

## LAKE COUNTY BOARD PROCEEDINGS

TUESDAY, NOVEMBER 11, 2003

The Lake County Board met in the Regular September, A.D. 2003 Session of the County Board held on Tuesday, November 11, 2003 in the County Building in Waukegan, Illinois. Chairman Schmidt called the meeting to order at 9:00 a.m. and asked for a moment of silent prayer. VFW Post 4737 presented the colors. The Chair led the Pledge to the Flag. County Clerk Willard Helander called the roll. Members present were: Bassi, Calabresa, Carlson, Carter, Cole, Cunningham, Gravenhorst, Kyle, Maine, Martini, Mountsier, Newton, Nixon, O'Kelly, Paxton, Powers, Sabonjian, Schmidt, Spielman, Stolman, Talbett and Whitmore. Member Bauer was absent.

### ADDITIONS TO THE AGENDA (for discussion only)

#### SPECIAL RECOGNITION

1. The Clerk read into the record a Resolution in recognition of the men and women of our Armed Forces who have valiantly defended America's freedom throughout our nation's history.

Member Mountsier moved, seconded by Member Martini to approve the Resolution. The Chair called for a Voice Vote on the motion. Motion carried unanimously. The Veterans from various posts throughout the County were introduced and a plaque was presented to Johnnie Allen of the Veteran's Assistance Commission. Don Martin of the Department of Defense presented a plaque to County Board Chair Suzi Schmit for outstanding services and continuing support to the national defense.

2. The Clerk read into the record a Resolution honoring the Angel Drill Team for their outstanding season, and for winning the 2003 National Drill Team Championship Competition.

Member Nixon moved, seconded by Member Kyle to approve the Resolution. The Chair called for a Voice Vote on the motion. Motion carried unanimously. The Chair presented a plaque to Chief Hamilton and members of the team. Chief Hamilton thanked the Board and the drill team gave a brief demonstration. Chief Hamilton advised that competitions are usually held the 4<sup>th</sup> week in April.

3. The Clerk read into the record a Resolution recognizing the week of November 9-15, 2003 as Lake County Employee Appreciation Week and commemorating 397 employees for 5, 10, 15, 20, 25, and 30 years of service to Lake County government.

Member Powers moved, seconded by Member Maine to approve the Resolution. The Chair called for a Voice Vote on the motion. Motion carried unanimously. The Chair thanked

the employees and encouraged Board Members to attend the recognition breakfast. Vice Chair Cole presented an award to Suzi Schmidt for her 15 years of service to the County.

CHAIR'S REMARKS

- |                             |  |
|-----------------------------|--|
| Tuesday, October 14, 2003   | - Met with Bonnie Carter & Bill Schroeder                      |
|                             | - Attended the Lake Villa Arts Council meeting                 |
|                             | - Met with Jack Gels - Emerald Shores Association              |
| Wednesday, October 15, 2003 | - Met with Marty Buehler & John Leedeey - Sales Tax Referendum |
|                             | - Public Building Commission                                   |
|                             | - Attended Lake Villa Chamber October fest                     |
| Friday, October 17, 2003    | - Forest Preserve Board Meeting                                |
|                             | - Forest Preserve Committee-of-the-Whole                       |
| Monday, October 20, 2003    | - Held Liquor Hearings   |
| Tuesday, October 21, 2003   | - Attended Lake County United meeting                          |
| Wed., October 22, 2003      | - Criminal Justice Committee meeting                           |
| Wed., October 29, 2003      | - F&A Committee  |
| Friday, October 31, 2003    | - Attended BOSS Training                                       |
| Monday, November 3, 2003    | - PB&Z Committee   |
|                             | - L&J Committee  |
|                             | - LIA Committee  |
| Tuesday, November 4, 2003   | - Rules Committee  |
|                             | - RPC Dinner   |
| Wed., November 5, 2003      | - Met with Tom Hahn - Forest Preserve                          |
|                             | - Sales Tax Leadership Meeting                                 |
|                             | - Land Use meeting - Lake Villa                                |
| Thurs., November 6, 2003    | - Attended Lake County Partners Founders meeting               |
| Friday, November 7, 2003    | - Committee-of-the-Whole                                       |
| Monday, November 10, 2003   | - Held Liquor Hearings   |
|                             | - Lindenhurst Village Board Meeting                            |

PUBLIC COMMENT: (Items not on the Agenda)

None.

