

NATURAL AND ENVIRONMENTAL RESOURCES COMMITTEE
McHenry County Administration Building
667 Ware Road, Woodstock, IL 60098

MINUTES OF TUESDAY, JUNE 9, 2009

Chairman McCann called the committee meeting to order at 10:15 a.m. The following members were present: Mary McCann, Chairman; Yvonne Barnes; Pete Merkel; Barb Wheeler and Virginia Peschke. Scott Breeden and Anna May Miller were absent. Also in attendance: Cassandra McKinney, Groundwater Resource Manager; Sarah Anderson, Groundwater Intern; Pete Austin, County Administrator; Dennis Sandquist, Planning & Development; Cathy Link, Purchasing; John Hadley, Facilities Management; John Labaj, Deputy County Administrator; Ersel Schuster, County Board Member and Adam Lehmann, Administration Intern.

Mary McCann, Chairman	
Yvonne Barnes	JS "Scott" Breeden
Pete Merkel	Anna May Miller
Virginia Peschke	Barbara Wheeler

MINUTES OF PREVIOUS MEETING

Committee members reviewed the committee minutes the Natural and Environmental Resources Committee of May 8, 2009. Ms. Peschke made a motion, seconded by Ms. Barnes to approve the committee minutes of May 8, 2009 as submitted. The motion carried with all members present voting aye on a voice vote.

PRESENTATIONS

Ms. Kinney reported that she has received a letter from NACO informing her that her department has received a 2009 NACO Achievement award. Committee members stated that a press release should be sent out informing the public of this award.

Ms. McKinney reminded committee members that there is a Groundwater Taskforce meeting scheduled for 2:00pm today for those interested in attending. They will be reviewing wastewater contingencies in case of emergency.

REPORTS

Report on the American Planning Association conference: Mr. Sandquist reported that he attended the American Planning Association conference. He is currently serving as the President of the National Association of County Planners, which is a NACO affiliate, and as the Chairman of the County Planning of the American Planning Association. These two organizations coordinate their activities in order to provide for the professional development of planning professional and education of elected county officials. He stated this is a good opportunity for County exposure as well as an opportunity to coordinate the groups. He will be focusing on NACO events. The current theme is the economy, smart growth and environmental stewardship. They are saying that after the economy turns around, we won't see building like we have in the past. There will be a demand for alternative housing. Now there is an excess of single family homes. The department has not had a subdivision application this year. Committee members questioned if some "speakers" could be brought to the county to try to visualize what the growth for the future may be. Committee members stated that our County Board needs to be educated on the GIS system and what type of information they can get from GIS. They stated that now that GIS has its own department it may be time to provide an update to the County Board on what GIS does and where they can go in the future. It was suggested that a planning component added for a presentation in the early fall.

At the Management Services Committee they looked at 41 proposed projects for use of the EECBG (Energy Efficiency Conservation Block Grant) funds. These projects were narrowed down to 28 projects that include renewable, solar or wind projects. The projects chosen are very positive to the environment. The applications are due by June 25th and the projects need to be 50% completed within 18 months after funds have been received.

Gypsy Moth Aerial Spraying Update: Mr. Labaj reported that the Gypsy Moth aerial spraying was completed last Friday. This was the second spay. Because of the terrible infestation seen last year, the County has put together a more aggressive spraying program. Fifteen (15) other governmental units were involved in the program with 102 spray blocks completed. In the past the County sprayed 30 spray blocks. This consisted of 3600 acres compared to half that amount in previous years. The whole effort relied heavily on GIS to help prepare for the spraying program. Spraying is handled on a complaint basis so we will have to wait to see what complaints are received before beginning plans for next year's program. Committee members questioned that if there was a high level of infestation in the past will we see a high number of trees that need removal. It is unknown at this time whether the spraying has helped to alleviate some of the infestation. It was stated that if the spraying program is to continue help will be needed for the program. The County is spraying more than the State of Illinois at this time. The County uses Master Gardeners to help identify these pests. Each area needs to be at least 10 acres in order to be included within a spray block. Some homeowners are frustrated because they cannot be included in the program. Committee members questioned what the complaint issues were in Bull Valley from the homeowners in this area. Mr. Labaj reported that the village did not expend any funds to pay for the spraying program. Homeowners were encouraged to pay for the spraying within their area. Bull Valley then wanted the county to spray just the areas where homeowners paid. He stated because of the 10 acre limit, this type of spraying cannot occur. Committee members questioned how long the County would be responsible for this program. They stated that since this infestation was county wide, a separate committee should be formed to decide whether this

