

LAKE COUNTY BOARD PROCEEDINGS

March 11, 2003

The Lake County Board met in the Adjourned Regular September, A.D. 2002 Session of the County Board held on Tuesday, March 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. The Chair led the Pledge to the Flag. County Clerk Willard Helander called the roll. Members present were: Bassi, Bauer, Calabresa, Carlson, Carter, Cole, Cunningham, Gravenhorst, Kyle, Maine, Martini, Mountsier, Newton, Nixon, O'Kelly, Paxton, Powers, Sabonjian, Schmidt, Spielman, Stolman, Talbett and Whitmore.

ADDITIONS TO THE AGENDA (for discussion only)

None.

SPECIAL RECOGNITION

1. A Resolution designating the week of April 6 to April 12, 2003 as NATIONAL COUNTY GOVERNMENT WEEK in Lake County, Illinois.

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

2. A Resolution in recognition of the 40th anniversary of the Supreme Court decision in *Gideon v. Wainwright*.

Member Carter moved, seconded by member Spielman to approve the Resolution. The Chair called for a Voice Vote on the motion. Motion carried unanimously. David Brodsky, the Lake County Public Defender, spoke to the Board about the decision and the importance of the right to equal justice. Mr. Brodsky thanked the Board for their support.

3. A Resolution to recognize March as National Nutrition Month for 2003.

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

Bill Mays of the Health Department introduced Toby Karg, Community Health Dietician. Toby reported that almost 65% of the US population is obese and 75% are not getting enough physical activity. She demonstrated portion size and distributed a guide to portion sizes and information of body mass index.

4. A Resolution in proclamation of March as National Purchasing Month and further, in

recognition of thirty-seven (37) Lake County contract suppliers who have been nominated by departments on the basis of quality, service, and competitive pricing for “Partners in Excellence” awards.

Member Whitmore moved, seconded by Members Powers to approve the Resolution. The Chair presented plaques to the vendors present and thanked them for their service to Lake County.

5. A Resolution proclaiming April, 2003 as Fair Housing Month in Lake County, Illinois.

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

CHAIR’S REMARKS

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| Tues., February 11, 2003 | - | County Board Meeting |
| | - | Attended Hainesville Board Meeting |
| Weds., February 12, 2003 | - | Lake County Partners - Baxter Headquarters, Deerfield |
| Thurs., February 13, 2003 | - | Forest Preserve - Land Acquisition |
| | - | Meeting with Village of Lake Villa regarding Sun Lake Preserve |
| Friday, February 14, 2003 | - | Met with Mr. Naake & Ed Ferguson - NACo |
| Monday, February 17, 2003 | - | Met with Barry & Phil - ZBA |
| Tuesday, February 18, 2003 | - | Lunch with Angelo & Dave Young - Partners |
| Weds./Thurs. Feb. 19-20, 2003 | - | Board Retreat |
| Friday, February 21, 2003 | - | Forest Preserve Board Meeting |
| | - | COW Framework Plan Update |
| Saturday, February 22, 2003 | - | Attended the Reserve Deputy Dinner - Port O Call Naval Officers Club |
| Monday, February 24, 2003 | - | PB&Z Committee |
| | - | Black History Month Presentation - Lobby (with Kyle, Nixon & Cunningham) |
| | - | LIA Committee |

- Tues., February 25, 2003 - Attended update on Fort Sheridan at Greenbelt
- Weds., February 26, 2003 - Joint L&J/PB&Z Committee - Public Nuisance Ord.
- F&A Committee
- Thurs., February 27, 2003 - Attended IRB Partners Meeting - Buffalo Grove
- Monday, March 3, 2003 - PB&Z Committee
- Tuesday, March 4, 2003 - Attended Lake County Partners Meeting at CLC
- Weds., March 5, 2003 - Spoke at the Power Breakfast with Bonnie Carter and Marty Buehler
- F&A Committee
- Thurs., March 6, 2003 - Forest Preserve Land Acquisition
- Friday, March 7, 2003 - Committee-of-the-Whole
- Met at Colby Barn - Village of Grayslake - Central Range
- Attended visitation for Waukegan Police Chief Miguel Juarez
- Monday, March 10, 2003 - Liquor Commission Hearings

PUBLIC COMMENT: (Items not on the Agenda)

None.