OLD BUSINESS

None.

NEW BUSINESS

None.

CONSENT AGENDA (Items 4 through 32)

Member Mountsier moved, seconded by Member Martini to approve Items 4 through 32 in one Voice Vote. Member Talbett moved, seconded by Member Cunningham to remove Item 16. Member Talbett moved, seconded by Member Gravenhorst to add Item #16 to the Regular Agenda. The Chair called for a Voice Vote on the motion. Motion carried unanimously. The Chair called for a Voice Vote to approve Items 4 through 15 and 17 through 23. Motion carried unanimously.

4. Minutes of the County Board Meeting held on Tuesday, October 14, 2003.
5. Claims Against Lake County, Illinois for the month of October 2003.
6. Report of Gary Del Re, Sheriff, for the period ending September 30, 2003.
7. Report of David P. Brodsky, Public Defender, for the period of September 1, 2003 to September 30, 2003.
8. Report of James R. Wipper, Coroner, for the period ending September 30, 2003.
9. Report of Sally D. Coffelt, Clerk of the Circuit Court, for the period ending September 30, 2003.
10. Report of Robert Skidmore, Treasurer, for the period ending August 31, 2003.
11. Report of Robert Skidmore, Treasurer, for the period ending September 30, 2003.
12. Report of Mary Ellen Vanderverter, Recorder, for the month of August 2003.
13. Report of Mary Ellen Vanderverter, Recorder, for the month of September 2003.
14. Report of Willard R. Helander, County Clerk, for the month of August 2003.
15. Report of Willard R. Helander, County Clerk, for the month of September 2003.

Financial and Administrative Committee

Taxation, Election and Records Committee

16. MOVED TO REGULAR AGENDA.
17. Resolution permitting the Lake County Board of Review to recess on or before December 31, 2003 until a time when the Clerk of the Board of Review shall notify the members of the Board of Review, in writing, to return to session for the time necessary to complete their work.
18. Resolution declaring that the number of complaints filed with the Board of Review has created an emergency situation and has caused a need for an expanded Board of Review; and authorizing the Chairman of the Board to appoint additional qualified members to the Board of Review.
19. Joint Resolution authorizing the application for and acceptance of funds being held by the Illinois State Board of Elections, which funds were furnished by the United State's Government under the provisions of the Help America Vote Act for the reimbursement for new voting systems and equipment in compliance with HAVA requirements.

Health and Human Services Committee

Community and Economic Development Committee

Law and Judicial Committee

20. Joint Resolution authorizing the acceptance and execution of Program Agreement No. MF203066 with the Illinois Criminal Justice Information Authority for the State's Attorney's "Victim Assistance in Homicide Cases" Program for the period October 1, 2003, through September 30, 2005; authorizing \$29,550 per year in offsetting revenue, and authorizing the transfer of \$7,388 from Fund 101 to Fund 752.
21. Joint Resolution authorizing the acceptance and execution of Program Agreement No. MF2203077 with the Illinois Criminal Justice Information Authority for the State's Attorney's "Prosecutor Based Victim Assistance Services" Program for the time period October 1, 2003 through September 30, 2005; authorizing \$31,019 per year in offsetting revenue, and authorizing the transfer of \$7,755 per year from Fund 211 to Fund 753.
22. Joint Resolution authorizing the acceptance and execution of Program Agreement No. 401107 with the Illinois Criminal Justice Information Authority for the Administrative Office of the 19<sup>th</sup> Judicial Circuit "Community-Based Transitional Services for Female Offenders" Program for the time period October 1, 2003 through September 30, 2004;

authorizing \$22,818 in offsetting revenue, and authorizing the interfund transfer of \$7,606, from Fund 206 to Fund 174.

23. Joint Resolution extending current rates for Lake County Sheriff deputies working off-duty “special duty” detail for private business, individuals, and governmental units, for a four-month period through March 31, 2004.

Legislative and Intergovernmental Affairs Committee

Public Works and Transportation Committee

24. Joint Resolution authorizing the Chair of the County Board, the County Clerk, and the County Engineer to execute an agreement between the Union Pacific Railroad Company (UPRR) and Lake County for the lengthening of the existing railroad bridge over Sunset Avenue (*County Highway 46*). This resolution also appropriates \$760,000 of County Bridge Tax funds for this improvement.
25. Joint Resolution awarding a contract for the resurfacing of Winchester Road (*County Highway 69*) from IL Rte. 83 to US Rte. 45 to the lowest responsible bidder, Peter Baker & Son Company, Lake Bluff, Illinois in the amount of \$779,350.21.
26. Resolution amending the Lake County Weight Control Ordinance, previously adopted and revised by this County Board. This amendment designates Quentin Road (*County Highway 5*) as a Class II truck route from IL Rte. 22 to Ensell Road.
27. Joint Resolution authorizing the Chair of the County Board, the County Clerk, and the County Engineer to execute an agreement between Lake County and the Lake County Forest Preserve District for an easement along the east side of Wilson Road (*County Highway 7*) at Litchfield Drive.
28. Joint Resolution authorizing execution of an agreement with the Village of Mettawa for Sanitary Sewer Service to the Riverside Preserve Subdivision.
29. Joint Resolution authorizing execution of a Sanitary Sewer Easement Agreement with the Lake County Forest Preserve District.
30. Joint Resolution authorizing the Director of Central Services to enter into contracts with Meadow Equipment Sales & Service, Carol Stream, IL in the amount of \$5,400 for Group A; Henry Boysen Co., Hainesville, IL in the amount of \$2,720 for Group B and \$5,000 for Group C; and Layne Western, Aurora, IL in the amount of \$2,820 for Group B and \$14,996 for Group D for Lake County Public Works well pump maintenance and repair service.
31. Joint Emergency Resolution authorizing the Director of Central Services to enter into a contract with Visu-Sewer Clean, Pewaukee, Wisconsin, for spot repair and CIPP lining of

175 feet of 8-inch sewer main at 79-5 Hummingbird Lane in Winston Park, in the estimated amount of \$29,432.00.

32. Joint Resolution authorizing execution of a Storm Sewer Easement Agreement with the Vernon Township Road District.

Planning, Building and Zoning Committee

The Chair called for a Voice Vote to approve Items 4 through 32. Motion carried unanimously.

**REGULAR AGENDA:**

FINANCIAL AND ADMINISTRATIVE COMMITTEE

33. Recommended Fiscal Year 2004 Annual Department Budget and Appropriation Ordinance for Lake County, Illinois; said budget having been made conveniently available for public inspection for at least fifteen days by posting in the Office of the County Clerk.

Member Paxton expressed his thanks to Barry Burton and his staff, Gary Gordon, Mary Stevens and the whole Office of Management and Budget, as well as Victor Pena and his staff, for the excellent job they did in a tight budget year. Member Paxton moved, seconded by Member Mountsier to put the item on the floor. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

The Chair recognized Reverend Jamison Geiger, representing Lake County United, who had requested public comment. Reverend Geiger spoke in support of \$200,000 being designated for Affordable Housing in the 2004 budget. Reverend Geiger noted that Lake County United has gone to local governments to gain support to address the issue of affordable housing.

Member Paxton moved, seconded by Member Newton to amend the action taken in committee – removing funds from brownfield to affordable housing and amend recommended budget to return \$200,000 to brownfield funds. Member Carlson suggested combining these two funds into a capital development fund. Member Spielman suggested that there might other ways to obtain brownfield funds, possibly at the federal level. Member Spielman noted that this is only a one year allocation. Member Spielman also recommended that the UDO include opportunities for developers to put in affordable housing and opportunities for the cost of affordable housing not to be born solely by the county. The Chair called for a Roll Call vote on the Paxton amendment to put the \$200,000 back into the brownfield fund. Motion failed with the following vote: Ayes 9, Nays 13.

Member Carlson suggested that affordable housing and brownfield funds be combined into one fund to be distributed by the Community and Economic Development Committee. Member Martini seconded the motion. Discussion followed. The Chair called for a Roll Call

Vote on the Carlson amendment to combine the funds. Motion failed with the following vote: Ayes 7, Nays 15. Member Mountsier moved, seconded by Member Newton to call the question. The Chair called for a Roll Call Vote to call the question. Motion carried with the following vote: Ayes 12, Nays 10. The Chair called for a Roll Call Vote to approve Item 33. Motion carried with the following vote: Ayes 15, Nays 7.

34. Ordinance recommending a Real Property Tax Levy, attached hereto and made part of this Ordinance, providing for the apportionment of taxes across the various items of the Fiscal Year 2004 Appropriation Ordinance as adopted by the County Board of Lake County, Illinois.

Member Paxton moved, seconded by Member Mountsier to approve the Ordinance. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

35. Resolution authorizing an emergency appropriation of the identified FY 2002 corporate fund surplus fund balance in the amount of \$270,055 in the Corporate Capital Improvement Program budget; and authorizing budget modifications within the overall CCIP budget in connection with the establishment of the FY 2004 Corporate Capital Improvement Program.

Member Paxton moved, seconded by Member Maine to approve the Resolution. The Chair called for a Roll Call Vote. Motion carried with the following vote: Ayes 17, Nays 0.

36. Resolution authorizing the Director of Central Services to extend a sole source contract with Miller, Cooper & Co., Ltd., Northbrook, Illinois, in the estimated amount of \$149,405.00 for a one year period to audit the County's financial statements and provide related professional audit services for the County Administrator.

Member Paxton moved, seconded by Member Powers to approve the Resolution. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

37. Resolution that the County Board authorize the Financial and Administrative Committee to select, approve, and award a contract for Insurance Program Services for Lake County.

Member Paxton moved, seconded by Member Mountsier to approve the Resolution. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

#### TAXATION, ELECTION AND RECORDS COMMITTEE

16. Resolution amending a previous Resolution designating the polling places for the 449 voting precincts in Lake County's 18 townships as a result of polling places no longer being available in four instances, providing a temporary relocation in three instances, returning to the former location in two instances, and providing more desirable locations in terms of parking and accessibility in four instances.

Member Paxton moved, seconded by Member Mountsier to table Item #16. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

HEALTH AND HUMAN SERVICES COMMITTEE

38. Lake County Board of Health Report.

Member Sabonjian moved, seconded by Member Spielman to place the item on the floor. The Chair called for a Voice Vote on the motion. Motion carried unanimously. Member Spielman reported on the upcoming flu shot clinics. Member Cole noted that Tim Harrington from Vista Health had come to committee to present information on the closing of St. Therese Hospital.

39. Ordinance providing for the levy of a direct annual tax sufficient to produce \$50,000 for Special Service Area Number Eight.

Member Cole moved, seconded by Member Martini to approve the Ordinance. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

40. Lake County Partners Report.

Member Paxton moved, seconded by Member Spielman to place the item on the floor. The Chair called for a Voice Vote on the motion. Motion carried unanimously. Member Mountsier noted that he had placed a notice about the annual meeting on everyone's desk. Member Mountsier also reported on the November 8 Founders Meeting of Lake County Partners. There were about 40 people in attendance representing Lake County government, municipal government, small and large businesses, and education.

LAW AND JUDICIAL COMMITTEE

Member Nixon moved, seconded by Member Gravenhorst to take Items 41 through 45 in one Roll Call Vote and dispense with their reading. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

41. Joint Resolution authorizing the Chair of the Board to accept and execute a FY 2003 TOPOFF2 Grant and authorize an emergency appropriation in the amount of \$12,468.52.
42. Joint Resolution authorizing the acceptance of a Local Law Enforcement Block Grant #2003-LB-BX-2343 and an emergency appropriation in the amount of \$33,051, consisting of \$29,746 in Federal funds and a \$3,305 local cash match from the General Operating Expense.

43. Joint Resolution authorizing an emergency appropriation in the Sheriff's budget of \$65,000, which is funded by revenues for off-duty contract services.
44. Joint Resolution authorizing an emergency appropriation in the amount of \$175,000 in the Lake County Sheriff's budget, with offsetting revenue from the Lake County Emergency Telephone System Board.
45. Joint Resolution awarding a contract to Andy Frain Services, Aurora, IL, in the estimated amount of \$932,518.40 per year, for a one year contract, plus renewal options, to provide entry screening services for Lake County.

The Chair called for a Roll Call Vote to approve Items 41 through 45. Motion carried with the following vote: Ayes 21, Nays 0.

#### LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

Member Spielman reported on the state legislative program and noted that Peter Austin would be starting on the federal legislative program.

#### PUBLIC WORKS AND TRANSPORTATION COMMITTEE

46. Joint Resolution authorizing the Chair of the County Board, the County Clerk, and the County Engineer to execute an agreement for consulting engineering services between Lake County and National Engineering Technology Corporation (*NET*), Arlington Heights, Illinois, for the provision of consulting engineering services to provide design and integration of the Advanced Transportation Management System as part of Lake County Passage, at a maximum cost of services described of \$1,724,000.00. This resolution also appropriates \$1,800,00.00 of Matching Tax funds for these engineering services.

Member O'Kelly moved, seconded by Member Bassi to approve the Joint Resolution. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

47. Ordinance appropriating funds and providing for the levy of a direct tax sufficient to produce \$710,446 for the Northeast Lake Facilities Planning Area Special Service Area.

Member O'Kelly moved, seconded by Member Mountsier to approve the ordinance. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

#### PLANNING, BUILDING AND ZONING COMMITTEE

48. Resolution for the acceptance of the Lake County Regional Framework Plan Sewage Treatment section of the Draft Infrastructure and Services Chapter.

Member Martini moved, seconded by Member Mountsier to put the item on the floor. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Jeanne Yeagley of Barrington asked that the item be approved as it stands, without amendment. Member Mountsier moved, seconded by Member Bassi to put the amendment on the floor. The Chair called for a Voice Vote on the motion. Motion carried unanimously. The Chair called for a Roll Call Vote to approve Item #48 as amended. Motion carried unanimously.

49. Resolution for the acceptance of the Lake County Regional Framework Plan Draft Community Character Chapter.
50. Resolution for the acceptance of the Lake County Regional Framework Plan Parks and Recreation section and Telecommunication section of the Draft Infrastructure and Services Chapter.

Member Martini moved, seconded by Member Carter to approve Items 49 and 50 in one Voice Vote. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

51. Resolution on Zoning Case No. 3359, which consists of the Petition of LaSalle Bank Land Trust, T/U/T #117262-057 and Albany Bank Land Trust, T/U/T #114443 relative to a request for a Conditional Use Permit to allow up to thirty-two (32) Events of Public Interest per year. The Department of Planning, Building and Development recommends the petition be granted. On the motion “to approve” the prayer of the petitioner, the Zoning Board of Appeals vote is 6 “Ayes” and 0 “Nays”; the Planning, Building and Zoning Committee vote is 6 “Ayes” and 1 “Nays”.
  - An “Aye vote on the motion shall operate in favor of the prayer of the petitioner.
  - A “Nay” vote on the motion shall operate against the prayer of the petitioner.

Member Martini moved, seconded by Member Whitmore to send the item back to committee. The Chair called for a Voice Vote on the motion. Motion carried with Members Carlson, Carter, Gravenhorst, Maine and Mountsier voting Nay.

52. Resolution on Zoning Case No. 3360, which consists of the Petition of Harold and Katie Scheid relative to a request for a Conditional Use Permit to allow truck parking and a contractor’s equipment storage yard. The Department of Planning, Building and Development recommends the petition be granted. On the motion “to approve” the prayer of the petitioner, the Zoning Board of Appeals vote is 7 “Ayes” and 0 “Nays”; the Planning, Building and Zoning Committee vote is 6 “Ayes” and 0 “Nays”.
  - An “Aye” vote on the motion shall operate in favor of the prayer of the petitioner.
  - A “Nay” vote on the motion shall operate against the prayer of the petitioner.

Member Martini moved, seconded by Member Mountsier to approve the Resolution. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

53. Resolution on Zoning Case No. 3362, which consists of the Resolution of the Lake County Board relative to a request for rezoning from the Open Space District to the Residential-1 District. The Department of Planning, Building, and Development recommends the petition be granted. On the motion “to approve” the prayer of the petitioner, the Zoning Board of Appeals vote is 6 “Ayes” and 0 “Nays; on the motion to grant the prayer of the petitioner, the Planning, Building and Zoning Committee vote is 6 “Ayes” and 0 “Nays”.
- An “Aye” vote on the motion shall operate in favor of the prayer of the petitioner.
  - A “Nay” vote on the motion shall operate against the prayer of the petitioner.
  - A  $\frac{3}{4}$  (18) affirmative vote is required to approve the rezoning if there is a legal objection on file.

Member Martini moved, seconded by Member Newton to approve Items 53 and 54 in one Voice Vote. Vice Chair Cole called for a Voice Vote on the motion. Motion carried unanimously.

54. Resolution on Zoning Case No. 3365, which consists of the Resolution of the Lake County Board relative to a request for rezoning from the Open Space District to the Agricultural District. The Department of Planning, Building and Development recommends the petition be granted. On the motion “to approve” the prayer of the petitioner, the Zoning Board of Appeals vote is 6 “Ayes” and 0 “Nays”; the Planning, Building and Zoning Committee vote is 6 “Ayes” and 0 “Nays”.
- An “Aye” vote on the motion shall operate in favor of the prayer of the petitioner.
  - A “Nay” vote on the motion shall operate against the prayer of the petitioner.
  - A  $\frac{3}{4}$  (18) affirmative vote is required to approve the rezoning if there is a legal objection on file.

Vice Chair Cole called for a Voice Vote to approve Items 53 and 54. Motion carried unanimously.

55. Joint Resolution authorizing the State’s Attorney of Lake County to institute legal action against certain named properties for the demolition of dangerous and unsafe or uncompleted and abandoned structures on said properties.

Member Martini moved, seconded by Member Powers to approve the Joint Resolution. The Vice Chair called for a Voice Vote on the motion. Motion carried unanimously.

56. Joint Resolution authorizing the Director of Central Services to execute a contract with Economic Research Associates of Chicago, IL in an amount not to exceed \$50,000 in accordance with their proposal to conduct a feasibility study for a Heritage Farm/Farm of the Future.

Member Martini moved, seconded by Member Sabonjian to approve the Joint Resolution. The Vice Chair called for a Voice Vote on the motion. Motion carried with Members O’Kelly, Maine and Whitmore voting Nay.

RULES COMMITTEE

57. Resolution for the submission of the Rules Committee’s recommendations for amendments to the Lake County Board Rules of Order and Operational Procedures.

Member Talbett moved, seconded by Member Whitmore to place the item on the floor. The three amendments were voted on separately. First amendment dealing with provisions that detail the opportunity for State and Federal legislators to address the Board. Member Carter moved to amend #8 so that the address would happen at the end of the agenda. Member Maine seconded the motion. After some discussion, Member Carter withdrew her motion and Member Maine her second. The Chair called for a Voice Vote on the first amendment. Motion carried unanimously.

Member Talbett moved, seconded by Member O’Kelly to approve the second amendment dealing with procedures for consideration of the Annual Budget and the Finance and Administrative Committee. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

The third amendment set procedures for consideration of a Resolution when two Standing Committees share responsibility. Member Talbett moved, seconded by Member Spielman to send this item back to committee. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

PETITIONS, CORRESPONDENCE AND MISCELLANEOUS BUSINESS

ADJOURNMENT

58. Member Kyle moved, seconded by Member Bassi that this Adjourned Regular September A.D., 2003 Session of the Lake County Board be adjourned until Tuesday, December 9, 2003 at 9:00 a.m. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Respectfully submitted,

Willard R. Helander  
Lake County Clerk

Minutes approved:

---