinance to amend Ordinance No. O-200708-12-062; Agricultural Conservation Easement and Farmland Protection Commission

Ms. McCann told the board to review this Ordinance and if there are any questions to let her know. She noted a change that is to be made before it comes before the board. The correction is on page 5, Section 4 under Procure Procedure for Acquisition of Conservation Interests; 4a where it says Planning and Development Committee it should read Environmental and Natural Resources Committee.

ADMINISTRATOR'S REPORT

Mr. Austin said he and Mr., Labaj had a phone meeting on Friday with the strategic planning consultants and they have organized much of what they heard from everyone here. Over the next 10 days he and Mr. Labaj will meet with a number of department heads and elected officials to add more to some of the framework and get some more action items under consideration for our next meeting on March 20th. He expects to get the revised list to everyone by March 13th so the board has a full week before the March 20th meeting date. That meeting will be in the morning and they are hoping to hold it at Glacial Park which has a larger meeting space.

Mr. Austin said he met with the County Clerk, Treasurer and County Assessor on what we are dealing with in terms of the tax cycle. There is some concern about late tax bills because of the tremendous amount of appeals, 3004 as reported by Ms. Mayberry. Staff is working very hard to get this work done in an effort to have the tax bills go out on time.

EXECUTIVE SESSION

None

COMMUNICATIONS

None

COMMENTS

Ms. Peschke said she was working on Assessments today until 5:30. Normally she does 2 days for the County, this year they have asked her to do 5 and as of today they've asked her to do 2 more. Secondly, she congratulated Chairman Koehler and Ms. Wheeler for the forum that was held on Friday as the turnout was very good. She received many terrific comments after the meeting. Lastly, she was glad to see the ZBA give a 5 year Conditional Use.

Ms. McCann noted that due to growth we have more and more issues with noise and right now the County does not have a noise ordinance and our nuisance ordinance seems to be weak. Our officers need stronger tools to use to

abide by our ordinances. In regard to traffic, she wondered about discussing the feasibility for requiring a traffic impact study on the local road when a subdivision goes in.

Mr. Kennedy said regarding speed limits, he know that the DOT follows the laws as best they can. In response to Ms. McCann's suggestion, they do traffic studies when a new subdivision goes in to see what the appropriate speed limit would be.

Ms. Wheeler talked about Friday's forum saying there were four staff members from the County who participated, two of them from Planning and Development. This was the first time she has been to a forum like this where there were so many County employees participating, it was heartwarming and rewarding.

Chairman Koehler said the forum brought together a lot of people with a lot of information and he was pleased with how it was done. Also, Chairman Koehler said he and Mr. Austin will be in Washington during the next County Board meeting on March 3rd so Mr. Heisler will be running the board meeting that morning.

ADJOURNMENT

Mr. Kennedy made a motion seconded by Mr. Heisler to adjourn at 8:20 p.m. Chairman Koehler declared the motion passed on a unanimous voice vote.

Dated and approved at Woodstock, Illinois this 3rd day of March, A.D., 2009.

S/ James Heisler
James Heisler, Vice Chairman
McHenry County Board

ATTEST:

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