OLD BUSINESS

Lake County comprehensive Stormwater Management Plan

1. A Resolution adopting the Lake County Comprehensive Stormwater Management Plan, as updated and presented by the Lake County Stormwater Management Commission.

Member Mountsier moved, seconded by Member Gravenhorst to approve the Resolution. The Chair called for a Voice Vote on the motion. Motion carried with the following vote: Ayes 16, Nays 7.

NEW BUSINESS

Member Mountsier read a letter which had been sent to Cuba Township from a very ill young

man who wanted to be included in the “Guinness Book of World Records” for have the largest collection of business cards. Member Mountsier asked the County Board Members to support this young man’s request.

Member Mountsier also highlighted funds received by the Stormwater Management in support of projects, i.e., Upper Des Plaines, watershed plans, and squaw creek to name a few.

CONSENT AGENDA (Items 7 through 26)

7. Minutes of the County Board Meeting held on Tuesday, February 11, 2003.

Member Cole asked that the Minutes be corrected to show that she did not second the motion to approve Item #54 “Amendments to Lake County Comprehensive Stormwater Management Plan,” since she voted no on the item.

8. Claims Against Lake County, Illinois for the month of February 2003.

9. Report of Sally D. Coffelt, Clerk of the Circuit Court, for the period ending January 31, 2003.

10. Report of Barbara E. Richardson, Coroner, for the period ending January 31, 2003.

11. Report of David P. Brodsky, Lake County Public Defender, for the period of January 1, 2003 to January 31, 2003.

2. Report of Willard R. Helander, County Clerk, for the month of January 2003.

13. Report of Mary Ellen Vanderverter, Lake County Recorder, for the month of January 2003.

14. Report of Robert Skidmore, Treasurer, for the period ending January 31, 2003.

PUBLIC WORKS AND TRANSPORTATION COMMITTEE:

15. Washington St. (US Rt. 45 to Hunt Club Road), Add-lanes: IDOT Joint Agreement

16. Chain O’Lakes Bike Path (*Helendale Avenue to Grant Woods Forest Preserve Trail*): Contract Award

17. 9th Street @ east of Lewis Avenue, Culvert Replacement; Design Consultant Agreement

18. Cedar Lake Road @ south of Monaville Road, Culvert Replacement; Design Consultant Agreement

19. Washington Street (IL Rte. 83 to US Rte. 45), Add-lanes, ROW Acquisition: Supplemental

Appropriation

20. Lake Cook Road @ Quentin Road, Add Lanes: IDOT Agreement, Addendum
21. Wilson Road/, IL Rt. 134, Intersection Improvement: IDOT Joint Agreement
22. Emergency Vehicle Preemption Master Agreements: (1) Abbott Laboratories; (2) Village of Buffalo Grove; (3) Community Unit School District 220; (4) Countryside Fire Protection District; (5) Deerfield-Bannockburn Fire Protection District; (6) Fox Lake Fire Protection District; (7) Village of Fox Lake; (8) Grayslake Fire Protection District; (9) Greater Round Lake Fire Protection District; (10) Village of Gurnee; (11) Lake Villa Fire Protection District; (12) Lake Zurich Rural Fire Protection District; (13) Libertyville Fire Protection District; (14) Village of Libertyville; (15) Lincolnshire-Riverwoods Fire Protection District; (16) Village of Mundelein; (17) Newport Fire Protection District; (18) City of North Chicago; (19) Novus Credit Services, Inc.; (20) City of Park City; (21) Village of Vernon Hills; (22) Wauconda Fire Department, Incorporated; (23) Village of Wauconda; (24) City of Waukegan.
23. Renew contracts with Prime Coat Corporation, Libertyville, IL in amount of \$27,885 and The Mutual Companies, Chicago, IL in the amount of \$56,417.60 for a one (1) year period plus renewals for Lake County Public Works painting projects.

TAXATION, ELECTION AND RECORDS COMMITTEE:

24. A joint Resolution designating the herein named banks and other financial institutions as depositories in which the funds and monies in the custody of Robert Skidmore, as County Treasurer and as Ex-Officio County Collector, may be deposited; and requests its adoption.

