

**MCHENRY COUNTY REGIONAL PLANNING COMMISSION
MEETING MINUTES
MARCH 13, 2008**

Call to Order

Jim McNutt, Treasurer, called the meeting to order at 6:10 p.m.

Roll Call

Commissioners Present: Jim McNutt, Bill Swenson, Jeremy Shaw, Jerry Davenport, RB Thompson, Nancy Schietzelt, John Jung, Jr., Frank Harrison, Dennis Dreher, Ron Bauman and Craig Hubert

Commissioners Absent: Jim Coughlin and Charlie Eldredge

Staff Present: SuzAnne Ehardt, Maryanne Wanaski, Matthew Hansel and Cindy Sassaman

Also Present: Mary Donner, Tina Hill, Dan Ryan, Barbara Wheeler; County Board members, Tammy Valentine-Garza, Supervisor for Richmond Township, Julie Richardson Village of Lakewood, Emily Berendt, Sherrie Ludwig, Greg Kuhs, Richard Stermer, Patricia Kennedy, Jane Collins, Lisa Haderlein, John Dargen, Kim Willis, Lauri Olson, Mary Forni, Dave Brandt, Kathleen Schmidt, Ersel Schuster, Roger Naylor, Bonnie Leahy and Ann Bicanic Moeller, MCCG

Jim McNutt sat in as Acting Chairman in the absence of Chairman Eldredge and due to Mr. Dreher's involvement in the meetings presentation.

Minute Approval

Motion by Mr. Harrison, seconded by Mr. Thompson to approve the minutes of February 14, 2008. There was a correction made to the spelling of Cindy Skrurud's name and also Anna Bicanic Moeller's name. In addition, Craig Hubert noted that he had been in attendance. All members present voting aye. Motion carried.

Public Participation

John Dargen spoke to the discussion from the previous meeting regarding how public receives information. He indicated that he believed there was an agreement that the agenda would be available online and the materials and work of the Committees would be put out for the public to review 10 days prior to the meeting. Ms. Ehardt noted that she had listened to the entire meeting on tape and it was the consensus that the public would be allowed to see items at the meeting. The 10 days referred to agenda items such as minutes, etc. She suggested that any future action items be handled with a motion so there is no confusion regarding decisions made by the Commission.

Ms. Ehardt mentioned there was some confusion regarding previous comments pertaining to the 2030 website and the County Board website. Staff had discovered that the 2030 website was not working properly. Ms. Ehardt stressed that if anyone finds a problem with the website they should contact the Department so the webhost can be contacted to fix the problem. She also mentioned that from the beginning the only things that were posted to the website were PowerPoint presentations and subcommittee minutes after they have been approved. A consideration is to limit the number of versions of a document that are made available to eliminate confusion.

Ms. Schietzelt made a motion to follow the same procedures as the County Board with regard to the agenda online and being able to link documents to the agenda. The Commission requested that Ms. Schietzelt make her motion later in the meeting, not during public comment.

Jane Collins approached the Commission and stated that she attended the meeting on February 14th and was confused on how the Commission planned to proceed on writing the plan. Mr. Austin suggested that a third party could be hired to put together the draft text. Ms. Ehardt explained that the way the entire Commission was set up was to have fact finding subcommittees and then invite members of the public to provide the subcommittees with information on the issues at hand. Each subcommittee will now present to the full commission their fact finding information. Each subcommittee will present their information to the Commission which will formulate the plan as a whole. For those subcommittees that need assistance, they may come to staff for help. Mr. Austin has indicated that a third party may come in to make the plan sound as one document. From this point forward, there will be more work on maps and visual documents.

Ms. Valentine asked the Commission for consideration to allow public comments. Mr. McNutt felt that is the most important part of the process. Mr. Harrison felt that they did not need the public writing the plan. Mr. Dreher agrees, but occasionally inviting that type of input from technical advisers is helpful. After the review is completed the document will be distributed for public comments.

Mr. Shaw agreed that while public input is crucial, the document will never be completed if the Commission debates each issue. He asked the public to take notes during the meetings and send email on the items that need more discussion. With all the controversial issues, the document will not be completed within the next 12 months if discussion and debate occurs with the public. Mr. Shaw asked how to determine who is an expert. Mr. Harrison asked that each chapter is present on the screen during the meeting and anyone who would like to highlight something for further discussion should get the opportunity. Just highlight the area and move on. Then a document with highlighted areas that will be debated could be put on the internet. Ms. Ehardt asked if everyone was clear on the process. She also reminded the

Commission and the public that there will be other opportunities for public comment when the document is taken on the road for the 4 quadrant meetings.

Director's Remarks

Ms. Ehardt received an e-mail from Jim Coughlin who sends his apologies. He is dealing with a family situation and will possibly need to resign from his position.

She also mentioned that the Planning and Development Committee interviewed one applicant for the vacancy on the Commission. It was the recommendation of the Committee to readvertise to fill the vacancy.

Presentations

None

Old Business

LEAM Modules – Ms. Wanaski informed the Commission that the modules are still being modified and they will notify the Commission as soon as something is available. The initial run is set for April.

New Business

Population Distributions for 2030 – The CMAP Population forecast for McHenry County was included in the packet. Ms. Wanaski indicated that these numbers are the CMAP numbers. This is a turning point for McHenry County where the county as a whole grows but loses population in the unincorporated areas. When looking at Hebron and Union, which are small in nature, the percentage of growth is up. McHenry, Spring Grove, Johnsburg and Richmond are up in growth as well. When Ms. Wanaski spoke to CMAP they informed her that they will be doing another calculation this summer. The negative numbers on the map are generally due to the annexations.

The meeting moved to the County Board Room at 7:00 p.m.

Mr. Dreher presented a PowerPoint presentation on Groundwater Resources and the draft of the Water Resources Subcommittee report. The Commission went page by page highlighting certain sections of the draft for clarification and further discussion later in the meeting.

Mr. McNutt suggested making yellow highlights for the Commission's concerns and the using another color for the public's concerns.

Ms. Ehardt asked Mr. Dreher if he would consider adding the wording "where possible" to the paragraphs referring to enhancing rivers to a "Class B rating". She also asked Mr. Dreher to use the word "should" instead of the word "shall" since the document is advisory not regulatory.

The Commission asked Mr. Brandt how he felt about the wording. He was in favor of the wording as it is.

Ms. Ehardt also noted there were several instances in the report where it is pointed out that there are excellent local programs such as in the City of Algonquin. She recommended including examples of what they are doing and what programs they have for the readers information.

Mr. Harrison indicated there may be some points of contention that need to be addressed in light of other subcommittees such as gravel, natural resources, agriculture and economic development. Some areas could remain highlighted so that when it is forwarded to the Planning and Development Committee they are aware that there is an issue that has not been resolved.

After further review of the chapter, there were questions as to where some of the information was taken from. Mr. Dreher took several items verbatim from numerous other plans. The Commission indicated that those sources should be cited in the document so as to lead the reader to the other documents which could educate the reader.

The Commission took a short break at 8:10 p.m.

The Commission resumed the meeting at 8:21 p.m.

A motion was made by Mr. Shaw that for purposes of streamlining the process, public comment on the issues be made during the public comment portion of the meeting. The motion was seconded by Mr. Davenport.

Mr. Bauman motioned to amend the motion to have limited input by staff when the chairman would request clarification. Nancy Schietzelt seconded the motion to amend.

Mr. Dreher indicated that he would be in favor of a second amendment allowing some discretion for the Commission in terms of requesting comment from the public. There was discussion on the matter with regard to the public participation agenda items. Mr. Shaw and Mr. Davenport withdrew their motion, thereby negating the amendment.

Mr. Dreher suggested that the Commission should think about this until the next meeting. Mr. Harrison asked Ms. Wheeler how the Planning & Development Commission viewed staff and if they were considered a resource. Ms. Wheeler stated that when the Committee has discussion staff usually does not speak unless they are asked for clarification. There are times staff does need to interject. It is not very often that Planning and Development Committee invites public participation into a Committee discussion. It is really a Committee discussion. If needed, they will clarify with staff or staff will interject. Mr. Harrison needs staff to keep the Commission on

track or let them know if something is against an ordinance. Mr. Jung stated that staff is here for that reason and he doesn't believe that a motion is needed to bring staff into the discussion.

Mr. Bauman motioned to table the amendment to the motion seconded by Mr. Dreher. A voice vote was taken: Mr. Davenport; no, Mr. Shaw no; and Mr. Harrison; no. All others voting aye. Motion carried. (THIS MOTION WAS UNNECESSARY DUE TO THE WITHDRAWAL OF THE ORIGINAL MOTION WHICH NEGATED THE AMENDMENT).

In reviewing the Water Resources Chapter, a change was suggested under "objectives", third paragraph, add the wording "where feasible" at the end of the paragraph.

On page 2, under "background", there was concern if this was a citation or opinion. Mr. Dreher said that the entire chapter would be full of citations if each item was properly cited. He mentioned that it is all widely accepted knowledge or findings. Mr. Harrison believes that they should be presented as citations so as to separate them from the text of the document. Much of the information was taken from the Baxter and Woodman study adopted by the County Board. Mr. Dreher also mentioned that some of the information is generally accepted knowledge from experts that the subcommittee met with and that some citations are verbatim from other sources and the subcommittee tried, where appropriate, to make notes.

Review continued on page 2, second paragraph, under "background". Mr. Davenport asked what the "fair share" from the deep aquifer is? Mr. Dreher explained that the math is from the State Water Survey. The sustainable yield of the deep aquifer is already being achieved from all counties that are withdrawing from the aquifer. He stated that we are not at our limits and currently the aquifer is stable.

Ms. Ehardt said that footnotes are good way to draw the reader's attention to the document from which the information was obtained. Mr. Harrison agreed and would like the document to be understandable by the average reader. Mr. Dreher will add the wording, "According to the.." in the beginning of the paragraph.

Mr. Harrison also believes that the County is not the culprit in this situation (regarding withdrawal from the deep aquifer) and possibly some language could be added that it is part of a regional concern. Mr. Dreher will add some language to the second paragraph.

In the first paragraph on page 2, under "background", Ms. Wanaski asked that wording be added that states Lake Michigan water is not an option for McHenry County.

Mr. Shaw asked how mass grading negatively impacts the region. Mr. Dreher explained that it changes the entire class/structure of the soil by compaction. He also explained that wetland restoration uses low compression grading. It was questioned how all of this would be

regulated. Mr. Dreher mentioned that the Conservation Design Ordinance was recently approved by the County Board.

Mr. Shaw questioned the depth of the two aquifers and also had questions that could be answered by a "Groundwater 101" information session. Mr. Dreher offered to add a figure that would show the hydrogeological cycle.

On page three, second paragraph it mentions "Chloride". It was suggested that information is included to explain where chloride is found.

On page 4, first paragraph the document speaks of land use and development being examined and it was questioned how this would be accomplished. Mr. Dreher noted that it would be handled through conservation design. Mr. Harrison requested that this item remain highlighted.

Page four, paragraph titled "Appropriate Land Use and Zoning" uses the word "high density". A question was asked regarding the definition of high density in this case. Mr. Dreher noted that in general language it would be 50% or more land coverage. It was also requested that some information on kettles be added to this paragraph.

Ms. Ehardt requested that words such as "kettles" be included a "glossary of terms". This is a good time to find those words and keep track of them. Please email the terms to staff to give them time to research the definitions. Underlining the term in this document would indicate that the term is included in the glossary.

Mr. McNutt announced that it was 9:20 and the Commission would return to reviewing the chapter in two weeks. Ms. Schietzelt said she could spend more time tonight reviewing the chapter. It was not the consensus of the Commission.

Ms. Ehardt suggested the Commission continue reviewing through the entire document until a complete review is made. At that time, the document would be completely revised and sent out for the final review. This was agreeable to the Commission.

Subcommittee Reports

Communications – Mr. Dreher noted the problem with attendance. He invited everyone to volunteer and participate to give new ideas and energy to the subcommittee. The subcommittee meets at 8:15 a.m on the fourth Thursday. Ms. Schietzelt said she would like to participate but cannot meet in the morning.

Open Space – Ms. Schietzelt reported that they held their last meeting in February to discuss the report. They are now in the process of getting the maps incorporated into the chapter and preparing the glossary. Their presentation will be at the first meeting in April.

No other subcommittees met.

Mr. Harrison asked if chapters could be double spaced to allow for easier reading and inclusion of notes.

MCCG

Ms. Richardson from the Village of Lakewood spoke on behalf of MCCG. She believes that Mr. Dreher is very knowledgeable and she has respect for his work and patience in explaining the detail. She said that many people in the audience are looking for real change and something that will set this County apart. She asked that the Commission propose a document with some teeth so that we do not find 30 years from now it's too late to make a difference. She noted that many municipalities are already implementing some of the programs that have been discussed this evening.

Members Comments

Motion by Ms. Schietzelt that information and documents be provided to the public regarding agenda items via links on the website. Motion was seconded by Mr. Davenport.

Mr. Harrison did not agree. The Commission should have an opportunity to develop an opinion. Mr. Dreher said that if we expect to engage the public and are providing the materials at the meeting they should be available online prior to the meeting. Wording could be added to the top of the document if it is a "draft" or "work in progress". Ms. Schietzelt said that she would not want the Commission to err on the side of secrecy. Mr. Swenson believed that it was not secrecy; it is just that every document is not available. Mr. Jung said that many items are on the website and it is appropriate if it is marked "draft" or "preliminary draft". Mr. Shaw stated that he has changed his mind on this subject tonight. He understands the public wants to be prepared for the meeting, however most items are written by the chairperson and are not the opinion of the Commission. He believes these items need to be accepted by the Commission prior to publication. The danger to the public is minimal and they are allowed to speak at the meeting. He believes the Commission needs a chance to review documents first. A voice vote followed.

Vote: Harrison, Thompson, Shaw and Swenson –No. All others voted aye. Motion carried.

Mr. Harrison commented that each person on a subcommittee has had one year of expertise that no one else on the Commission has regarding that subcommittee topic. If he has questions he should not be made to feel stupid. Some of the answers he received this evening, he felt were given to make him feel stupid. There will be questions. He will not vote on a plan until he is satisfied and has answers.

Mr. Davenport said the review is slow, but effective.

Mr. Jung asked that Commissioners get their work to staff so they have enough time to do their job. He also noted that this document will not be on the website for review since it was handed out this evening.

Action Items

At the next meeting, the Commission will continue the review of the Water Resources Chapter.

Staff will prepare a working agenda for the second meeting of the month.

Public Comment

Sherry Ludwig from Harvard explained that this was her first meeting. She asked that definitions be added. Tonight was the first time she saw the document and would like it to be available online. She would like decisions to be made on what needs to be done, not made on costs. She encouraged openness with the public and asked the Commission to trust the public.

Motion made by Mr. Harrison, seconded by Mr. Davenport to adjourn the meeting. All members present voting aye. Motion carried.

Meeting adjourned at 9:55 p.m.