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program should continue. A committee is needed, with municipality involvement in order to continue with the program. There was a question regarding where the program should go from here. The committee members stated that the County should bring together all the governmental agencies to create a sub-committee to move forward with the program. Concern was voiced that Mr. Labaj is being turned into the County Forester and that is not his position. Committee members stated that this would be a good discussion point for McCog. Committee members then questioned, with the County being a quarantined area, how they are regulating movement of landscape through McHenry County. They voiced concern that not enough inspections are being performed, therefore creating a wider scope of infestation. Mr. Labaj reported that this may be the last year for the State to be involved with the program.

NEW BUSINESS

Resolution authorizing re-appointments to the McHenry County Agricultural Conservation Easement & Farmland Protection Commission: Ms. Barnes made a motion, seconded by Ms. Wheeler, to recommend the County Board approve a Resolution appointing Harry Alten, Jr., Brian Jenkner, Rob LaPorta, Virginia Peschke, Ken Bauman and Lenore Beyer-Clow to the McHenry County Agricultural Conservation Easement & Farmland Protection Commission. The motion carried with all members present voting aye on a voice vote.

Emerging issues in unincorporated areas: Committee members entered into a discussion regarding the many issues that are coming forward from the unincorporated areas of the County. There are a lot of noise complaints. Chairman McCann informed committee members that she has provided copies of nuisance ordinances from other surrounding Counties. It was stated that there needs to be restrictions that address noise that travels across property lines that don't include the use of noise meters. Now property maintenance is becoming an issue. Kane County has included property maintenance within their noise ordinance. Kane County has an ordinance, with 28 items that were taken from 73 different ordinances and put all of the issues into one ordinance. The EPA has a good system to address noise, but each entity would need decimal readers to regulate noise. Committee members stated they want to get something in place that does not require the use of equipment to regulate. Committee members were informed that the Sheriff feels they already have the tools to address noise complaints in the County. He feels this can adequately be controlled by issuing a citation for disturbing the peace. A complaint would have to be signed by an individual and neighbors are reluctant to do so. Enforcement is an issue as well and committee members questioned if they want to create more rules, just in case something happens. Committee members stated that the problem with citations is they sit in the court system too long and then get thrown out. Committee members were informed that the violations have been reduced in half in Kane County since the adoption of the new ordinance. Committee members questioned if the County should go to an Administrative Adjudication Officer, to handle ordinance issues. This would help to alleviate these issues in the Courts. Committee members were informed that the Planning and Development Committee wants a presentation on the enforcement process and this goes well together with the possible use of an Administrative Adjudication Officer. This process would need to go through the Law & Justice Committee for consideration. The Courts would have to be in agreement for the program to be successful. This process would save taking some of these issues through the Court system. Any decision made by Administrative Adjudication could be appealed to the courts.

Mr. McNulty reminded committee members that a contractual person was hired to address enforcement issues on the weekends. This person can be dispatched on off times and is working with great success.

Mr. Austin stated he would enter into initial discussion with the State's Attorney to form a draft of issues that can be addressed by various department to see if a new umbrella could be created to address these issues. They will continue review of the ordinances from the various agencies.

OLD BUSINESS: None

PUBLIC COMMENT: None

EXECUTIVE SESSION: None

FUTURE TOPICS: None

ADJOURNMENT

Ms. Peschke made a motion, seconded by Ms. Barnes to adjourn at 11:41a.m. The motion carried with all members present voting aye.

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RECOMMENDED FOR BOARD/COMMITTEE ACTION:
Resolution appointing members to the McHenry County Agricultural Conservation Easement & Farmland Protection Commission
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