APPOINTMENTS:

25. Reappointment of Sylvia Valadez as a Member of the Lake County Housing Authority.
26. Reappointment of Tom Kristof as a Member of the Round Lake Sanitary District.

Member O'Kelly moved, seconded by Member Kyle to approve the Consent Agenda, Items 7 through 26. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

FINANCIAL AND ADMINISTRATIVE COMMITTEE

Purchase of AED Devices (Defibrillators)

27. Your Financial and Administrative Committee requests approval of a Line Item Transfer in the amount of \$12,500 for the purchase of AED devices (defibrillators) and contractual services for program development and employee training on the use of the devices.

Member Paxton moved, seconded by Member O’Kelly to approve the Line Item Transfer. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Emergency Appropriation - Activities Budgeted in Prior Year and Not Completed

28. A Resolution authorizing emergency appropriations in the total amount of \$72,813,694 for FY 2003 in various funds for certain projects, items and activities which were budgeted in the prior year and not completed.

Member Paxton moved, seconded by Member Newton to approve the Resolution. The Chair called for a Roll Call Vote. Motion carried with the following vote: Ayes 23, Nays 0.

TAXATION, ELECTION AND RECORDS

Polling Place Changes

29. A Resolution amending a previous Resolution designating the polling places assigned to the 449 voting precincts in Lake County townships as a result of sites no longer able to serve as polling places and the opportunity to secure more convenient locations.

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

Member Talbett announced the need for Election Judges in the upcoming April election, since a lot of people are gone for spring break. Member Maine suggested that Lake Forest College be contacted. They are not on spring break at that time.

Member O’Kelly asked if Marty Paulson could address the issue of the tax bills being sent out late. Mr. Paulson reported that because we have not yet received the state multiplier tax bills could not be computed and it is difficult to predict a time line. Mr. Paulson felt we would be looking at a three week delay at this time. County Treasurer Skidmore is sending out a notice to all of the taxing districts of the delay. Discussions are ongoing with the Department of Revenue.

Settlement Agreement - Zion Energy Electric Center

30. A Resolution authorizing the County Board Chair to execute a Settlement Agreement concerning the real property tax assessments for Zion Energy Electric Center, and providing for the Assessment of said Center for tax years 2002 through 2011.

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

HEALTH AND HUMAN SERVICES COMMITTEE:

31. Board of Health Report by Member Carol Spielman.

Member Calabresa moved, seconded by Member Cole to place the item on the floor. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Member Spielman reported that there were 8 human cases of the West Nile Virus in lake County last year and one human death. A majority of villages and townships have budgeted for mosquito control. There will be a 24 hour hotline starting on or about April 15 to report dead birds. Member Martini expressed concern that the State had promised to monitor state parks and DNR is not testing in any of the state parks or at Northpoint Marina. Member Spielman stated that Colin Thacker would get back to Member Martini in the Chain of Lakes issue.

Heath Department Director, Dale Galassie noted that there was \$200,000 funding last year from the state which has been expended for mosquito control and there are no funds available this year.

Items 32 through 34

Member Cole moved, seconded by member Nixon to approve Items 32 through 34 in one Roll Call Vote. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Emergency Appropriation - Publication of Red Book

32. A Joint Resolution authorizing an emergency appropriation of \$91,995 in unallocated resources that has been earmarked for the publication of the Red Book.

Authorize Investigation of Complaints from Medicaid and Medicare Beneficiaries at Winchester House

33. A Joint Resolution authorizing a Memorandum of Agreement as required by the Social Security Act between the Illinois Foundation for Quality Health Care and the County of Lake to review services provided to, and investigate complaints from Medicaid and Medicare beneficiaries at Winchester House.

Authorize County Board Chair and Director of Central Services to Executive Business Agreements Pursuant to HIPAA Regulations

34. A Joint Resolution (1) approving a standard business associate agreement for Lake County and (2) authorizing the Chairman of the County Board and the Director of Central Services to execute business associate agreements pursuant to the Health Insurance Portability and Accountability Act (HIPAA) regulations.

The Chair called for a Roll Call Vote. Items 32 through 34 were approved with the following vote: Ayes 22, Nays 0.

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE

35. Lake County Partners Report by Member Steve Mountsier.

Member Sabonjian moved, seconded by Member Carter to place the item on the floor. The Chair called for a Voice vote on the motion. Motion carried unanimously.

Member Mountsier reported that the County had pledged \$50,000 to Lake County Partners to attract new business to the County, provided that Lake County Partners could raise \$100,000. Dave Young has raised the final \$100,000. The five-year economic development marketing plan was also reviewed by Lake County Partners.

Approve 2003 Annual Action Plan - Housing and Community Development Consolidated Plan

36. Your Community and Economic Development Committee and Financial and Administrative Committee present herewith a Joint Resolution:

1. Approving the 2003 Annual Action Plan component of the Housing and Community Development Consolidated Plan, as currently recommended by the Community Development Commission pending future revisions to incorporate recent changes in HUD allocations; and
2. Authorizing the Chairman of the Lake County Board to execute the necessary documents to apply for and accept the Community Development Block Grant in the amount of \$3,120,000, the Home Investment Partnerships (HOME) Grant in the amount of \$1,747,850, and the Emergency Shelter Grant in the amount of \$99,000; and
3. Upon grant award by the U.S. Department of Housing and Urban Development, and acceptance by the County, authorizing emergency appropriations and budget modifications in Fund 723 for the Community Development Block Grant (including \$35,275 of CDBG program income), in Fund 732 for the Home Investment Partnerships (HOME) Grant (including \$106,901 of HOME program income), and in Fund 737 for the Emergency Shelter Grant; authorizing line item budget transfers of unexpended funds from prior years in the amount of \$462,985 in Fund 723 for the Community Development Block Grant and \$270,476 in Fund 732 for the Home Investment Partnerships (HOME) Grant; and authorizing the County Board Chairman to execute contracts with subrecipient entities for the expenditure of those funds.

Member Sabonjian moved, seconded by member Cunningham to approve the Joint Resolution. The Chair called for a Roll Call Vote. Motion carried with the following vote: Ayes 23, Nays 0.

Approve Amendments to 1999, 2000 and 2001 Annual Action Plans of Consolidated Housing and Community Development Plan

37. A Joint Resolution approving amendments to the 1999, 2000 and 2001 Annual Action Plans of the Consolidated Housing and Community Development Plan, as recommended by the Affordable Housing Commission and the Community Development Commission.

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

Support Establishment of Five New Enterprise Zones

38. A Resolution supporting the establishment of five new enterprise zones in economically distressed communities in Lake County.

Member Sabonjian moved, seconded by Member Gravenhorst to amend the Resolution by replacing the second page with a new one which states support of SB0311. The Chair called for a Voice Vote to approve the amendment. Motion carried unanimously. Member Sabonjian moved, seconded by member Spielman to approve the Resolution as amended. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

LAW AND JUDICIAL COMMITTEE

LEGISLATIVE AND INTERGOVERNMENTAL AFFAIRS COMMITTEE

Member Spielman reported that 11 out of 13 of our bills are still doing well. We must acknowledge and thank all of our legislators in Springfield. Federal legislative update - Lake County projects did very well. The County was allocated over 11 million in project assistance. While in Washington, DC we also met with Senators and Representatives and presented our 2004 requests. Member Spielman asked Member Kyle to give a brief update on the NACo Conference. Member Kyle reported that highlights of the conference included an address by First Lady Laura Bush on her "Preserve America" initiative, as well as an update of homeland security.

PUBLIC WORKS AND TRANSPORTATION COMMITTEE

Altered Speed Zone - Rollins Road - Avon Township

39. An ordinance providing for the establishment of an altered speed zone for 45 M.P.H. (Currently 55 M.P.H.) on Rollins Road, County Highway 31 located in Avon Township in conformity with Chapter 625 - Section 5/11-604 of the Illinois Compiled Statutes.

Member O'Kelly moved, seconded by Member Maine to approve the Ordinance. The Chair called for a Voice Vote on the motion. Motion carried unanimously. Marty Buehler, County Engineer reported that the road will be improved with curbs and pavement and this is a

safety issue due to the curve in the road; also a state and national requirement. The altered speed limit is for the road in the new condition.

PLANNING, BUILDING AND ZONING COMMITTEE

Vacation - Portion of Oakland Avenue - Antioch Township

40. A Resolution in the matter of the petition of Lisa C. Nowak and Donald L. Card for the vacation of a portion of Oakland Avenue located in the Second Addition to Hillcrest Subdivision, Antioch Township, Lake County, Illinois. The Board of Vacation by a vote of 3 “Ayes” and 0 “Nays” recommends that the vacation request be conditionally approved. On the motion “to approve” the prayer of the petitioner, your Planning, Building and Zoning Committee vote is 5 “Ayes” and 0 “Nays”.

- An affirmative vote of at least two-thirds of the members of the County Board is required to grant this resolution.

Member Martini moved, seconded by Member Newton to approve the Resolution. The Chair called for a Roll Call Vote. Motion carried with the following vote: Ayes 22, Nays 0.

Zoning Case No. 3310

41. A Resolution on Zoning Case No. 3310, which consists of the Petition of Enrique Villarreal relative to a request for rezoning from the Residential-1 District to the Limited Industrial 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 7 “Ayes” and 0 “Nays”; the Planning, Building and Zoning Committee vote is 5 “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 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 Whitmore to approve the Resolution. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Zoning Case No. 3311

42. A Resolution on Zoning Case No. 3311, which consists of the Petition of Thom and Donna Beeson and LaSalle Bank, N.A., T/U/T #126587 relative to a request for rezoning from the Limited Commercial and Residential 3 Districts to the General Commercial 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 5 “Ayes” and 2 “Nays”; the Planning, Building and Zoning Committee vote is 5 “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 3/4 (18) affirmative vote is required to approve the rezoning if there is a legal objection on file.

There is a legal objection on file.

Member Martini moved, seconded by Member Newton to approve the Resolution. The Chair noted that there were several requests for public comment. Mr. Drew Irvin, Village Manager of the Village of Bannockburn spoke to the Board in opposition of the request for rezoning. Mr. Victor Filippini, attorney for the Village Bannockburn also spoke in opposition of the proposed rezoning. Ms. Ellen Ingram, a resident of Del Mar Woods, also spoke against rezoning the property. Mr. Thom Beeson, owner of the property asked for the Board’s support in approving the request. Member O’Kelly moved, seconded by Member Nixon to suspend the rules to grant Mr. Beeson additional speaking time.. The Chair called for a Roll Call Vote. Motion carried with the following vote: Ayes 18, Nays 4. Member Sabonjian moved, seconded by Member Whitmore to grant all previous speakers an additional five minutes. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Phil Rovang and Bob Mosteller of the Planning Department took questions from the Board and addressed issues brought up by opponents of the project. Mr. Rovang noted that the zoning maps used for the 2000 UDO were just converted zoning maps and there was no analysis of any of the property.

After some discussion, the Chair called for a Roll Call Vote. Motion carried with the following vote: Ayes 19, Nays 3.

Items 43 and 44

Member Martini moved, seconded by Member Carter to approve Items 43 and 44 in one Roll Call Vote. The Chair called for a Voice Vote on the motion. Motion carried unanimously.

Amend Hazard Mitigation Grant Program Assistance Agreement - IEMA

43. A Joint Resolution authorizing an amendment to the Hazard Mitigation Grant Program Assistance Agreement with the Illinois Emergency Management Agency to continue the acquisition and demolition of eligible homes in flood prone areas; and in connection therewith, authorizing an emergency appropriation for the Hazard Mitigation Grant Program, Fund 707, of federal funds in the amount of \$152,498.

Emergency Appropriation - Stormwater Management Commission - Voluntary Buy-Out Program

44. A Joint Resolution authorizing an emergency appropriation in the Stormwater Management Commission budget in the amount of \$100,000 for the voluntary buy-out program of flood-prone properties as authorized in the program agreement with the Illinois Department of Natural Resources – Office of Water Resources, for the Northeastern Illinois Floodplain Property Acquisition Funding, Flood Hazard Mitigation Program.

The Chair called for a Roll Call Vote to approve items 43 and 44. Motion carried with the following vote: Ayes 21, Nays 0.

PETITIONS, CORRESPONDENCE AND MISCELLANEOUS BUSINESS

ADJOURNMENT

45. Member Sabonjian moved, seconded by Member Maine that this Adjourned Regular September A.D., 2002 Session of the Lake County Board be adjourned until Tuesday, April 8, 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

Approved:
