

July 15, 2025, 7:00 PM

County Board Room

Administration Building, 667 Ware Rd., Woodstock, IL 60098

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1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION**
4. **INTRODUCTORY ROLL CALL**
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McHenry County
County Board - Committee of the Whole
MINUTES

June 12, 2025, 9:00 AM
County Board Room
Administration Building, 667 Ware Rd., Woodstock, IL 60098

Members Present: Pamela Althoff (D6), Carolyn Campbell (D3), John Collins (D2), Joseph Gottemoller (D4), Terri Greeno (D5), Eric Hendricks (D3), Carl Kamienski (D6), Jim Kearns (D9), Deena Krieger (D5), Matt Kunkle (D1), Brian Sager (D7), Mike Shorten (D4), Michael Skala (D9), Larry Smith (D8), Patrick Sullivan (D1), Paul Thomas (D7), Gloria Van Hof (D2), Tracie Von Bergen (D8), Chairman Mike Buehler

Portions of these minutes may include content based on transcripts created by Generative AI technology (Otter.ai). Full comments on all agenda items are included in the video recording of this meeting.

1. CALL TO ORDER

Meeting called to order at: 9:00 A.M.

Also present: Also present: Peter Austin, County Administrator; Scott Hartman, Deputy County Administrator; Adam Wallen, Director of Planning and Development; Kerri Wysz, Chief Financial Officer; Maureen Gates, Financial Associate; Alicia Schueller, Director of Public Affairs; Adam Letendre, Director of Procurement and Special Projects; Melissa Adamson, Health Administrator; Adam Letendre, Director of Procurement and Special Services; Laura Scarry, Assistant State's Attorney; Suzanne Ziebart, Director of Human Resources; Nicole Gattuso, Director of GIS; Joe Korpalski, County Engineer; Sandra Salgado, Sheriff's Business Manager; Seth Krause, Director of Court Services and Probation; Patti Nomm, Director of Environmental Health; Shannon Teresi, County Auditor; Jeffery Poynter, Director of Workforce Network; Kyle Kunz, Assistant Public Defender.

Mover: Althoff

Second: Sager

To allow the remote attendance of Mr. Hendricks, Mr. Kearns, and Ms. Von Bergen

Aye (15): Althoff, Campbell, Collins, Gottemoller, Greeno, Kamienski, Krieger, Kunkle, Sager, Shorten, Skala, Smith, Sullivan, Thomas, and Van Hof

Abstain (3): Hendricks, Kearns, and Von Bergen

Approved (15 to 0)

2. PLEDGE OF ALLEGIANCE

Larry Smith led the County Board in the Pledge of Allegiance.

3. INTRODUCTORY ROLL CALL

Kathie Bough, Administrative Manager, called the Roll.

4. CHAIRPERSON'S COMMENT

Full comments can be heard on the McHenry County website audio starting at 00:03:34

Chairman Buehler stated that he had a handful of remarks to share before the board received the presentation on the development of the FY2026 budget and reviewed the agenda for the upcoming voting meeting scheduled for Tuesday. He noted that on Thursday, June 5, he and County Administrator Mr. Austin had the pleasure of joining McHenry County Economic Development Corporation Executive Director Mark Piekos on a tour of General Kinematics in Crystal Lake, accompanied by representatives from World Business Chicago. Attendees included World Business Chicago President and CEO Phil Clement, Chief Growth Officer Kyle Schultz, and representatives from the City of Crystal Lake.

Chairman Buehler explained that World Business Chicago had brought together McHenry County, the collar counties, Cook County, and the City of Chicago to form the Greater Chicagoland Economic Partnership (GCEP). This coalition works to attract new businesses and investment by highlighting the region's unmatched infrastructure, economy, and skilled workforce. He emphasized that this collaboration creates an environment that encourages economic expansion, job creation, and new opportunities. He stated that McHenry County continues to work with GCEP to define the next phase of regional growth and development and expressed pride in partnering with such an important organization. He extended thanks to World Business Chicago for their visit and to General Kinematics and Project Management Group Vice President Randy Smith for graciously hosting the tour.

Chairman Buehler continued by sharing that the following day, Friday, June 6, U.S. Senator Tammy Duckworth visited to tour the Hackmatack National Wildlife Refuge in celebration of the recent addition of the 1,000-acre Tamarack Farms. He noted that what began 13 years ago with a single 12-acre conservation easement had grown into thousands of acres of preserved land throughout McHenry County and Walworth County, Wisconsin. He stated that this expansion would continue to draw visitors and boost the region's growing tourism and outdoor recreation economy. He congratulated Openlands, the McHenry County Conservation District, Friends of Hackmatack, The Conservation Fund, and the Illinois Audubon Society for achieving this significant milestone.

Chairman Buehler then addressed recent state legislative developments. He stated that House Bill 3363 passed along party lines during the final days of the General Assembly's spring session, which ended on May 31. If signed into law by Governor Pritzker, the bill would create a State Public Defender Office tasked with developing standards for local public defenders, providing attorneys and litigation tools, and allocating funding for improvements in the defense of litigants, subject to appropriations. He expressed opposition to the bill, stating that it would strip local control by removing the authority of McHenry County judges to appoint public defenders. Instead, he explained, appointments would be made by a State Commission based on nominations from a committee composed of representatives from the Chief Judge and the State Public Defender's Office. He further noted that the county would have no input in the makeup of the Commission, which would be appointed by the Governor, General Assembly leadership, and public defense stakeholders. If signed, the Commission would be established by July 1 of the following year, with implementation beginning in 2027.

He continued by reporting that the spring session concluded without action on proposals to fund mass transit or modify the structure of regional transit boards. He noted that Governor Pritzker and legislative leaders had committed to working on the issue over the summer ahead of the fall veto session, in an effort to avoid service cuts and layoffs at public transit agencies facing a fiscal cliff. Chairman Buehler stated that he had joined his fellow collar county board chairs in advocating for any changes in transit board governance to ensure fair and balanced representation for McHenry, DuPage, Lake, Kane, and Will counties.

He directed attention to the McHenry County Popular Annual Financial Report (PAFR), noting that copies had been placed on board members' desks. For members of the public, he added that the FY2024 report was available on the Finance Department's webpage and had also been linked on the County's social media pages. He described the 16-page report as a clear, concise, and visually appealing summary of the county's budget, designed for public understanding. He extended thanks to Chief Financial Officer Carrie Weiss, County Manager Dodie Benisi, and the Finance Department staff for their hard work in preparing the report.

In closing, Chairman Buehler invited members of the public to join him at Lake Atwood in the Hollows Conservation Area on Saturday, June 14, at 10 a.m. for the McHenry County Conservation District's celebration of the lake's reopening. He noted that the project featured a newly paved and accessible path, fishing pier, and kayak launch. He informed County Board members that they would be receiving a sneak preview of the improvements that evening but encouraged them to also attend the public event on Saturday. He concluded by stating that, as he had said many times before, McHenry County Conservation District properties are second to none, and he urged everyone to explore what they have to offer. He then stated that he had no further comments for the morning.

5. MEMBERS' COMMENT

None.

6. PUBLIC COMMENT

Full comments can be heard on the McHenry County website audio starting at 00:08:38

Stacy Lindsay, of Woodstock IL, regarding Olague Farms Meat Packing Inc

Laurel Ksepka, of Woodstock IL, regarding Olague Farms Meat Packing Inc

Chuck Kruse, of Woodstock IL, regarding Olague Farms Meat Packing Inc

Steve Cuda, of Woodstock IL, regarding Olague Farms Meat Packing Inc

Mike Murray, of Woodstock IL, regarding Olague Farms Meat Packing Inc

Tyler Wilke, regarding Olague Farms Meat Packing Inc

Tina Jacob, of Woodstock IL, regarding Olague Farms Meat Packing Inc

Nick Jacob, of Woodstock IL, regarding Olague Farms Meat Packing Inc

Rich Lindsay, of Woodstock IL, regarding Olague Farms Meat Packing Inc

7. REPORTS AND PRESENTATIONS

7.a FY26 Budget Development

Full comments can be heard on the McHenry County website audio starting at 00:26:14

Kerri Wisz, Chief Financial Officer, presented the FY26 Budget Development.

Chief Financial Officer Kerri Wisz and Finance & Audit Committee Chair Mr. Skala presented the FY2026 budget overview, outlining key financial pressures and the need for early strategic planning. The County's total budget is approximately \$270 million, with the general fund at \$106 million and an unrestricted general fund balance of just under \$57 million.

While the County anticipates an estimated \$2.7 million in additional revenue from new growth and a 2.9% CPI increase, property taxes account for only 24% of total revenue. At the same time, expenses continue to rise—especially in personnel, with an 8% year-over-year increase and five union contracts up for negotiation next year. Major cost drivers include increasing IT costs, jail healthcare, and the need for equipment upgrades such as new Motorola radios.

The County is also facing the expiration of ARPA funding, which has supported several recurring expenses. Some funds, like FICA and IMRF, are underfunded and may require interfund loans. Staff noted the importance of maintaining 5–6 months of reserves, though projections show a potential drop below that threshold.

Department heads will be asked to identify mandated vs. non-mandated programs and explore possible reductions. A recent board survey showed a range of preferences for budget direction, including options such as a 3% overall reduction, no new growth or CPI, and combinations of both.

The presentation emphasized that difficult decisions are ahead, including potential cuts to non-essential programs and board benefits. A focus on transparency, financial sustainability, and clear direction from the Board will be critical as the County prepares for lean fiscal years in 2026 and 2027.

8. NEW BUSINESS

8.a Review of the June 17, 2025 County Board Agenda Items

Full comments can be heard on the McHenry County website audio starting at 01:46:59

Chairman Buehler asked for any items that Board members will remove to allow staff that is not necessary for questions to return to their departments.

ITEMS REMOVED FOR DISCUSSION

ZONING PETITIONS

10.a.1 - Z25-0012 (formerly 2024-055) Olague, A1-A1C, Hartland Twp (Requires majority vote of members present.), removed for discussion by Mr. Smith

FINANCE & AUDIT

17.b.2.1 - Reclassification of the Zoning Enforcement Officer Grade 14E position to a Planner Grade 8E position (10), removed for discussion by Mr. Smith

DISCUSSION

ZONING PETITIONS

10.a.1 - Z25-0012 (formerly 2024-055) Olague, A1-A1C, Hartland Twp (Requires majority vote of members present.)

FINANCE & AUDIT

17.b.2.1 - Reclassification of the Zoning Enforcement Officer Grade 14E position to a Planner Grade 8E position (10)

Mr. Smith opened the discussion on Item 10.a.1, noting that it was connected to Item 17.b.2.1, which concerned the reclassification of the Zoning Enforcement Officer. He explained that he had received several questions that morning—questions he would have normally directed to Ms. Renee Hanlon, who had since left the County. Since Mr. Wallen had taken over Ms. Hanlon's responsibilities, Mr. Smith invited him to provide comments.

Mr. Wallen confirmed he had assumed oversight of the Zoning Enforcement Division and stated that the department was undergoing a restructuring based on the volume of zoning petitions and related workload. He emphasized that the division had reviewed staffing needs and made adjustments accordingly. He was present to speak on the zoning petition and noted that the restructuring would result in a \$521,000 budget reduction tied to staffing.

Mr. Smith stated that he simply wanted to clarify why he would be asking certain questions and commended Mr. Wallen on the department's restructuring. He did not anticipate any additional questions

regarding the resolution on Item 10.a.1, but noted that a few questions had arisen during public comment. First, he asked whether the site plan had been amended after the public hearing. Mr. Wallen confirmed that the site plan had been amended to include an overall site view but stated that the legal description had not changed. He emphasized that the conditional use applied to the entire site, and the depiction with the gold ring and green shading was a visual aid that did not alter the area of approval.

Mr. Smith next inquired whether a formal letter of objection from Hartland Township had been received, as he had not seen it included in the packet. Mr. Wallen stated that if such a letter had been submitted, it should be in the packet, but he would verify its presence before the next meeting. He noted that all objections—emails, letters, and other documents—were usually compiled into a single file.

Mr. Smith's third question concerned a previously approved slaughterhouse in Marengo, which had received many objections at the time. He asked whether there had been any complaints related to its operation. Mr. Wallen responded that one complaint had been filed during construction, but it was found to be unfounded. Since the facility had opened, no further zoning complaints had been received. Ms. Nomm from the Environmental Health Department added that three complaints had been recorded. One was self-generated to track compliance with waste stream testing. Another, in 2022, related to animals being outside the building and manure handling, and was referred to the Department of Agriculture. A third complaint in 2023 concerned noxious weeds. All issues had been resolved.

Mr. Gottemoller clarified that, per state statute, a township objection to a conditional use petition—unlike a zoning petition or variance—did not trigger the requirement for a supermajority vote. Conditional use applications required only a simple majority to pass, regardless of township objections.

Ms. Althoff asked whether the proposed facility would involve new construction and whether the conditional use was limited to a 10-year period. Mr. Wallen confirmed both points and assured her that the petitioner was aware of the 10-year condition.

Ms. Greeno used the opportunity to share several comments and request clarifications. She stated that she had been researching the issue and reviewing input from constituents. She noted the backlog of meat processing appointments in the region, sometimes as long as 18 months, which required producers to go out of state. She cited data showing that only 50 USDA-certified meat processing plants existed nationwide, suggesting a potential monopoly in the industry. She emphasized the benefits of local meat processing, which included improved food access, reduced carbon emissions, lower costs, and more humane treatment of animals due to smaller facility sizes. She noted that the proposed 10,000-square-foot facility aligned with industry best practices and would be a welcome addition based on community need.

Ms. Campbell asked for clarification on the township's position. She noted that the township supervisor's attorney had stated the township opposed the proposal, but she asked whether that objection had been formally adopted by the full township board. Mr. Wallen said he was not certain whether a resolution had been passed and would follow up.

Mr. Kunkle stated that if a business met County requirements, followed licensing procedures, and complied with all rules, the County should not hinder its operations. He noted that the facility would create 14 new jobs.

Dr. Sager expressed concern regarding the township's stance. He reiterated his support for allowing local governments to influence planning decisions within their jurisdictions and stated that he would weigh the township's position heavily in his decision-making.

Mr. Skala asked whether the Board had the authority to change the conditional use period from 10 years to another term. Mr. Wallen confirmed that the Board could impose conditions, including modifying the duration or adding extensions.

Ms. Van Hoff commented on Dr. Sager's remarks and stated that she believed a petition opposing the slaughterhouse had gathered 400 signatures. However, it was clarified that the petition had not been formally included in the hearing record or testimony.

9. ADMINISTRATOR'S REPORT

Full comments can be heard on the McHenry County website audio starting at 01:57:42

Mr. Austin asked if Mr. Skala was ready to proceed and noted that if so, they would begin with the results from the presentation. Mr. Skala replied that four individuals were missing from the room but mentioned that three were participating online. Mr. Austin acknowledged the update and confirmed that the presentation could move forward.

Mr. Gottemoller then provided an update on the strategic plan. He stated that in the next day or two, board members would receive a draft copy of the strategic plan that had been under development. He explained that the Administrative Services Committee had reviewed and trimmed the latest version the previous week, and the staff had since returned it to Northern Illinois University for final formatting. He clarified that the plan was in its final draft stage, meaning it was ready to be distributed for review but still subject to change if needed. He added that the plan would not appear on the agenda for the upcoming Tuesday meeting but would return to the committee in July for formal consideration. Mr. Gottemoller concluded by noting that while some comments might still be incorporated, significant further revisions were unlikely.

Mr. Austin then thanked Mr. Gottemoller and reiterated that the draft strategic plan would return to the Administrative Services Committee before advancing to the full Board. He also expressed gratitude to Ms. Greeno, Mr. Skala, Mr. Letendre, Mr. Hartman, and especially Ms. Bough for producing a visually impressive presentation. He reminded the group that he had emailed a written report the previous evening and placed hard copies on their desks. He asked members to pay particular attention to three items within the report.

First, he highlighted that the Geographic Information Systems (GIS) team had presented a resolution involving an intergovernmental agreement with the Village of Greenwood in the Wonder Lake area. He noted that a similar agreement had recently been completed with the City of Woodstock and expressed pride in the County's expanding support for local municipalities.

Second, Mr. Austin reported on the progress of the County's parking lot construction. He stated that, according to Tom Burroughs, Director of Facilities Management, the project was potentially six weeks ahead of schedule, assuming favorable conditions continued. He commented that it had been rewarding to observe the construction from his office and thanked everyone for their patience during the process.

Third, he drew attention to the section on procurement and special services. He explained that Mr. Letendre had provided a more detailed update than usual concerning broadband fiber projects. Mr. Austin noted that although funding was beginning to be released, there were delays and policy uncertainties at the federal level. He stated that they would be monitoring developments over the next few days to ensure alignment between federal administration goals and the disbursement of funding to local communities. He encouraged members to review that section of the report carefully, as follow-up questions were expected next month.

Mr. Skala then presented the results of the budget survey. He reported that six members favored reducing the budget by 3%, two supported taking no new growth and no CPI, four preferred taking only new growth, five favored taking new growth and some CPI, and one supported taking both new growth and all CPI. He noted that the total number of responses was 18.

Based on the survey data, Mr. Skala stated that he would like department heads to present to their respective committees a detailed breakdown of both mandated and non-mandated programs. He requested that each program be accompanied by cost data and its contribution to the department's overall budget. Additionally, he emphasized the importance of including personnel costs associated with those programs.

Mr. Skala suggested that once all committees had reviewed their respective department budgets, the Board should convene to evaluate the compiled data—specifically to differentiate mandated from non-mandated services, assess associated costs, and begin broader discussions on the County's budgetary direction. He

clarified that the current exercise was preliminary but served to guide both staff and department heads. He concluded by thanking everyone for their participation and attention.

10. OTHER

None.

11. EXECUTIVE SESSION (IF NECESSARY)

None.

12. ADJOURNMENT

Mover: Skala

Second: Greeno

To Adjourn at 11:01 A.M. -TCCazares

Aye (18): Althoff, Campbell, Collins, Gottemoller, Greeno, Hendricks, Kamienski, Kearns, Krieger, Kunkle, Sager, Shorten, Skala, Smith, Sullivan, Thomas, Van Hof, and Von Bergen

Approved (18 to 0)



McHenry County
County Board - Regular Meeting
MINUTES

June 17, 2025, 7:00 PM
County Board Room
Administration Building, 667 Ware Rd., Woodstock, IL 60098

Members Present: Pamela Althoff (D6), Carolyn Campbell (D3), John Collins (D2), Joseph Gottemoller (D4), Terri Greeno (D5), Eric Hendricks (D3), Carl Kamienski (D6), Jim Kearns (D9), Deena Krieger (D5), Matt Kunkle (D1), Brian Sager (D7), Mike Shorten (D4), Michael Skala (D9), Larry Smith (D8), Patrick Sullivan (D1), Paul Thomas (D7), Gloria Van Hof (D2), Tracie Von Bergen (D8), Chairman Mike Buehler

Full comments on all agenda items are included in the video recording of this meeting.

1. CALL TO ORDER

The meeting was called to order by Chairman Buehler at 7:00pm.

2. PLEDGE OF ALLEGIANCE

Ms. Althoff led the meeting in the Pledge of Allegiance.

3. INVOCATION

3.a Pastor Cary Hughes - Living Grace Community Church, Cary

There was no Invocation for the meeting.

4. INTRODUCTORY ROLL CALL

Ms. Althoff made a motion seconded by Mr. Skala to allow Mr. Hendricks and Mr. Kearns to attend the meeting remotely. The motion passed by unanimous voice vote.

5. ADOPT THE AGENDA

Mover: Skala

Second: Gottemoller

To adopt the Agenda as presented.

Approved by Voice

6. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Mover: Skala
Second: Collins

To approve the Minutes as presented below.

Approved by Voice

6.a County Board- Committee of the Whole- May 15, 2025

6.b County Board- Regular Meeting- May 20, 2025

7. CHAIRPERSON'S REMARKS / REPORT

Chairman Buehler spoke. Full comments can be heard on the McHenry County website at 0:04:25 of the audio.

8. MEMBERS' COMMENTS

The following member spoke: Ms. Greeno. Full comments can be heard on the McHenry County website at 0:06:40 of the audio.

9. SPECIAL RECOGNITION

9.a Proclamation Honoring McHenry County Division of Transportation Sign Shop Supervisor Andrew Rose (82)

Mr. Sager read the Proclamation into the record. Full comments can be heard on the McHenry County website at 0:09:31 of the audio.

10. ZONING PETITIONS

10.a Zoning Consent Agenda

Mover: Smith
Second: Gottemoller

To approve the Zoning Consent Agenda

Aye (18): Althoff, Campbell, Collins, Gottemoller, Greeno, Hendricks, Kamienski, Kearns, Krieger, Kunkle, Sager, Shorten, Skala, Smith, Sullivan, Thomas, Van Hof, and Von Bergen

Approved (18 to 0)

10.a.2 Z25-0022 The Dorothy A. Hughes Living Trust, McHenry Twp, B3C-B3C (Requires majority vote of members present.)

Mover: Smith
Second: Gottemoller

To approve Z25-0022 The Dorothy A. Hughes Living Trust, McHenry Twp, B3C-B3C

Approved

10.a.3 Z25-0031 Gaona, Burton Twp, B2 & B2V - R3 (Requires majority vote of all members).

Mover: Smith
Second: Gottemoller

To approve Z25-0031 Gaona, Burton Twp, B2 & B2V - R3

Approved

10.a.4 z25-0036 Huemann, Alden Twp, A1 & A2 - E5 (Requires majority vote of all members.)

Mover: Smith

Second: Gottemoller

To approve Z25-0036 Huemann, Alden Twp, A1 & A2 - E5

Approved

10.a.5 Z25-0038 FGLJ Properties, Nunda Twp, R1 -R1V (Requires majority vote of members present.)

Mover: Smith

Second: Gottemoller

To approve Z25-0038 FGLJ Properties, Nunda Twp, R1-R1V

Approved

10.a.6 Z25-0039 Weidner, Chemung Twp, A1-A2 (Requires majority vote of all members.)

Mover: Smith

Second: Gottemoller

To approve Z25-0039 Weidner, Chemung Twp, A1-A2

Approved

10.a.7 Z25-0043 Hoffmann, McHenry Twp, R1V-R1V (Requires majority vote of members present.)

Mover: Smith

Second: Gottemoller

To approve Z25-0043 Hoffmann, McHenry Twp, R1V-R1V

Approved

10.a.8 Z25-0046 Pankonin, McHenry Twp, R1-R1V (Requires majority vote of members present.)

Mover: Smith

Second: Gottemoller

To approve Z25-0046 Pankonin, McHenry Twp, R1-R1V

Approved

10.a.1 Z25-0012 (formerly 2024-055) Olague, A1-A1C, Hartland Twp (Requires majority vote of members present.)

PULLED FROM CONSENT AGENDA

The following members spoke: Mr. Skala, Mr. Kearns, Mr. Sager and Mr. Smith. Full comments can be heard on the McHenry County website at 18:10 of the audio.

Mover: Althoff
Second: Smith

To approve Z25-0012 Olague, A1-A1C, Hartland Twp

Aye (13): Althoff, Campbell, Collins, Gottemoller, Greeno, Hendricks, Kamienski, Kearns, Krieger, Kunkle, Shorten, Thomas, and Von Bergen

Nay (5): Sager, Skala, Smith, Sullivan, and Van Hof

Approved (13 to 5)

Amendment:
Mover: Skala
Second: Smith

To amend 10.a.1

Defeated by Voice

10.b Zoning Regular Agenda

10.c Zoning Unfinished Business

11. PLATS

12. REPORTS AND PRESENTATIONS

12.a Transportation & Specialty Courts

Presented by Scott Hennings, Assistant Director of Transportation and Kelly Scimeca, Director of Office of Special Projects. The following members also spoke: Chairman Buehler, Mr. Smith and Ms. Van Hof. Full comments can be heard on the McHenry County website at 0:24:50 of the audio.

13. PUBLIC COMMENT

The following individuals spoke:

Babe Paukstys of Cook County, a volunteer for United Sovereign Americans read a section of a proposed resolution regarding election validity.

Brian Jones of Winnebago County, a volunteer for United Sovereign Americans read a section of a proposed resolution regarding election validity.

Dean Barker of Winnebago County, a volunteer for United Sovereign Americans read a section of a proposed resolution regarding election validity.

Jane Carrell of Winnebago County, a volunteer for United Sovereign Americans read a section of a proposed resolution regarding election validity.

Ken Zito of Kane County, a volunteer for United Sovereign Americans read a section of a proposed resolution regarding election validity.

Tom Kozik of Kane County, a volunteer for United Sovereign Americans read a section of a proposed resolution regarding election validity.

Nicole Bach, Regional Manager of Birth to Five Illinois spoke with about the services provided by the organization with regard to early childhood education and care.

14. NEW AND UNFINISHED BUSINESS

14.a Appointment to the McHenry County Conservation District as of June 17, 2025 (18)

Mover: Campbell
Second: Gottemoller

To approve the appointment to the McHenry County Conservation District as of June 17, 2025.

Aye (18): Althoff, Campbell, Collins, Gottemoller, Greeno, Hendricks, Kamienski, Kearns, Krieger, Kunkle, Sager, Shorten, Skala, Smith, Sullivan, Thomas, Van Hof, and Von Bergen

Approved (18 to 0)

15. APPOINTMENTS

15.a Appointment to the Crystal Lake Rural Fire Protection District as of June 17, 2025 (18)

Mover: Sager
Second: Shorten

To approve the appointments to the Crystal Lake Rural Fire Protection District as of June 17, 2025.

Aye (18): Althoff, Campbell, Collins, Gottemoller, Greeno, Hendricks, Kamienski, Kearns, Krieger, Kunkle, Sager, Shorten, Skala, Smith, Sullivan, Thomas, Van Hof, and Von Bergen

Approved (18 to 0)

16. STANDING COMMITTEE CHAIRPERSON UPDATES / LIAISON REPORTS

The following member spoke: Ms. Greeno. Full comments can be heard on the McHenry County website at 0:54:35 of the audio.

17. ROUTINE CONSENT AGENDA

Mover: Skala
Second: Kamienski

To approve the Routine Consent Agenda

Aye (18): Althoff, Campbell, Collins, Gottemoller, Greeno, Hendricks, Kamienski, Kearns, Krieger, Kunkle, Sager, Shorten, Skala, Smith, Sullivan, Thomas, Van Hof, and Von Bergen

Approved (18 to 0)

17.a Receipt of Statutory Reports and Placed on File

17.a.1 County Clerk/Recorder

17.a.1.1 May 2025 Clerk And Recorder Board Report

17.a.2 Emergency Management Agency

17.a.2.1 EMA Monthly May 2025

17.a.3 Public Defender

17.a.3.1 Public Defenders May Monthly Report

17.a.4 Coroner Report

17.a.4.1 May Stats 2025

17.a.5 Sheriff's Report

17.a.5.1 Sheriff's Monthly Report: May 2025

17.a.6 Treasurer's Report

17.a.6.1 Treasurer Report April 2025

17.b Approve the Following Recommendations

17.b.1 Administrative Services

17.b.1.1 Resolution Authorizes the Renaming of Position #32013221 from Social Worker Program Director to Deputy Sheriff Sergeant (32)

Mover: Skala

Second: Kamienski

Authorizing a title change to position #32013221 from Social Worker Program Director to Deputy Sheriff Sergeant.

Approved

17.b.1.2 Resolution Approving Entering into an Intergovernmental Agreement between McHenry County and the Village of Wonder Lake for GIS Services (65)

Mover: Skala

Second: Kamienski

Authorize County Board Chairman to enter into an intergovernmental agreement with Village of Wonder Lake for GIS services.

Approved

17.b.2 Finance and Audit

17.b.2.1 Reclassification of the Zoning Enforcement Officer Grade 14E position to a Planner Grade 8E position (10)

Mover: Skala

Second: Kamienski

To approve the reclassification of the Zoning Enforcement Officer Grade 14E position to a Planner 8E position.

Approved

17.b.2.2 Resolution to Modify Hours and Grade to ARPA Internal Audit Program Manager Position on the Auditor's Office Roster (11)

Mover: Skala

Second: Kamienski

To approve a resolution modifying the Internal Audit Program Manager Position from 30 to 37.5 hours paid by the ARPA grant and request grade change from 10N to 12E per HR review.

17.b.2.3 Resolution Adopting the Fixed Asset Policy (18)

Mover: Skala

Second: Kamienski

To approve a resolution adopting the fixed asset policy.

Approved

17.b.2.4 Circuit Clerk Resolution Authorizing an Emergency Appropriation from Circuit Clerk Electronic Citation Fund for Purchase of eCitation Printers & Paper (41)

Mover: Skala

Second: Kamienski

The Circuit Clerk is requesting authorization to use existing fund balance in the Circuit Court Clerk Electronic Citation Fund, which is funded with court fees designated by statute (705 ILCS 135/10-5(d)(9)) to be used for “establishing and maintaining electronic citations,” to purchase 175 Zebra ZQ521 mobile squad car printers, along with the necessary accessories for installation, communication and printing, for McHenry County arresting agencies that require upgraded eCitation printers.

Approved

17.b.2.5 Resolution Authorizing an Emergency Appropriation to use Available Fund Balance in the Circuit Clerk’s Document Storage Fund for Tyler Technologies Intellidact AI E-Filing Automation Annual Software Subscription FY 2024-2025 (41)

Mover: Skala

Second: Kamienski

The attached Resolution is for the use of existing Court Document Storage fund balance for the first year of an annual software subscription with Tyler Technologies for Intellidact AI (Artificial Intelligence) Process Automation software of \$321,241.00.

Approved

17.b.2.6 Approval of a Contract with IronWall by Incogni to Provide Proprietary Judicial Security and Privacy Protection Services for the 22nd Judicial Circuit and Authorization for an Expenditure in Excess of \$30,000 (42)

Mover: Skala

Second: Kamienski

Approval of a Resolution authorizing a five-year contract with IronWall by Incogni to provide proprietary digital privacy and personal security services to judicial officers and essential court personnel within the 22nd Judicial Circuit of McHenry County.

Approved

- 17.b.2.7 Resolution Authorizing the Reclassification of Positions 051-0953-07 and 051-0973-19 to one Full-time Administrative Specialist Position within the Department of Health's FY25 Departmental Roster (51)
- Mover:** Skala
Second: Kamienski
- Request that the County Board authorize the reclassification of two part-time positions into one full-time position within the existing MCDH roster.
- Approved**
- 17.b.2.8 Resolution Authorizing a Contract with Associated Electric and Presidio for the Wireless Network Refresh at Valley Hi Nursing Home (61)
- Mover:** Skala
Second: Kamienski
- Valley Hi is seeking authorization to engage Associated Electric and Presidio to complete a wireless network refresh at Valley Hi Nursing Home.
- Approved**
- 17.b.2.9 Resolution Approving an Intergovernmental Agreement with the State of Illinois and Appropriating Funds for the Township Owned Bunker Hill Road Bridges Project (82)
- Mover:** Skala
Second: Kamienski
- To approve an Intergovernmental Agreement between McHenry County and the State of Illinois for the Dunham Township Road District owned Bunker Hill Road Bridges Project and Appropriating Funds.
- Approved**
- 17.b.2.10 Resolution Approving an Engineering Services Agreement and Appropriating Funds for the Township Owned Bunker Hill Road Bridge(s) Project (82)
- Mover:** Skala
Second: Kamienski
- To approve an Engineering Services Agreement with Strand Associates, Inc. (Strand) for Phase II Design Engineering for the Dunham Township owned Bunker Hill Road over a Drainage Ditch (056-3107) and Bunker Hill Road over Rush Creek (056-3070) Bridge(s) Project.
- Approved**
- 17.b.2.11 Resolution Approving an Agreement for Purchasing Wetland Mitigation Credits and Appropriating Funds (82)
- Mover:** Skala
Second: Kamienski

To approve an agreement with the McHenry County Conservation District and appropriate funds to purchase wetland mitigation credits for McHenry County road and bridge projects.

Approved

- 17.b.2.12 Resolution Approving an Agreement with the McHenry County Conservation District and Naturally McHenry County for the Prairie Trail Wayfinding Plan and Appropriating Funds (82)

Mover: Skala
Second: Kamienski

To approve an agreement with the McHenry County Conservation District and Naturally McHenry County for a Prairie Trail Wayfinding Plan and appropriating funds.

Approved

- 17.b.3 Law & Government/Liquor
17.b.4 Planning, Environment & Development
17.b.5 Public Health & Community Services

- 17.b.5.1 Resolution Adopting Amended Bylaws for the McHenry County Senior Services Grant Commission (10)

Mover: Skala
Second: Kamienski

To approve a resolution adding amendments to the Senior Service Grant Commission Bylaws and policies manual.

Approved

- 17.b.6 Transportation
17.b.7 Valley Hi Operating

18. ORDINANCES

- 18.a For Review

- 18.a.1 Revision to Article II of the Public Health Ordinance (51)

To approve the revision to Article II of the Public Health Ordinance.

- 18.b For Action

- 18.b.1 Ordinance Designating Local Landmark Status of Prescott Whittemore Homestead (10)

Mover: Skala
Second: Althoff

Recommend that the McHenry County Board designate the Prescott Whittemore Homestead in Grafton Township as a local historic landmark.

Aye (18): Althoff, Campbell, Collins, Gottemoller, Greeno, Hendricks, Kamienski, Kearns, Krieger, Kunkle, Sager, Shorten, Skala, Smith, Sullivan, Thomas, Van Hof, and Von Bergen

Approved (18 to 0)

18.b.2 Ordinance Amending the Wetland Restoration Fund (10)

Mover: Skala

Seconded: Collins

To approve an update to the Wetland Restoration Fund ordinance

Aye (17): Althoff, Campbell, Collins, Gottemoller, Greeno, Hendricks, Kamienski, Kearns, Krieger, Sager, Shorten, Skala, Smith, Sullivan, Thomas, Van Hof, and Von Bergen

Nay (1): Kunkle

Approved (17 to 1)

19. ADMINISTRATOR'S REPORT

County Administrator Peter Austin spoke. Full comments can be heard on the McHenry County website at 0:58:20 of the audio.

20. EXECUTIVE SESSION (IF NECESSARY)

21. ADJOURNMENT

Mr. Skala made a motion seconded by Ms. Greeno to adjourn the meeting at 7:59 pm. Chairman Buehler declared the motion passed by unanimous voice votes.

Michael Buehler, Chairman

Joseph J. Tirio, County Clerk

IN THE MATTER OF THE APPLICATION OF)	
MIXED MEDIA, LLC, APPLICANT)	
FOR AN AMENDMENT OF THE UNIFIED DEVELOPMENT)	Z25-0034
ORDINANCE OF McHENRY COUNTY, ILLINOIS FOR)	
A CONDITIONAL USE)	

WHEREAS, your Petitioner, **Mixed Media, LLC**, as your Applicant, has filed a petition with the McHenry County Zoning Board of Appeals requesting the renewal of a Conditional Use as it relates to the McHenry County Unified Development Ordinance, as it relates to the real property more fully described as:

LOTS 8, 9 AND 10 (EXCEPT THE WEST 15 FEET OF SAID LOTS) IN BLOCK 2 IN FRANK E. MERRILL AND CO.'S ALGONQUIN HILLS UNIT 1, BEING A SUBDIVISION OF PARTS OF SECTIONS 22 AND 27, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 17, 1926 AS DOCUMENT NO. 73664 IN BOOK 5 OF PLATS, PAGE 57. IN MCHENRY COUNTY, ILLINOIS.

PIN 19-27-205-026

More commonly known **as 10216 S Illinois Route 31, Algonquin, Illinois, in Algonquin Township.**

WHEREAS, the Petition requests no reclassification of the subject property from its present classification which is **"B-3" General Business with a Conditional Use and Variations** but a renewal of Conditional Use be granted **to allow for a digital off-premise commercial advertising sign.**

WHEREAS, the subject property consists of approximately **one half (0.5) acre** in which no reclassification is contemplated.

WHEREAS, a hearing on said petition was held before the Zoning Board of Appeals of McHenry County in the manner and the form as prescribed by the Ordinance and Statute; and

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Zoning Board of Appeals of McHenry County **did recommend by a vote of 7 ayes and 0 nays the granting of a renewal of a Conditional Use to allow for a digital off-premise commercial advertising sign with the following conditions:**

- 1. The time limit for this conditional use permit shall be twenty (20) years from the date of approval by the McHenry County Board.**
- 2. The construction of an Off-Premises Commercial Advertising Sign shall be in substantial conformance with the attached plat of survey prepared by William M. TenBusch dated August 9, 2002.**
- 3. All other federal, state, and local laws shall be met.**

WHEREAS, the McHenry County Board has considered the recommendation as submitted by the Zoning Board of McHenry County.

WHEREAS, the McHenry County Board has determined that the standards for a Conditional Use Permit as set forth in the McHenry County Unified Development Ordinance and the Illinois Compiled Statutes have been met.

NOW, THEREFORE BE IT ORDAINED, that the Unified Development Ordinance and the Zoning Maps of McHenry County, and such Ordinances and such maps as amended, be and the same are hereby amended to allow the ***renewal of a digital off-premise commercial advertising sign with the following conditions:***

- 1. The time limit for this conditional use permit shall be twenty (20) years from the date of approval by the McHenry County Board.***
- 2. The construction of an Off-Premises Commercial Advertising Sign shall be in substantial conformance with the attached plat of survey prepared by William M. TenBusch dated August 9, 2002.***
- 3. All other federal, state, and local laws shall be met.***

If any part, sentence, clause, or provision of this ordinance is adjudged to be unconstitutional or invalid, the remainder of this Ordinance shall not be affected thereby.

This Ordinance shall be in full force and effect from and after its passage as by law provided.

DATED this _____ day of _____, 2025.

Chairperson, McHenry County Board
McHenry County, Illinois

ATTEST:

County Clerk

NUMBER VOTING AYE: _____

NUMBER VOTING NAY: _____

NUMBER ABSTAINING: _____

NUMBER ABSENT: _____

ATTACHMENT: OFFICIAL SITE PLAN



Scale: 1" = 20'

American Survey Co.

913 Hickory Nut Grove Ln.

Cary, IL 60013

847-516-2700

Plat of Survey

OFFICIAL SITE PLAN

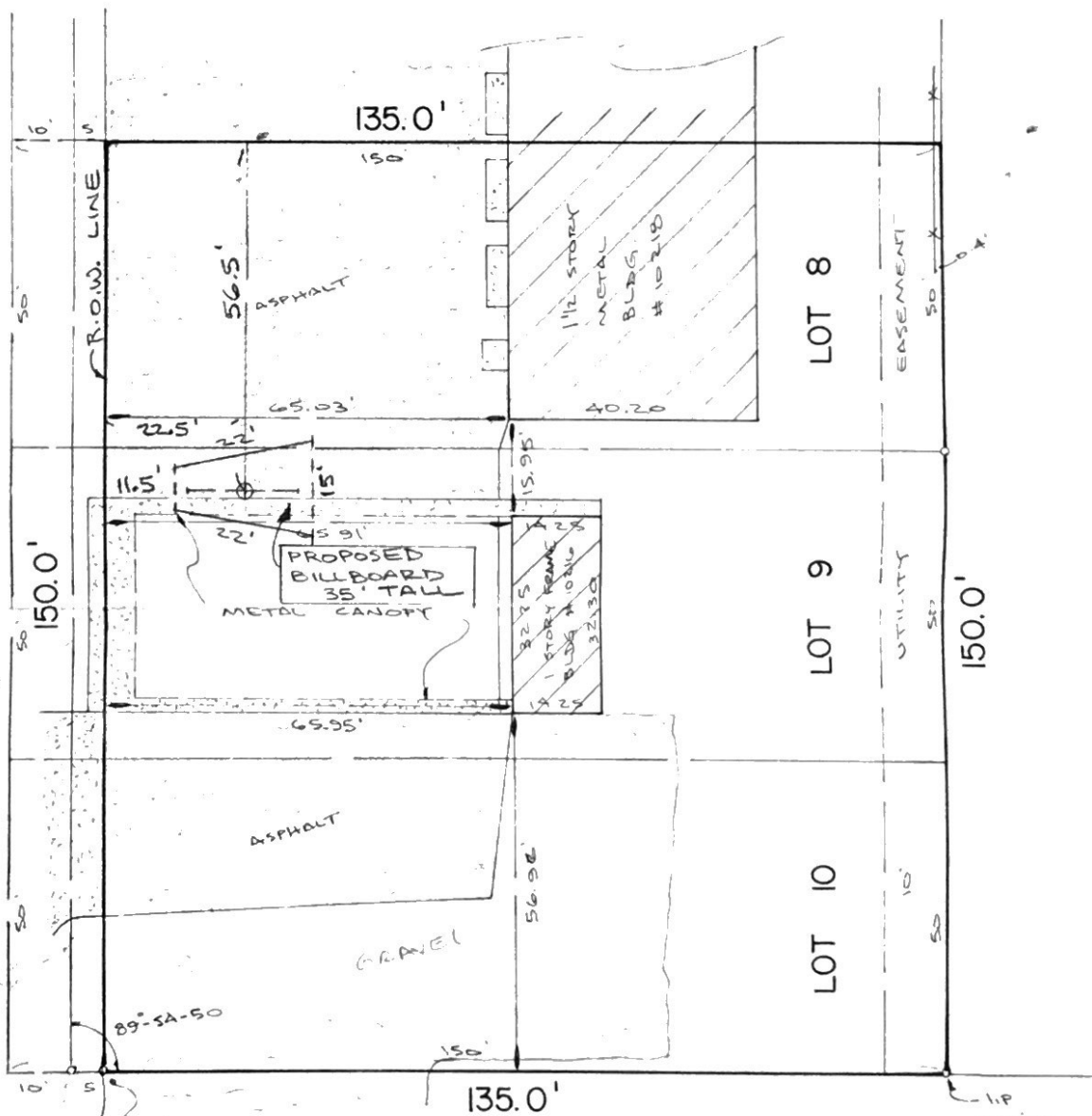


OF PROPERTY DESCRIBED AS: LOTS 8, 9 AND 10 (EXCEPT THE WEST 15 FEET OF SAID LOTS) IN BLOCK 2 IN FRANK E. MERRILL AND CO.'S ALCONQUIN HILLS UNIT 1, BEING A SUBDIVISION OF PARTS OF SECTIONS 22 AND 27, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 17, 1926 AS DOCUMENT NO. 73664 IN BOOK 5 OF PLATS, PAGE 57. IN MCHEMRY COUNTY, ILLINOIS.

SITE DRAWING #15038
PREPARED FOR PROPOSED
BILLBOARD LOCATION A-28-15

RTE. 31
(FKA FOX RIVER TRAIL)

#12061 UPDATED SURVEY
Re-certified this 28th day of AUG. 2012
Will. M. TenBusch
Professional Land Surveyor # 2767



NOTE: EXISTING BILLBOARD FOUND 562' SOUTH OF PROPOSED BILLBOARD.

OAKWOOD

CT.

Order # 02235
Ordered by Steve Weber
Prop. address 10216-10218 Rte. 31
Alconquin, IL

State of Illinois)
County of McHenry) SS

State of Illinois)
County of McHenry) SS

I, William M. TenBusch, an Illinois Professional Land Surveyor, do hereby certify that I have located the above shown buildings as of this 9th day of

I, William M. TenBusch, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the above described property and that this plat is a correct representation of said survey as of this 9th day of

AUGUST 2002
Will. M. TenBusch
Professional Land Surveyor # 2767

AUGUST 2002
Will. M. TenBusch
Professional Land Surveyor # 2767

Distances are given in feet and decimal parts thereof
No dimension or angle shall be assumed by scale.

- o indicates iron stake found
- indicates iron stake set
- ✕✕ indicates fencing
- indicates concrete

This survey does not constitute a title search
Refer to current title policy, deeds, local ordinances or any other documents which might affect ownership, easements, building setbacks, encumbrances or restrictions not shown.

Plat not valid without embossed seal
License expires 11-30-2012
Design Firm # 184-3300

MCHENRY COUNTY
ZONING BOARD OF APPEALS
MINUTES ● May 29, 2025

Zoning Hearing

County Board Conference Room

1:30 PM

667 Ware Rd, Woodstock, IL 60098

ZONING BOARD OF APPEALS REPORT TO THE MCHENRY COUNTY BOARD – Z25-0034

- 1. APPLICANT:** Mixed Media LLC
- 2. REQUEST:** B-3C to B-3C, Renewal of Conditional Use Permit 2014-43 allowing a digital off-premise commercial advertising sign
- 3. LOCATION AND SIZE OF PROPERTY IN QUESTION:** The almost half (0.5) acre parcel is located at the northeast corner of the intersection of South Illinois Route 31 and Oakwood Court in Algonquin Township with a common address of 10216 S Illinois Route 31, Algonquin. PIN: 19-27-205-026
- 4. DATE AND TIME OF HEARING AND VOTING MEETING:** May 29, 2025, 1:30 PM
- 5. LOCATION OF HEARING AND VOTING MEETING:** County Board Conference Room, 667 Ware Road, Woodstock, Illinois
- 6. PRESENT AT HEARING:**
 - A. ZBA Members: Linnea Kooistra – Chair, Vicki Gartner – Vice Chair, Charles Eldredge, Robert Kosin, Kurt Schnable, Jessica Beverly, Mary Donner
 - B. Witness: Steve Weber, Director of Operations for Mixed Media LLC
 - C. Public: Anna Kurtzman – County Staff, Kit GearhartSchinske – County Staff, Dennis Orsinger
- 7. ITEMS OF EVIDENCE:** Petitioner’s Exhibit One (1)
- 8. SUMMARY OF TESTIMONY AT HEARING:** Chair Kooistra opened the hearing. The board members introduced themselves. Ms. Kooistra introduced the application and swore in the applicant and Staff.

Mr. Weber introduced himself and the application. He addressed the sign siting requirements. He introduced Petitioner's Exhibit One (1), an example of the messages posted on the applicant's digital sign for the benefit of the community.

Mr. Weber addressed the applicant's request for a fifty (50) year conditional use permit. Mr. Weber stated that digital billboards require a major financial investment and a longer permit term would give them the stability needed to continue maintaining and improving the site. He stated that it would also ensure they can continue serving the community without interruption. He stated that extending the permit to fifty (50) years aligns with the lifespan of the structure. He stated that they are asking for long-term continuity of something that has already proven to be in good standing.

Ms. Gartner asked the applicant if they would be planning any changes to the sign at this time. Mr. Weber stated that they are not.

Staff gave their report. The property is currently zoned "B-3" General Business with Conditional Use and Variance. The property to the North is also zoned "B-3" General Business with Conditional Use and Variance. The property to the East is Residential zoning. The property to the West is incorporated. The land use to the West is an earth extraction area. The future land use plan indicates residential development, but it has not developed residentially. There are several text statements in the 2030 Land Use Plan that could support continuation of the digital sign in its current location. Staff stated that prior to the Unified Development Ordinance's adoption in 2014, digital signs did not require a conditional use permit. The County uses the ten (10) year timeframe for initial use permits, primarily to allow time for the conditional use to be established and to create its own record. The property does not have any violations.

Mr. Kosin asked Staff what the timeline is for land use plans. Staff stated that a comprehensive plan is generally twenty (20) years.

Ms. Kooistra closed the testimony portion of the hearing.

9. SOIL AND WATER CONSERVATION DISTRICT REPORT:

For further information refer to report number: L25-015-4676.

10. ILLINOIS DEPARTMENT OF NATURAL RESOURCES:

The consultation was not required for this application.

11. SUMMARY OF VOTING MEETING DISCUSSION:

Chair Kooistra opened the voting meeting immediately following the hearing. She read the conditions into the record. Mr. Eldredge motioned to amend condition number one (1), the requested timeline of fifty (50) years to twenty (20) years. Mr. Schnable seconded the motion. Mr. Eldredge stated that the

sign itself is not the concern. He stated that projecting land use fifty (50) years into the future is difficult. He stated that twenty (20) year time frame is more reasonable. Motion carried (7-0).

Mr. Eldredge motioned to accept the conditions as amended. Mr. Schnable seconded the motion. Motion carried (7-0).

Mr. Eldredge motioned to accept the petition subject to the conditions. Mr. Schnable seconded the motion. Mr. Eldredge stated that the sign is located on a major state highway. He stated that the sign has been a benefit to the community and does not have any violations. Motion carried (7-0).

Ms. Gartner stated that the digital signs are smaller than non-digital billboards, and do not have the glare that billboard lamps have. She stated that the standards have been met.

Ms. Kooistra stated that all standards for an off-premise commercial advertising sign have been met. Motion carried (7-0).

12. FACTS THAT SUPPORT RECOMMENDING APPROVAL OF THE REQUEST:

- All standards have been met.
- The subject parcel is zoned "B-3" General Business with Conditional Use and Variance.
- The subject property has not had any violations during their initial conditional use term.

13. FACTS THAT SUPPORT RECOMMENDING DENIAL OF THE REQUEST: None.

14. MOTIONS:

Mr. Eldredge motioned to amend condition number one (1): reduce the timeline for conditional use from fifty (50) years to twenty (20) years. Mr. Schnable seconded the motion. Motion carried (7-0).

Mr. Eldredge motioned to accept the conditions as amended. Mr. Schnable seconded the motion. Motion carried (7-0).

Mr. Eldredge motioned to accept the petition subject to the conditions. Mr. Gartner seconded the motion. Motion carried (7-0).

15. VOTE:

7 – AYES; 0 – NAYS; 0 – ABSTAIN

GOES TO COUNTY BOARD WITH ZBA RECOMMENDATION FOR Approval of the Conditional Use subject to the conditions:

1. The time limit for this conditional use permit shall be twenty (20) years from the date of approval by the McHenry County Board.
2. The construction of an Off-Premises Commercial Advertising Sign shall be in substantial conformance with the attached plat of survey prepared by William M. TenBusch dated August 9, 2002.
3. All other federal, state, and local laws shall be met.

Full Comments and complete application submittal for the above agenda items are available on the McHenry County Meeting Portal.

Steve Weber:

Thank you for your time. I've said it all.

Linnea Kooistra:

Okay, so at this time we'll close the hearing portion of the meeting and we'll move on to the voting portion of the meeting. For C25-0034, staff has proposed some conditions. I will go through them. Number one, the time limit for this conditional use permit shall be 50 years from the date of approval by the McHenry County Board.

Charles Eldredge:

Madam Chairman, I'd like to propose an amendment.

Linnea Kooistra:

Yes, sir?

Charles Eldredge:

I would like to propose the amendment of the timeline from 50 years to 20 years.

Kurt Schnable:

I would like to second that for purpose of discussion.

Linnea Kooistra:

Discussion, Mr. Eldredge?

Charles Eldredge:

Yes. I also sat on this the last time around. I have no problem with the sign presently or in the foreseeable future. I think 50 years is stretching it. I'm not concerned that the sign will be a problem, but I think that the land use over the next 50 years in that area is likely to be completely different. And I think that the County ought to, in something shorter than the 50 years, have another look at it. And so, I'm proposing doubling the time to save them a little money. But I don't think that extending beyond the lifetime probably of everybody in this room, to my mind, is an overreach. And that's why I'm proposing the 20 years.

Linnea Kooistra:

Ms. Gartner, do we have any comments?

Vicki Gartner:

Not yet, no.

Linnea Kooistra:

Mr. Kosin, any comments?

Robert Kosin:

Yes. I, too, will be supporting the amendment to the 20 years, having been a somewhat practitioner in land use, I have noted that it is very difficult to foresee anything beyond 20 years, despite the rollout of

Comprehensive Plan after Comprehensive Plan. I believe many of us could bring forward surprises, and that from the 1970s that we now take for granted, as well as things that have disappeared that we thought were permanent. One that just comes to mind for purposes of discussion is public telephone booths. All saying that I think 20 years is the most that we can, with any reason, foresee in the future of something as regulated as we have the obligation to do so. Thank you.

Linnea Kooistra:
Mr. Schnable?

Kurt Schnable:
I agree with all the comments made thus far.

Linnea Kooistra:
Ms. Beverly?

Jessica Beverly:
I also agree.

Linnea Kooistra:
Ms. Donner?

Mary Donner:
We always look at what's going on and it says it conforms to the 2030 Plan. And then the 2030 Plan that was updated, we now are looking at a 2050 Plan by the time. And as we've been looking at that, and the County is looking at it, we know that you have to be looking at other things in between so that you can't go out more than 20 years, maybe 25. But I am far more content with, 20 myself.

Linnea Kooistra:
And I like the 20 year. I like the amendment. So I will call for the vote. This would be changing condition number one from 50 years to 20 years. Mr. Eldredge?

Charles Eldredge:
Yes.

Linnea Kooistra:
Ms. Gartner?

Vicki Gartner:
Yes.

Linnea Kooistra:
Mr. Kosin?

Robert Kosin:
Yes.

Linnea Kooistra:
Mr. Schnable.

Kurt Schnable:
Yes.

Linnea Kooistra:
Ms. Beverly?

Jessica Beverly:
Yes.

Linnea Kooistra:
Ms. Donner?

Jessica Beverly:
Yes.

Linnea Kooistra:
And I'll vote yes. So the amendment is approved seven to zero.
Number two, the construction of an off-premises commercial advertising sign shall be in substantial performance with the attached plan of survey, prepared by William M. Tenbush, dated August 9th, 2002.
Number three, all other federal, state, and local laws shall be met.
Are there any other proposed conditions?

Charles Eldredge:
Madam Chairman, I propose acceptance of the petitions as amended.

Kurt Schnable:
Second.

Linnea Kooistra:
Been moved by Mr. Eldredge and second by Mr. Schnable to approve these conditions. Is there any discussion?
Then I'll call for the vote. Mr. Eldredge?

Charles Eldredge:
Yes.

Linnea Kooistra:
Ms. Gartner?

Vicki Gartner:
Yes.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Yes.

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Beverly?

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Donner?

Mary Donner:

Yes.

Linnea Kooistra:

And I'll vote yes. So the conditions are approved seven to zero.

Charles Eldredge:

Madam Chairman, I move acceptance of the petition subject to the conditions.

Vicki Gartner:

I'll second.

Linnea Kooistra:

Okay. Been moved by Mr. Eldredge, second by Ms. Gartner to approve the request for a renewal of the conditional use permit, subject to the conditions. Discussion?

Charles Eldredge:

Yes. This is one of the few digital signs in McHenry County. It is on a major state highway that is one of the vital north-south arterials in the County. Route 31, at a very active area, very near the municipality of Algonquin. It was one of the first, if not the first digital sign. I think it was actually the second digital sign in the County. And they had to convince us that they were a good idea 10 years ago. But they have been a good citizen and this has been a benefit to the County. It has not had any violations. It has not been a problem in any way. And I do not foresee that it will be.

As I said in the discussion on the conditions, I thought that 50 years was a little long. But with the 20 years, I am very comfortable in supporting the petition.

Linnea Kooistra:

Ms. Gartner?

Vicki Gartner:

I, too, was on this Board for the first approval. And I was very much in favor of it at that time. I like these signs. They're smaller, they don't have any glare, they just glow. I just really think that they're much better than billboards with lights coming down to show what's on the billboard and glaring all around. I think, for sure, you've met the standards as far as I can tell, and I'm all for approval on this.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Thank you, Madam Chairman.

I appreciate the depth of the conversation. It is one that is called out in the approval standards, meaning the recognition of planned future development in the area. My tenure in Algonquin Township is certainly is not as long as some of my colleagues on the Board, but I recall when Three Oaks Recreational area was an active gravel pit. And it is wonderful now to sit out in the center of that lake trying to catch that elusive bass and look over that tree line without any reminder of the urbanization around it. When the time does come for the gravel pit to the west of your site to get reclaimed and restored, possibly some new technology will replace that sign to your economic benefit, but also will not distract from the development of another recreational area in Algonquin Township. And for that reason, I'll be supporting this petition.

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

I agree with all of that. Plus the digital sign also offers the benefit that they don't degrade in the weather, like the traditional billboards with the posters glued onto them, and start peeling off, and whatever have you. So I agree with that.

Linnea Kooistra:

Ms. Beverly?

Jessica Beverly:

I have no comments.

Linnea Kooistra:

And I agree that the standard has been met.

Charles Eldredge:

Ms. Donner?

Linnea Kooistra:

Oh, I'm sorry, Mary? Ms. Donner?

Mary Donner:

And you thought I wasn't going to say anything. Well, mum is the word. I'm good with it.

Linnea Kooistra:

Really, that's all you got? I'm sorry.

Mary Donner:

Oh, you don't know.

Robert Kosin:

I love your company.

Linnea Kooistra:

And I agree that the approval standards for the off-premise commercial advertising sign, as well as conditional use permits have been met. So I will call for the vote. Mr. Eldredge?

Charles Eldredge:

Yes.

Linnea Kooistra:

Ms. Gartner?

Vicki Gartner:

Yes.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Yes.

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Beverly?

Jessica Beverly:

Yes.

Linnea Kooistra:

Ms. Donner?

Mary Donner:

Aye.

Linnea Kooistra:

And I'll vote yes. So this will go to the County Board, seven to zero approval.

At this time, the portion of the meeting of the petition is finished.

Staff Report for the McHenry County Zoning Board of Appeals

Application: #Z25-0034

PIN: 19-27-205-026

Address: 10216 S Illinois Route 31, Algonquin

Request: B-3C to B-3C, Renewal of Conditional Use Permit 2014-43 allowing a digital off-premise commercial advertising sign

Hearing: May 29, 2025

Applicant: Mixed Media, LLC

Location: The almost half (0.5) acre parcel is located at the northeast corner of the intersection of South Illinois Route 31 and Oakwood Court in Algonquin Township.

Aerial Map




Elevation


(feet above sea level)


— 10-foot contours

— 2-foot contours

ADID Wetland Map 2005


 High Functional Value Wetland (hfw)

 High Quality Wetland (hqw)

 High Quality

 Wetland (w)

 Wetland (w)


 Farmed Wetland (fw)

FEMA Flood Hazard Areas

 0.2 % Annual Chance of Flood

■ 1% Annual Chance of Flood

 Floodway

Feet 
10 5 0 10 20
1 inch equals 25 feet



Staff Report for the McHenry County Zoning Board of Appeals

STAFF COMMENTS

The following comments and conclusions are based upon staff analysis and review prior to this hearing and are to be considered viable unless evidence is established to the contrary. Staff may have additional comments based upon the testimony presented during the public hearing.

BACKGROUND & REQUEST SUMMARY

The applicant is requesting a renewal for a Conditional Use Permit allowing for a digital off-premises commercial advertising sign in the B-3CV General Business District. The subject property is twenty thousand, two hundred fifty (20,250) square feet located at the northeast corner of Illinois Route 31 and Oakwood Court (common address of 10216 S. Route 31, Algonquin). This structure has been present at this location for close to ten (10) years. The applicant is requesting that the Conditional Use Permit be extended for fifty (50) years.

MCHENRY COUNTY UNIFIED DEVELOPMENT ORDINANCE

- The applicant must meet the Approval Standards for Conditional Use Permit, listed in Section 16.20.040.E of the McHenry County Unified Development Ordinance.
- The applicant must meet the Use Standards for an Off-Premises Commercial Advertising Sign listed in Section 16.56.030.EE of the McHenry County Unified Development Ordinance.

STAFF ANALYSIS

Current Land Use & Zoning

The subject property is currently improved with a commercial building and an existing digital off-premise commercial advertising sign in the B-3CV General Business District. The land uses of the adjoining properties to the north and east are used residentially. The property to the west is used for earth extraction. Property to the south is not developed.

The property to the north is zoned B-3Cv, General Business District. The property to the south is zoned B-1 Neighborhood Business District. The property to the east is zoned R-1 Single-Family Residential District. The property to the west is incorporated.

2030 Comprehensive Plan Future Land Use Map

The proposed Conditional Use Permit is in line with the future land use designation of **Residential**.

2030 Comprehensive Plan & 2030 and Beyond Analysis

The 2030 Comprehensive Plan and 2030 and Beyond Plan support the proposed Conditional Use permit due to the fact that it promotes the economic development initiative. (See comments below).

McHenry County 2030 and Beyond, Adopted October 18, 2016

Big Idea #1 Let's make our communities healthy, active, and green

"We can make it happen by preserving our groundwater aquifers, lakes, rivers, streams, and their natural functions." (p.11)

- Part of the subject property is located within a Sensitive Aquifer Recharge Area (SARA).

Big Idea #2 Let's build on our strengths

"We can make it happen by preserving our cultural and agricultural heritage while fostering new opportunities for the appreciation of arts, culture, and history." (p. 16)

- The proposed Conditional Use Permit will allow for commercial advertising, which serves as a communication medium for these opportunities.

Big Idea #3 Let's grow smarter

"We can make it happen by supporting business development and commercial uses to reduce the property tax burden on residential homeowners." (p. 17)

- The proposed Conditional Use will allow for commercial advertisement use.

Big Idea #4 Let's expand our economy

"We can make it happen by facilitating new business and the expansion of existing businesses." (p. 21)

- The proposed Conditional Use Permit would renew an existing use and would not be creating a new business nor would it expand an existing use.

McHenry County 2030 Comprehensive Plan, Adopted April 20, 2010

Community Character & Housing

"Limit the premature conversion of agricultural areas and protect large contiguous agricultural and natural areas from fragmentation." (p.15)

- The proposed Conditional Use Permit will not encourage the premature conversion of agricultural areas as the property isn't currently used for agricultural.

Agricultural Resources

"Maintain and protect the most productive agricultural lands, where appropriate, by discouraging nonagricultural growth in these areas." (p. 29)

- The proposed Conditional Use Permit does not promote the development of productive agricultural land.

Greenways, Open Space & Natural Resources

"Promote land uses that [...] minimize the impact on land, water, energy, and other natural resources"... (p. 43)

- The McHenry-Lake County Soil and Water Conservation District letter has been received and states that a full Natural Resource Information Report (NRI) will not be required. Please refer to the attached NRI letter (L25-015-4676) for more information.

Water Resources

"...land use and development should be carefully examined and regulated within sensitive groundwater recharge areas to ensure that the water quality, quantity, and natural recharge functions of the area are safely maintained." (p.67)

- A portion of the subject property, including the location of the sign, is located within a Sensitive Aquifer Recharge Area (SARA).

Economic Development

No applicable text

Infrastructure

No applicable text

STAFF ASSESSMENT

The applicant is seeking to renew the Conditional Use Permit (14-043), allowing for a digital Off-Premise Commercial Advertising Sign and has requested that CUP expire fifty (50) years after County Board Approval. Staff notes that prior to the adoption of the Unified Development Ordinance in 2014, all off-premise commercial advertising signs were allowed by right in certain districts and digital signs did not require a Conditional Use Permit. Staff is aware of three (3) other digital off-premise commercial signs within unincorporated McHenry County. Two (2) were granted last year and the third was granted in 2014 – all with ten (10) year expirations. Staff has no objection to the request to the expiration date given that there have been no complaints or violations with the sign at this location and given that there are procedures for expiring a CUP if necessary.

The request is inconsistent with the Future Land Use Map designation of Residential. However, the request is consistent with the text of the McHenry County 2030 Comprehensive Plan and 2030 and Beyond Plan, because it promotes the economic development initiative. The proposed use is in line with the nearby non-residential uses.

If the Zoning Board of Appeals finds that the Approval Standards for Conditional Use Permit and the Use Standards for an Off-Premises Commercial Advertising Sign and Zoning Variations have been addressed, staff recommends consideration of the following proposed conditions:

1. The time limit for this conditional use permit shall be fifty (50) years from the date of approval by the McHenry County Board.
2. The construction of an Off-Premises Commercial Advertising Sign shall be in substantial conformance with the attached plat of survey prepared by William M. TenBusch dated August 9, 2002.
3. All other federal, state, and local laws shall be met.

Report completed on May 23, 2025, by Anna Kurtzman, Senior Planner – McHenry County Department of Planning & Development

Approval Standards for Conditional Use Permits

(Section 16.20.040 E of the Unified Development Ordinance)

- E. *Approval Standards for Conditional Use Permits.* No conditional use permit may be granted unless the Zoning Board of Appeals and County Board makes specific written findings that the request meets each of the standards imposed by this section. These standards are as follows:
1. That the petitioner has demonstrated the ability to meet any applicable standards contained in [Chapters 16.56](#) (Use Standards) and [16.60](#) (Site Development Standards).
 2. That the site shall be so situated that the proposed use is compatible with the existing or planned future development of the area.
 3. That the establishment, maintenance, or operation of the conditional use shall not be detrimental to or endanger the public health, safety, morals, comfort or general welfare of the neighboring vicinity.
 4. That the conditional use shall not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted.
 5. That the conditional use shall not substantially diminish and impair property value within the neighborhood.
 6. That adequate utilities, access roads, drainage, and other necessary facilities have been or are being provided.
 7. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion and hazard on public streets.
 8. That the conditional use shall, in all other respects, conform to the applicable regulations of the zoning district in which it is located.
 9. That the conditional use is reasonably in the interest of the public welfare.
 10. That adequate measures will be taken to provide protection to groundwater recharge and groundwater quality.

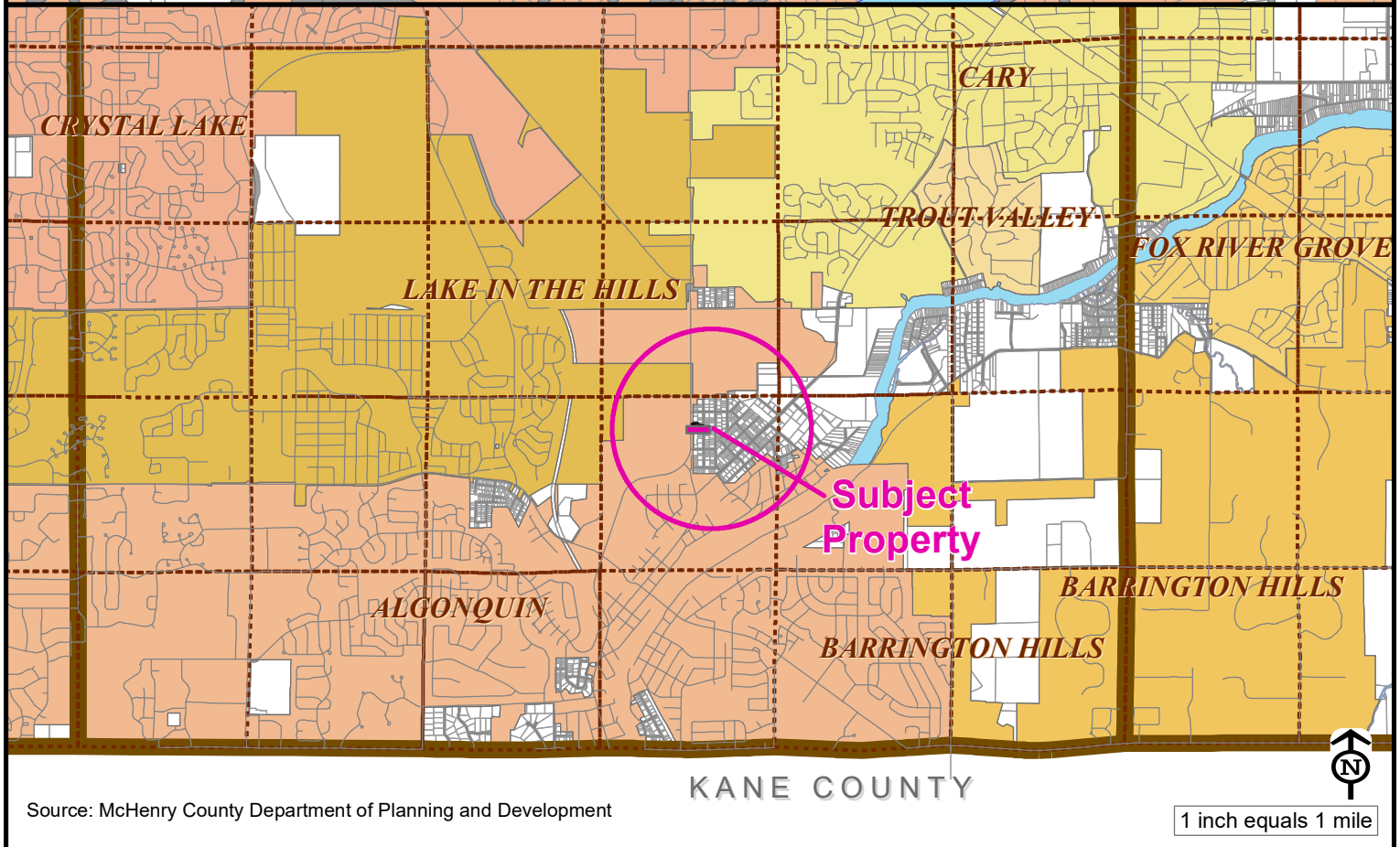
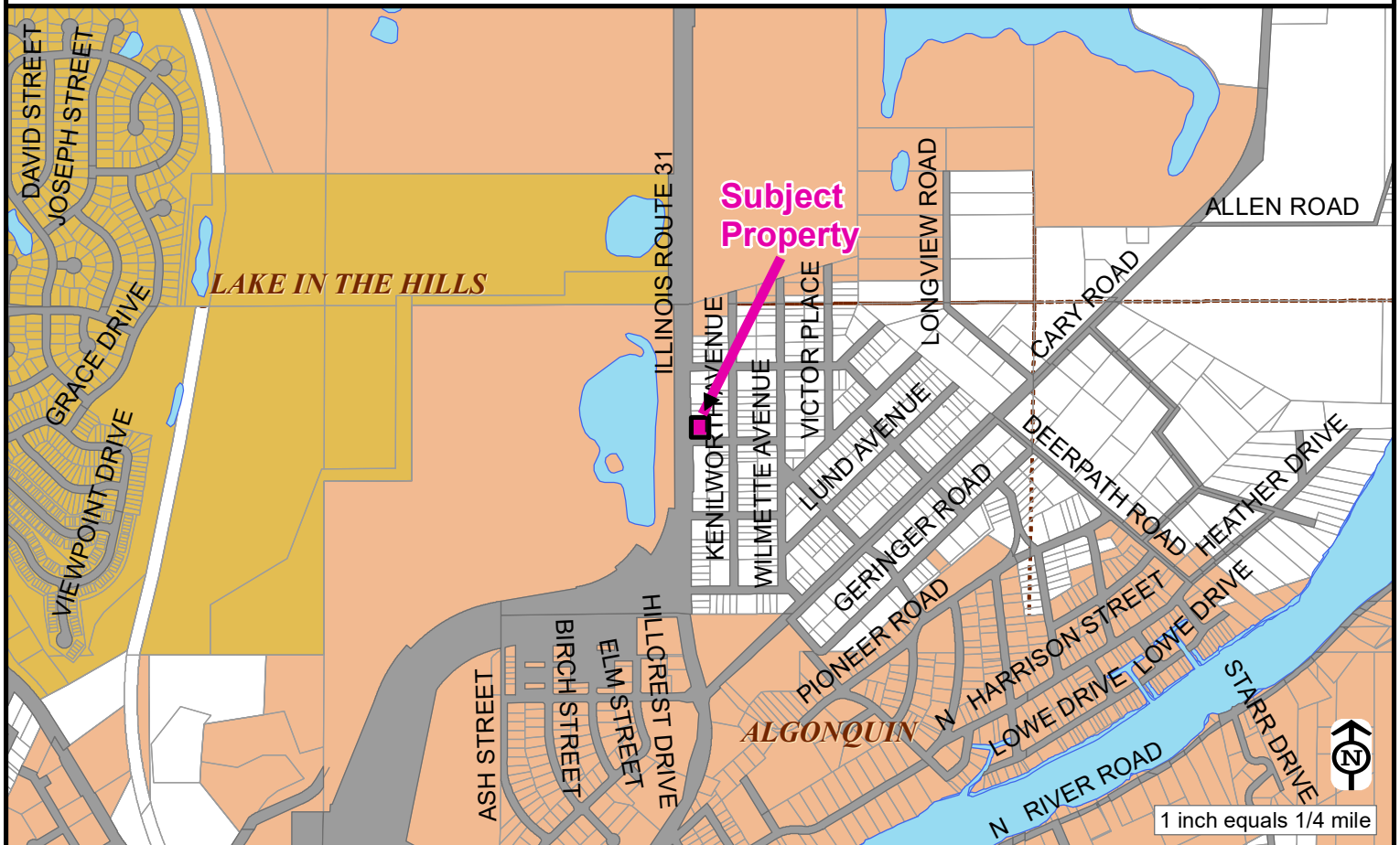
Approval Standards for Off-Premise Commercial Advertising Sign

(Section 16.56.030 EE of the Unified Development Ordinance)

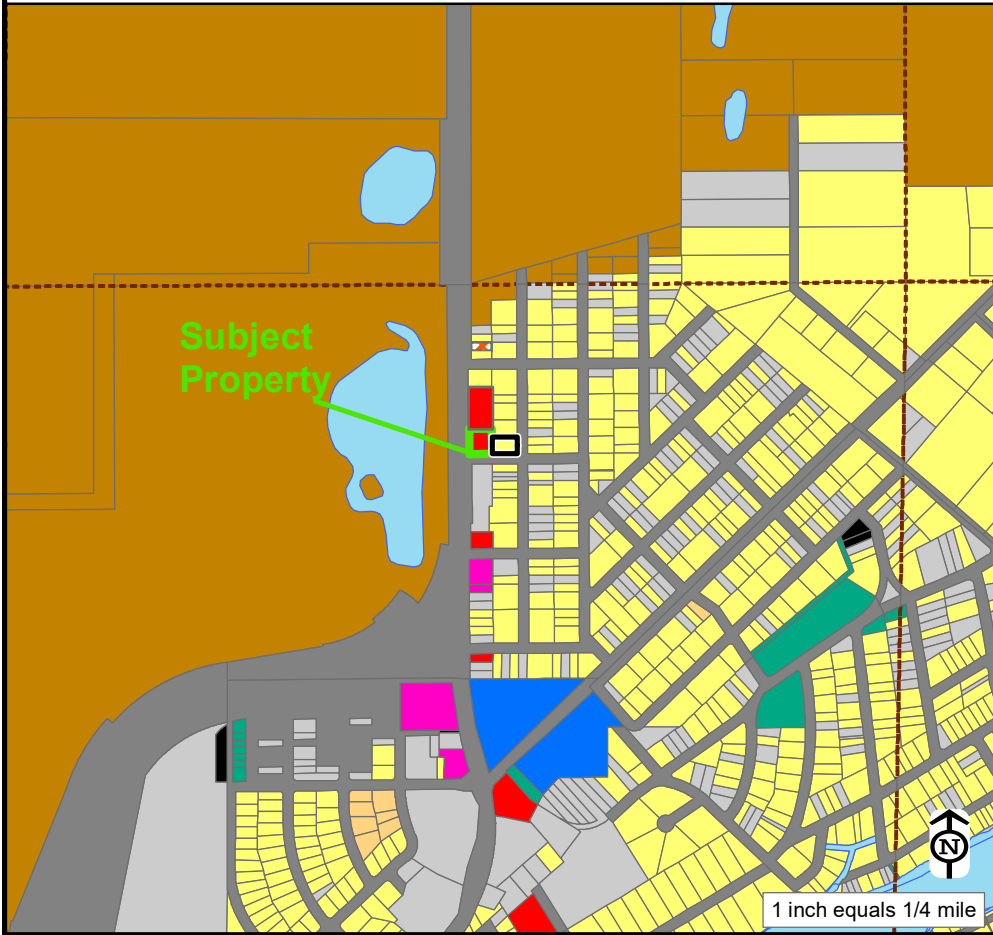
EE. *Off-Premises Commercial Advertising Sign.* The following standards apply to all off-premises commercial advertising signs, unless more restrictive standards are required by the state. All off-premises commercial advertising signs shall be measured in accordance with the standards of § [16.72.050](#) (Sign Dimension Computations).

1. No off-premises commercial advertising sign may be located within one hundred (100) feet of any residential zoning district or residential structure located in an agricultural zoning district. When an off-premises commercial advertising sign one hundred and fifty (150) square feet or larger in size is located within five hundred (500) feet of a residential zoning district, or within five hundred (500) feet of a residential structure within an agricultural zoning district, a conditional use permit is required.
2. Each off-premises commercial advertising sign must be located at least three hundred (300) feet from another off-premises advertising sign.
3. Off-premises commercial advertising signs must be located at least five (5) feet from any side lot line and ten (10) feet from a street lot line.
4. Off-premises commercial advertising signs are limited to a maximum height of thirty-five (35) feet, as measured from the grade of the roadway.
5. Off-premises commercial advertising signs are limited to a maximum sign area of two hundred sixty (260) square feet unless the sign is oriented to an Interstate Highway with a posted speed limit in excess of fifty five (55) miles per hour, in which case the maximum sign area is four hundred (400) square feet.
6. Off-premises commercial advertising signs are limited two (2) sides placed either back-to-back or in a V-type configuration, provided that the angle between V-type mounted sign faces does not exceed forty-five (45) degrees. If the angle between two (2) sign faces is greater than forty-five (45) degrees, the sign area is computed as the sum of the areas of the two (2) faces (see [Figure 16.72-3](#)).
7. Off-premises commercial advertising signs shall be maintained in sound structural condition and shall comply with all building and electrical codes.
8. Off-premises commercial advertising signs shall not create obstacles or traffic hazards by distracting or confusing motorists, impairing motorists' ability to see pedestrians, read other traffic signs, or see other vehicles.
9. A conditional use permit is required for all digital off-premises commercial advertising signs. In addition, digital off-premises commercial advertising signs must meet the following standards:
 - a. Each message or image displayed on a digital off-premises commercial advertising signs must be static or depicted for a minimum of ten (10) seconds. Animation, streaming video, and images that move or give the appearance of movement are prohibited.
 - b. A digital off-premises commercial advertising sign must not exceed a maximum illumination of three-tenths (0.3) footcandles above the ambient light level when measured from a distance equal to the square root of the square footage of the sign multiplied by one hundred. (measurement distance = $(\text{sign area}) \times 100$) All digital off-premises commercial advertising signs must have ambient light monitors installed, which automatically adjust the brightness level based on ambient light conditions.
 - c. In response to complaints, the Zoning Enforcement Officer may require that the owner of a digital off-premises commercial advertising sign submit a certification demonstrating that the sign complies with the maximum illumination standards.

- d. All digital off-premises commercial advertising sign must be programmed to automatically revert to a full black screen in the event of a malfunction.
- e. Conversion of an existing non-digital off-premises commercial advertising sign to a digital off-premises commercial advertising sign is subject to the following:
 - (1) A conforming off-premises commercial advertising sign may be converted to a digital sign with approval of a conditional use permit.
 - (2) A nonconforming off-premises commercial advertising sign within a district that permits such signs may be converted to a digital off-premises commercial advertising sign if the nonconformity is remedied (i.e., the sign is brought into compliance) and a conditional use permit is approved.
 - (3) A nonconforming off-premises commercial advertising sign within a district that does not permit such signs may not be converted to a digital off-premises commercial advertising sign.
- 10. The owner of a digital off-premises commercial advertising sign shall provide the County with space for public service announcements including Amber Alerts, weather related evacuations, or other emergency situations.
- 11. An off-premises commercial advertising sign may be utilized to display a noncommercial message under the same standards as the display of a commercial message, unless otherwise allowed or restricted by State laws including, but not limited to, the Illinois Election Code and/or 10 ILCS 5/1-1 *et seq.* as enforced by State Board of Elections or other appropriate officials.



Current Land Use Map



Current Land Use

Commercial

Adjacent Land Use(s)

North: *Commercial*

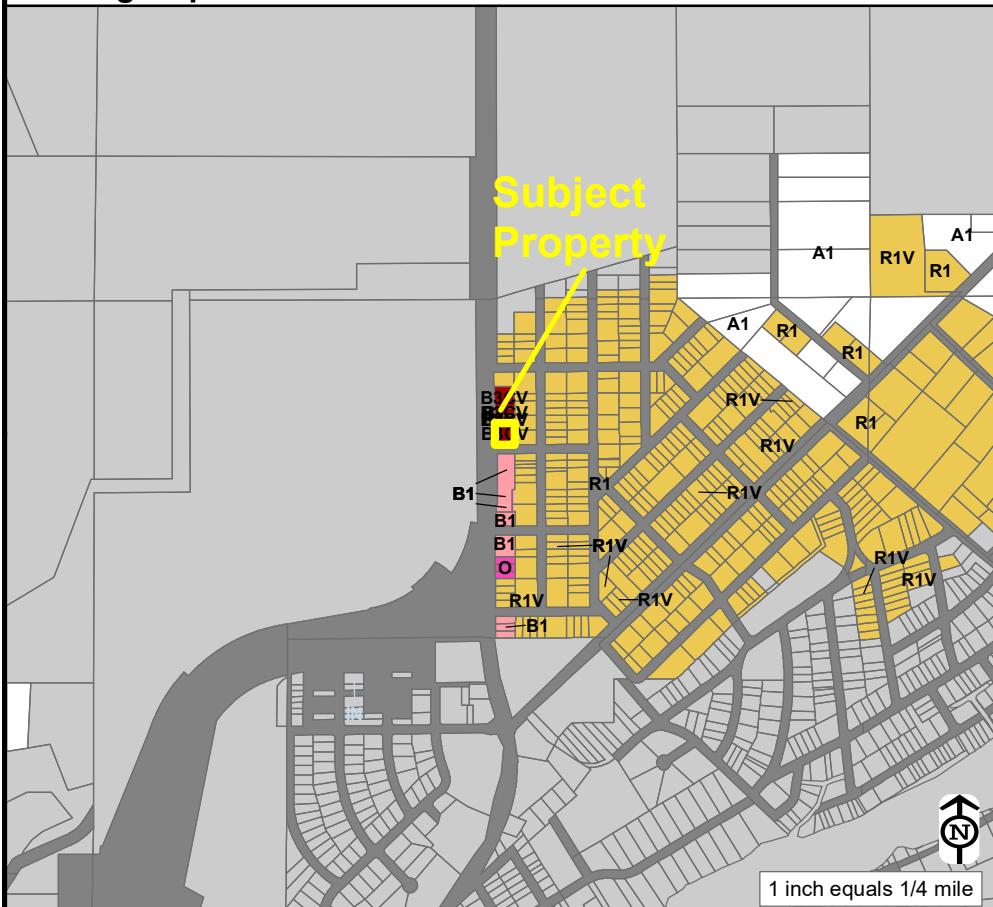
South: *Vacant*

East: *Single-Family Residential*

West: *Earth Extraction*



Zoning Map



Current Zoning

B-3CV General Business

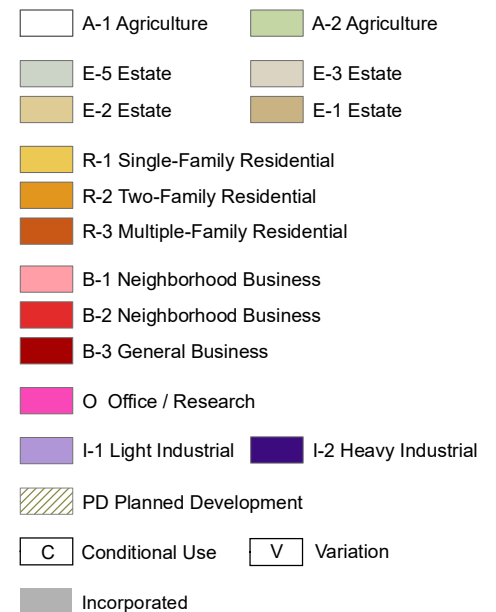
Adjacent Zoning

North: B3CV General Business

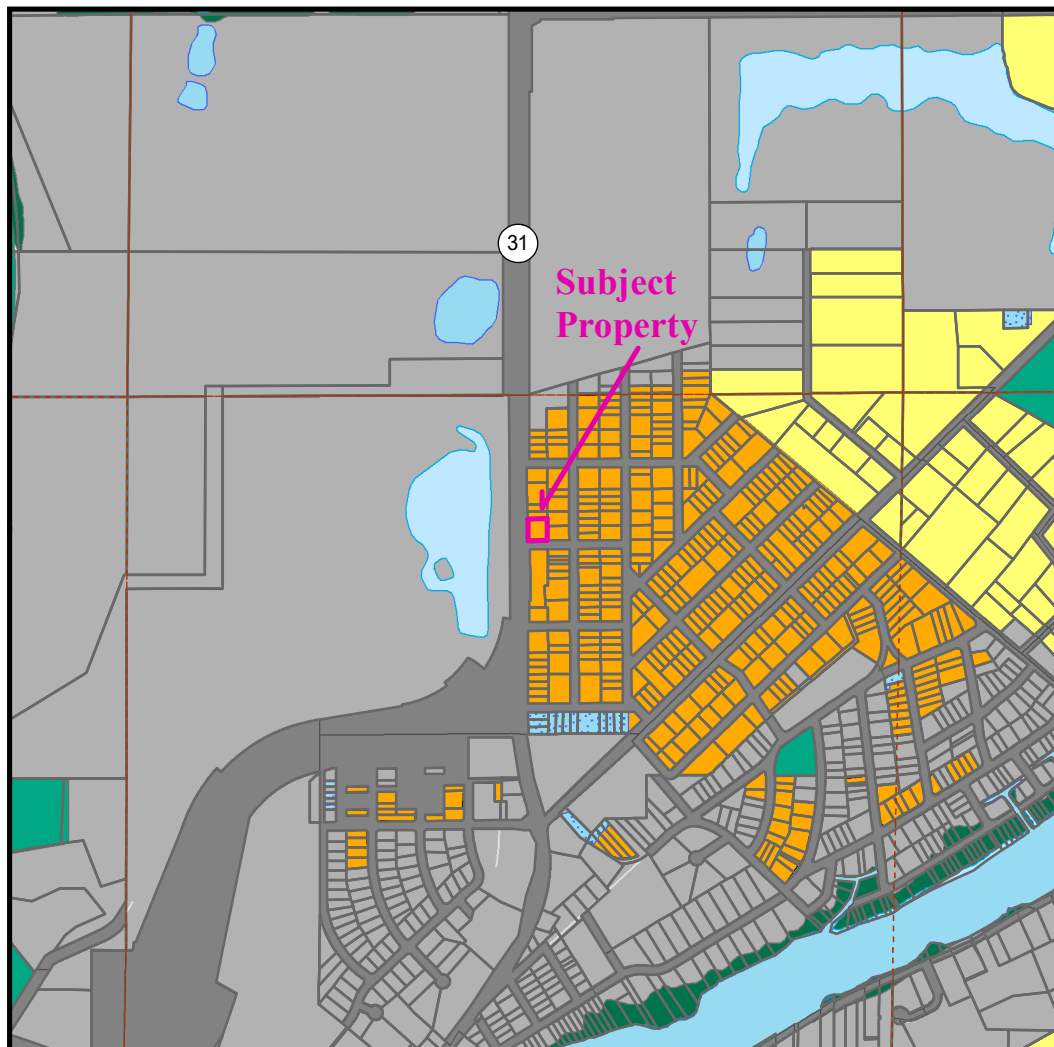
South: B-1 Neighborhood Business

East: R-1 Single-Family Residential

West: Incorporated



McHenry County 2030 Comprehensive Plan Future Land Use Map



Future Land Use Map Designation

Residential

- Agricultural
 - Open Space
 - Environmentally Sensitive Area
 - Estate
 - Isolated Estate
 - Residential
 - Isolated Residential
 - Retail
 - Mixed Use
 - Office, Research, Industrial
 - Gov't, Institutional, Utilities
 - TOD Existing Rail Station
 - TOD Future Rail Station
 - X

 Active Earth Extraction Site
 - Municipality
- Scale: 1 inch = 1/4 mile

Municipal / Township Plan Designations

<u>Algonquin Twp:</u>	N/A	<u>Barrington Hills:</u>	N/A
<u>Algonquin:</u>	Medium Density Subdivision Residential	<u>Cary:</u>	N/A
<u>Crystal Lake:</u>	N/A	<u>Lake in the Hills:</u>	N/A

McHenry County 2030 Comprehensive Plan -Text Analysis

Land Use

Residential includes existing and proposed areas for single-family and multifamily residential uses at gross densities of less than one acre per dwelling unit. Within the Residential district, development densities should consider nearby land uses and zoning, and the availability of transportation, infrastructure, water supply, and other public services, environmental limitations, and other factors required by County ordinances, state statutes, and case law.

Sensitive Aquifer Recharge Areas

A portion of the site is located in a zone with moderate contamination potential.

Sensitive Aquifer Recharge Areas (SARA)



Sensitive Recharge Area

McHENRY-LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT



1648 S. Eastwood Dr. Woodstock, Illinois 60098 (815) 338-0444 ext. 3 www.mchenryswcd.org

March 7, 2025

Steve Weber
1152 Liberty Avenue
Cary, IL 60013

<u>Re:</u>	Parcel # 19-27-205-026
<u>Common Location:</u>	10216 Route 31, Algonquin, IL 60013
<u>NRI#</u>	L25-015-4676
<u>Zoning Change:</u>	B-1V to B-1V CUP

Dear Mr. Weber:

The McHenry-Lake County Soil and Water Conservation District has carefully reviewed your application for Natural Resource Information Report on the David Hinz property as applied for in Report #L25-015-4676. Due to the size of the parcel and minimal or no new construction, the SWCD finds that impact to natural resources from the proposed use is minimal for the purposes of the NRI report. A full Natural Resource Information Report will not be necessary.

No wetlands, hydric soils, or floodplains were found on the site from office maps. Our inventories are for informational and planning purposes only. Any proposed drainage work, in wet areas, requires a certified wetland delineation. If drainage work is to occur, please contact the Army Corps of Engineers and McHenry County Department of Planning & Development for permit information.

This letter fulfills your requirement to notify the SWCD of land use changes as per the Illinois Compiled State Statutes, Chapter 70, Par. 405/1 et seq. Illinois Revised Statutes, Ch. 5, Par 106 et seq. and the McHenry County Stormwater Ordinance. If you have any questions concerning this letter, feel free to call our office.

Sincerely,

Ryan Bieber
Urban Conservation Specialist

IN THE MATTER OF THE APPLICATION OF
PHILLIP E. DAVIS, OWNER
FOR A **VARIATION** OF THE UNIFIED
DEVELOPMENT ORDINANCE OF
MCHENRY COUNTY, ILLINOIS

Z25-0044

WHEREAS, your petitioner, **Phillip E. Davis**, has filed a petition with the McHenry County Hearing Officer, requesting a **variation** as it relates to the McHenry County Unified Development Ordinance and to the real property more fully described as:

LOT 16 IN BLOCK 1 IN MINERAL SPRINGS PARK, A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 36, TOWNSHIP 45 NORTH, RANGE 8, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 20, 1911 AS DOCUMENT NO.18627, IN BOOK 3 OF PLATS, PAGE 37, IN MCHENRY COUNTY, ILLINOIS.

PIN 09-36-329-008

More commonly known as **505 Mineral Springs Drive, McHenry, Illinois in McHenry Township.**

WHEREAS, the Petition requests no reclassification of the subject property from its present classification which is **"R-1" Single Family Residential District; but a variation be granted to the property to allow for 1) a setback of one (1) foot six (6) inches from the required five (5) feet from the South lot line, 2) a setback of one (1) foot four (4) inches from the required five (5) feet from the North lot line, and 3) a minimum combined side setback of nine (9) feet instead of the minimum fifteen (15) feet required.**

WHEREAS, the subject property consists of approximately **one-quarter (.25) acre** in which no reclassification is contemplated.

WHEREAS, a hearing on said petition was held before the Hearing Officer of McHenry County in the manner and the form as prescribed by the Ordinance and Statute; and

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Hearing Officer of McHenry County **did recommend the granting of a variation to allow for 1) a setback of one (1) foot six (6) inches from the required five (5) feet from the South lot line, 2) a setback of one (1) foot four (4) inches from the required five (5) feet from the North lot line, and 3) a minimum combined side setback of nine (9) feet instead of the minimum fifteen (15) feet required.**

WHEREAS, the McHenry County Board has considered the recommendation as submitted by the Hearing Officer of McHenry County.

WHEREAS, the McHenry County Board has determined that the standards for a variation as set forth in the McHenry County Unified Development Ordinance and the Illinois Compiled Statutes have been met.

NOW, THEREFORE BE IT ORDAINED, that the Unified Development Ordinance and the Zoning Maps of McHenry County and such Ordinances and such maps as amended, be and the same are hereby amended to ***allow for 1) a setback of one (1) foot six (6) inches from the required five (5) feet from the South lot line, 2) a setback of one (1) foot four (4) inches from the required five (5) feet from the North lot line, and 3) a minimum combined side setback of nine (9) feet instead of the minimum fifteen (15) feet required.***

This Ordinance shall be in full force and effect from and after its passage as by law provided.

DATED this _____ day of _____, 2025.

Chairperson, McHenry County Board
McHenry County, Illinois

ATTEST:

County Clerk

NUMBER VOTING AYE: _____

NUMBER VOTING NAY: _____

NUMBER ABSTAINING: _____

NUMBER ABSENT: _____

**HEARING OFFICER REPORT TO THE MCHENRY
COUNTY BOARD IN THE MATTER OF PETITION Z25-0044**

1. **Recommendation:** Approve
2. **Applicant:** Phillip E. Davis, Owner of Record
3. **Request:** Variation within the R-1 Single-Family Residential district to allow for 1) a setback of one (1) foot six (6) inches from the required five (5) feet from the South lot line, 2) a setback of one (1) foot four (4) inches from the required five (5) feet from the North lot line, and 3) a combined side setback of nine (9) feet instead of the minimum fifteen (15) feet required. (McHenry County Unified Development Ordinance Table 16.52-1: LN Overlay District Bulk & Setback Regulations)
4. **Location and size of property in question:** The subject property consists of approximately one-quarter (.25) acre and is located approximately seven hundred thirty (730) feet south of the intersection of N. River Road and Mineral Springs Drive, in McHenry Township, Illinois. Common Address: 505 Mineral Springs Drive, McHenry, Illinois. PIN: 09-36-329-008
5. **Present at hearing:**
Applicants: Philip E. Davis and Veronica Davis
Michael J. McNerney, Hearing Officer
Kim Scharlow, County Staff; Kit GearhartSchinske, County Staff
Public: May 13, 2025 - Maria Mokstad, Britta Sjoberg, Carol Buss, Thomas Cacble, Emily Eldridge, Connie Marsh, Julius Hoffmann, Dyna Duboise, Guy Drachor, Deborah Hoffmann, David Brown, Daniel Bowen. June 10, 2025 – No members of the public present.
6. **Date, time and location of the hearing:** May 13, 2025 at 11:00 a.m. and June 10, 2025 at 11:00 a.m., McHenry County Government Center, Ware Road Administration Building, Woodstock, IL 60098.
7. **Items of evidence:**
Official Site Plan, Application to allow variance, Natural Resource Information Report, McHenry-Lake County Soil & Water Conservation District Letter of L25-025-4686.
8. **Summary of Testimony at the hearing:**

The Hearing Officer opened the meeting, swore in the applicants, Staff and members of the public, described the property, and the request.

Mr. and Mrs. Davis introduced themselves and their application.

Mr. McNerney asked what prevents the applicants from moving the garage further North. Mr. Davis stated that the septic system would be in the way.

Mr. McNerney asked Staff what the minimum setback requirement was. Staff stated that the side setback is five (5) feet; however, because the subject parcel is in a legacy

neighborhood overlay district, there is a combined setback requirement between the two (2) sides of fifteen (15) feet. Mr. McNerney asked Staff what the zoning regulations were in 1935, the year the subject home was built. Staff stated that the county did not have zoning regulations in 1935.

Staff stated that they received a comment from Jim Condon, the Highway Commissioner, stating that he does not have any objections to the proposal.

The Hearing Officer asked the applicant to address the Approval Standards for Variation.

Mr. McNerney asked the applicant if the request were granted, would it improve or impair the property values of the neighborhood. Ms. Davis stated that it would improve the neighborhood because they would bring the house up to code making it safer and more energy efficient.

Mr. McNerney opened the hearing to public comment. Ms. Eldridge expressed concern that the aquifer could be affected. Mr. McNerney asked Staff how the county regulates aquifers. Staff stated that if a lot is within the Sensitive Aquifer Recharge Area, the impervious surface coverage of a lot is limited to fifty (50) percent of the lot. Ms. Eldridge also expressed concern regarding potential damage caused to roads and non-subject parcels by construction vehicles. Mr. Davis addressed the concerns related to parking construction vehicles on the site.

Members of the public expressed concern that the proposed building would infringe upon their future plans for the vacant beach lot. Ms. Mokstad stated that the lot south of the subject parcel is a community owned lot. Mr. McNerney stated that the documents that she provided did not support her claim.

Mr. Brown spoke in favor of the request. He stated that he has cameras on his property. He stated that he has caught people trying to break into vehicles. He stated that garages are necessary for the safety of property.

Mr. McNerney asked the applicant if the proposed structure would impact the ability to build on the adjacent lot in the future. Mr. Davis stated that it would not because they would stay within their own property lines.

Mr. McNerney stated that the hearing would need to be continued to determine the ownership of the adjacent lot. He continued the hearing to June 10, 2025 at 11:00 AM.

Mr. McNerney re-opened the hearing on June 10, 2025. Mr. McNerney stated that there are no neighbors at this hearing date. Ms. Davis stated that she spoke with the neighbors. She stated that, after discussing the request with the neighbors, the neighbors no longer oppose the request. Mr. McNerney addressed the neighbors' concerns from the previous hearing date.

Mr. McNerney asked for Staff comment. Staff stated that the request is typical for this size of lot on the river. Staff stated that the county did not have a zoning ordinance when the lot was platted and the home was built.

The Hearing Officer found that all of the Standards for Approval had been met and recommended approval of the request.

9. Recommended findings of fact as to the Request for the Variation:

The Witnesses have met their burden of establishing the necessary ordinance requirements. Accordingly, it is my recommendation that the petitioners' request be granted.

Respectfully submitted,

/S/: *Michael J. McNerney*
Michael J. McNerney

McHenry Township
PLAN REVIEW REPORT
VARIATION REQUEST APPLICATION #Z25-0044

Hearing Date: May 13, 2025

Applicant: Phillip E. Davis, Owner of Record

Request: **Variation** within the **R-1 Single-Family Residential** district to allow for 1) a setback of one (1) foot six (6) inches from the required five (5) feet from the South lot line, 2) a setback of one (1) foot four (4) inches from the required five (5) feet from the North lot line, and 3) a combined side setback of nine (9) feet instead of the minimum fifteen (15) feet required. (*McHenry County Unified Development Ordinance Table 16.52-1: LN Overlay District Bulk & Setback Regulations*)

Location: The subject property consists of approximately one-quarter (.25) acre and is located approximately seven hundred thirty (730) feet south of the intersection of N. River Road and Mineral Springs Drive, in McHenry Township, Illinois.
Common Address: 505 Mineral Springs Drive, McHenry, Illinois.
PIN: 09-36-329-008

Current Land Use: The property is designated **SINGLE-FAMILY RESIDENTIAL** on the Current Land Use map.

Adjacent Land Use: North: *SINGLE-FAMILY RESIDENTIAL* East: *SINGLE-FAMILY RESIDENTIAL*
South: *VACANT* West: *FOX RIVER*

Current Zoning: The property is currently zoned **R-1 Single-Family Residential District/LN**

Adjacent Zoning: North: *R-1 Single-Family Residential/LN* East: *R-1V Single-Family Residential/LN*
South: *R-1 Single-Family Residential/LN* West: *Fox River*

2030 Plan: The property is designated **RESIDENTIAL/ENVIRONMENTALLY SENSITIVE AREA** on the *McHenry County Land Use Plan Map*.

Improvements: The subject property is currently improved with a multi-story frame residence with enclosed porch and frame deck, asphalt drive, and stone patio, according to the Plat of Survey.

Natural Resources: No wetlands were found on the site. Due to the amount of previously disturbed soils on the site, impact to natural resources from the proposed use is minimal, according to Natural Resources Inventory (NRI) Letter L25-025-4686.

Flood Hazard Areas: No floodplain was found on site (*Note: Although County maps do identify flood hazard on site, Letters of Map Amendments (LOMA)s have been issued by FEMA, removing the property from the floodplain.*)

Flood-of-Record: An historic flood-of-record is identified on the western portion of the property.

SARA: The site is located in a zone with elevated aquifer contamination potential, according to the McHenry County Sensitive Aquifer Recharge Area (SARA) map.

Comments/ Conclusion:

- The applicants propose a substantial residential addition and new septic system on the parcel in question. The granting of this zoning variance would allow the landowners to apply for and obtain a building permit to construct the proposed addition.
- The applicant should be aware that under **Section 16.20.020 (F)** of the **McHenry County Unified Development Ordinance**, several standards are cited, all of which must be met in order for a Variation to be granted. These standards include hardship in relation to the site conditions, that the request is unique to the property, that the purpose of the request is not based on any monetary gain, that the petitioners did not cause or create the hardship, that the request is not detrimental to the public welfare and safety, that the request will not impair adequate light and air to adjacent property, or increase congestion in the public streets, or increase danger of fire, and that the request not confer any special privilege to the applicant that is denied to others of the same zoning district.
- An Illinois Department of Natural Resources (IDNR) report was not required for this project.

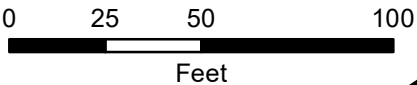
Aerial Photo

505 Mineral Springs Drive, McHenry, Illinois



Photo: 2022

Any parcel lines depicted on the aerial photograph are for general reference only. Please refer to the plat of survey for the location of lot or parcel lines.



- Elevation** (feet above sea level)

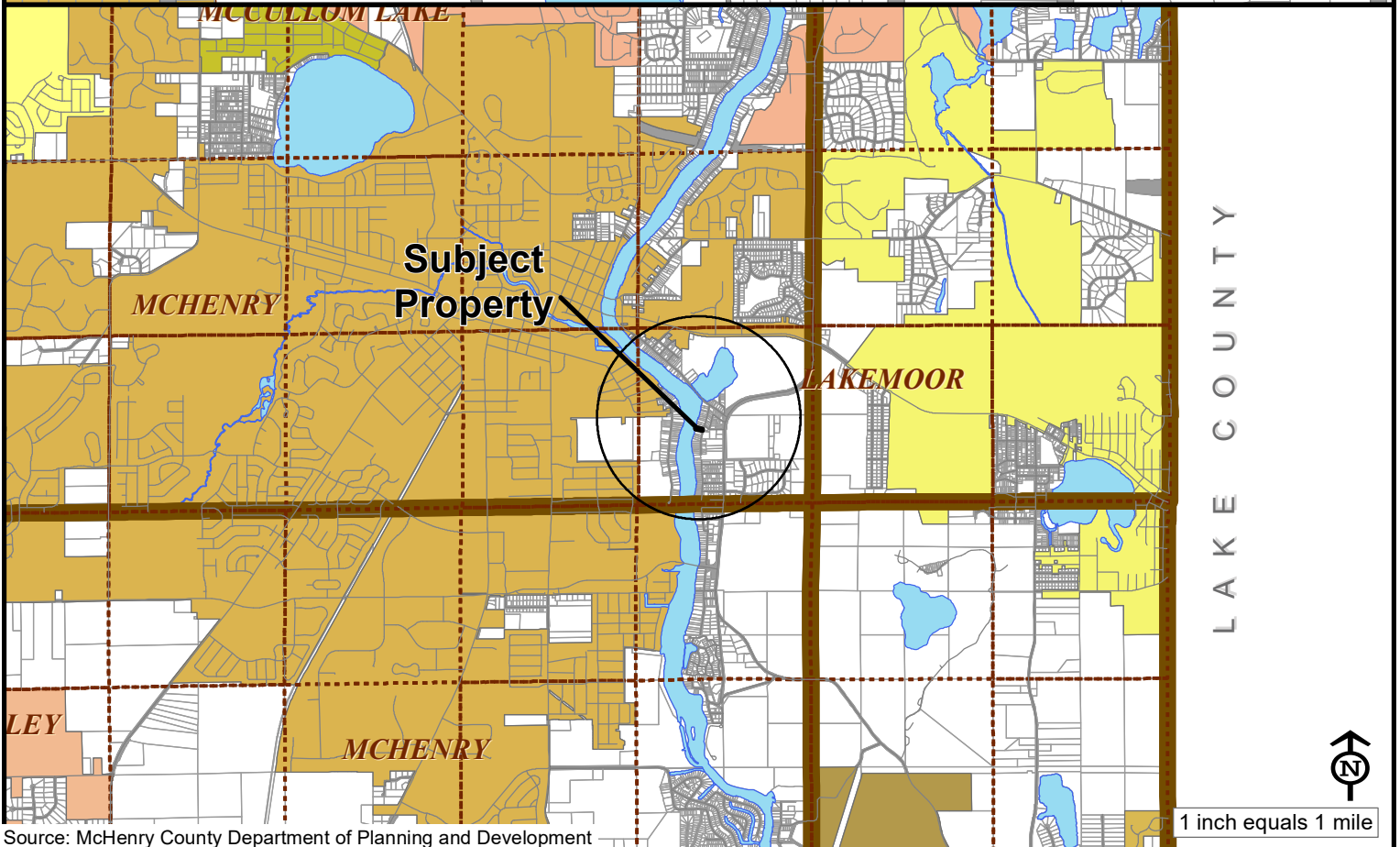
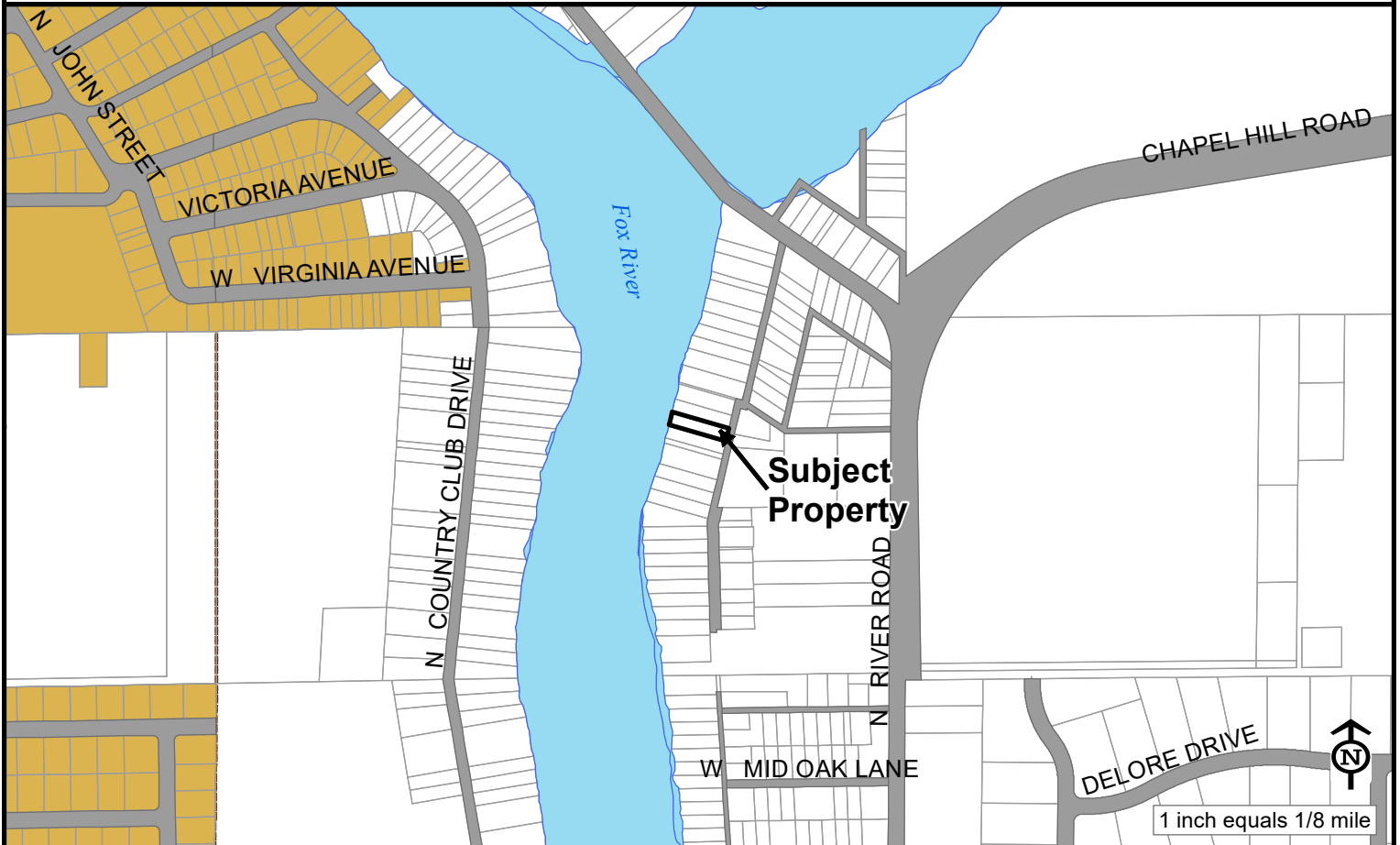
— Contours
- Historic Flood Zone**

Green box
- FEMA Flood Hazard Areas**

 - Blue box: 0.2 % Annual Chance of Flood
 - Dark blue box: 1% Annual Chance of Flood
 - Blue hatched box: Floodway

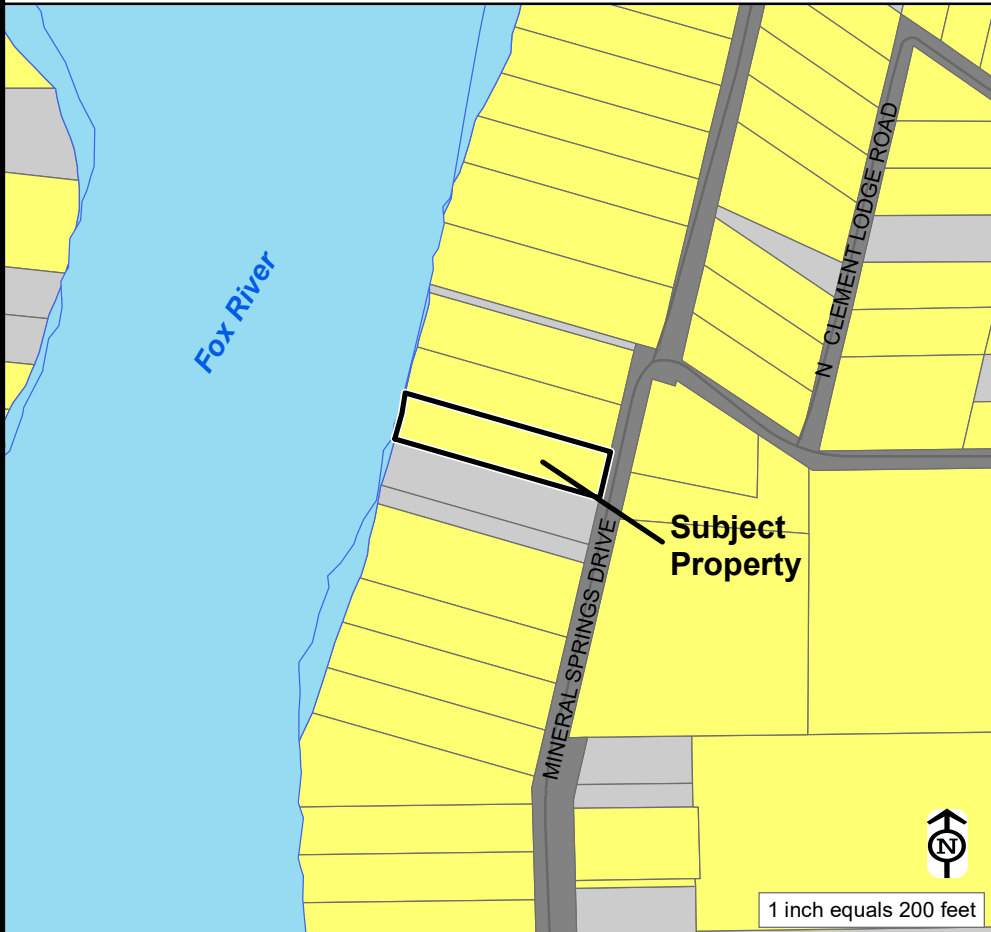
Prepared by the McHenry County
Department of Planning and Development





Source: McHenry County Department of Planning and Development

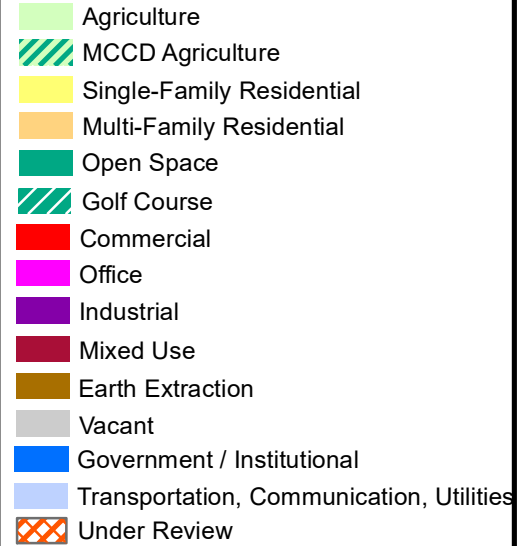
Current Land Use Map



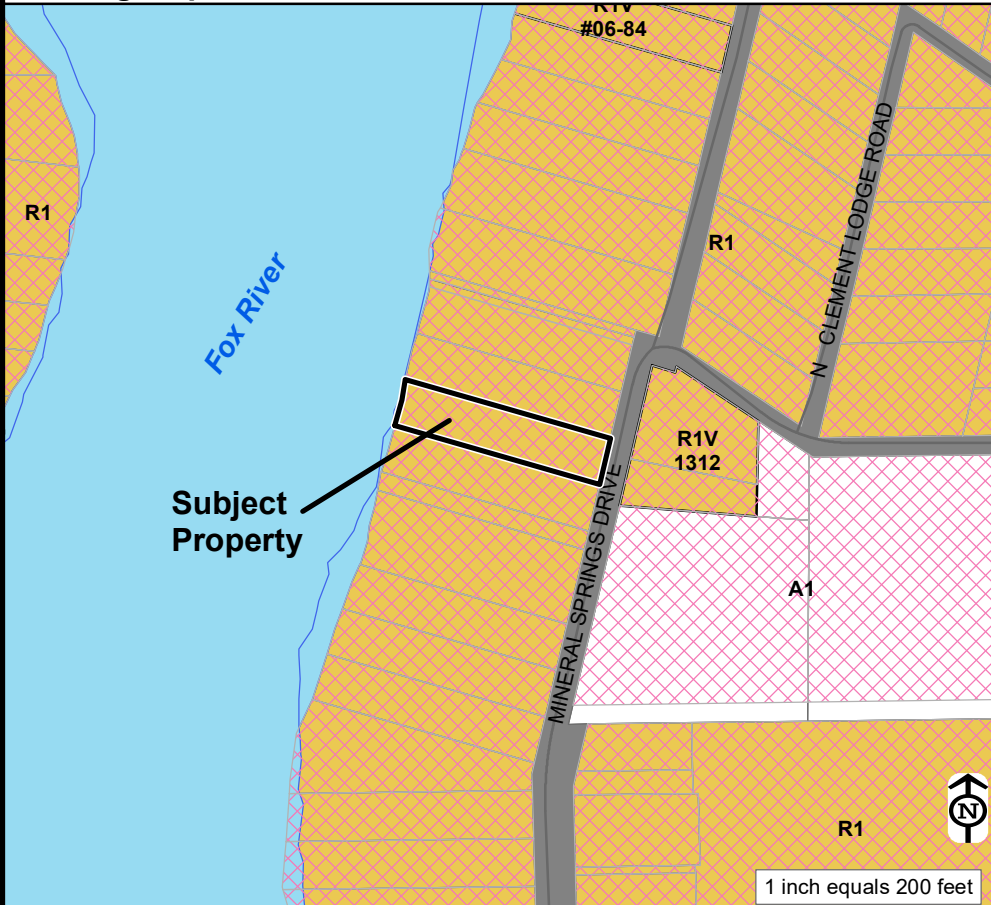
Current Land Use Single-Family Residential

Land Use Adjacent to the PIQ

North: Single-Family Residential
South: Vacant
East: Single-Family Residential
West: Fox River



Zoning Map

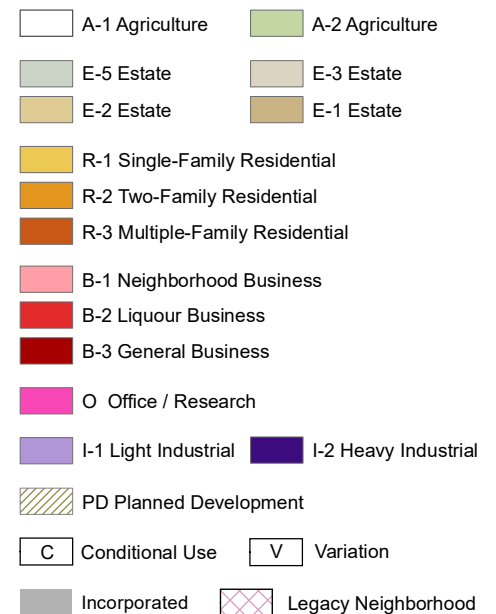


Current Zoning

R-1 Single-Family Residential/LN

Adjacent Zoning

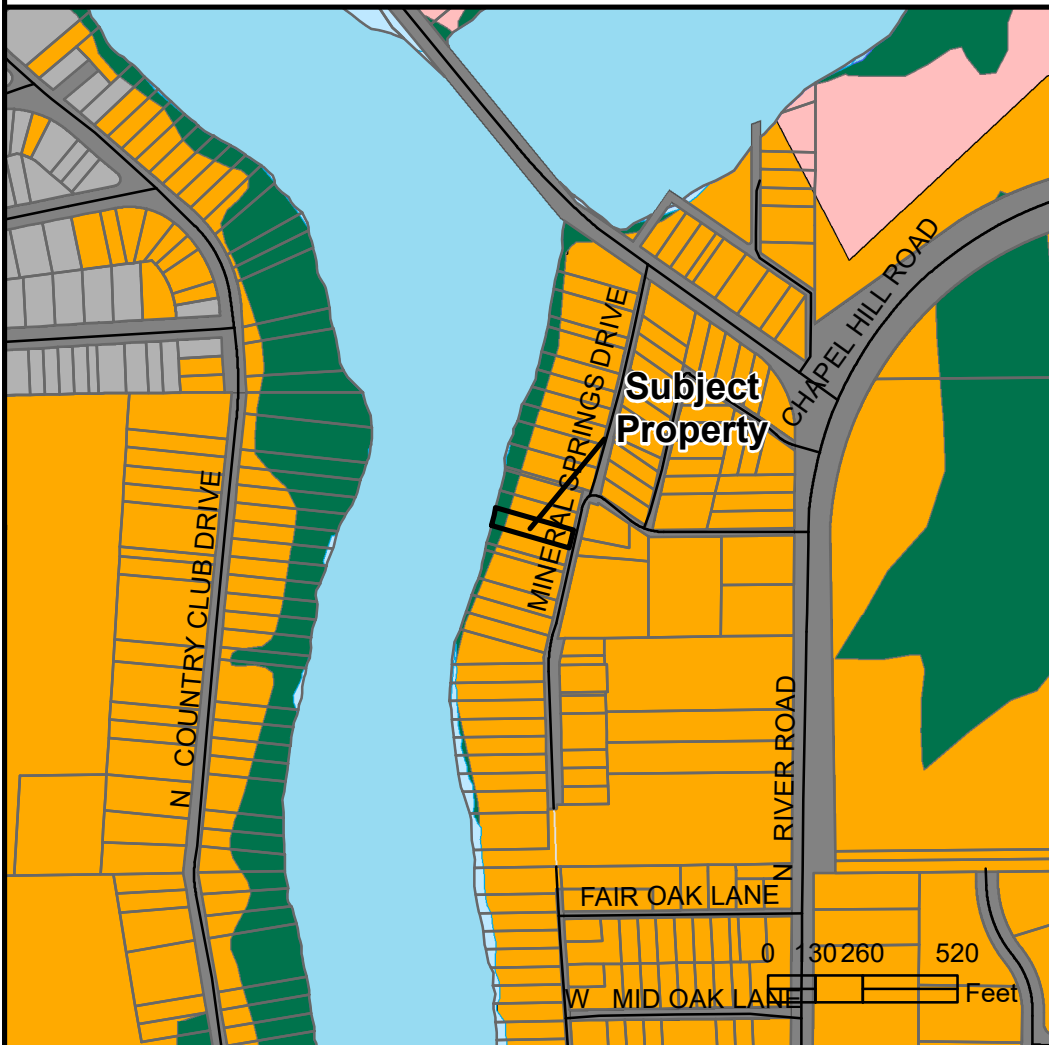
North: R-1 Single Family Residential/LN
South: R-1 Single Family Residential/LN
East: R-1V Single Family Residential/LN
West: Fox River



McHenry County 2030 Comprehensive Plan Future Land Use Map

Future Land Use Map Designation

*Residential/
Environmentally Sensitive Area*



- Agricultural
 - Open Space
 - Environmentally Sensitive Area
 - Estate
 - Isolated Estate
 - Residential
 - Isolated Residential
 - Retail
 - Mixed Use
 - Office, Research, Industrial
 - Gov't, Institutional, Utilities
 - TOD Existing Rail Station
 - TOD Future Rail Station
 - Active Earth Extraction Site
 - Municipality
- Scale: 1 inch = 1/10 mile

Municipal/Township Plan Designations

McHenry Township: Residential

Lakemoor: Neighborhood Residential

McHenry: Walkable Residential Development

McHenry County 2030 Comprehensive Plan — Text Analysis

Land Use

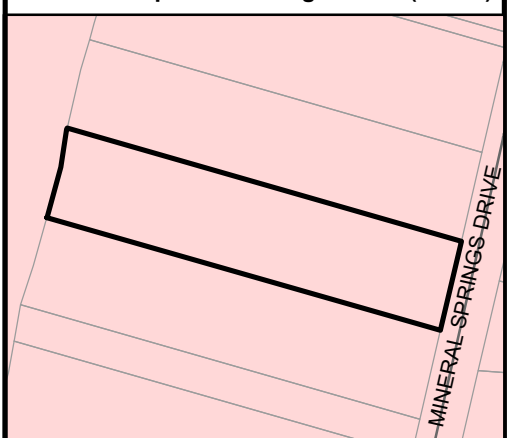
Residential - includes existing and proposed areas for single-family and multifamily residential uses at gross densities of less than one acre per dwelling unit.

Environmentally Sensitive – includes existing floodplains, floodways, wetlands 10 acres and larger from the Advanced Identification (ADID) inventory, and most McHenry County Natural Area Inventory (MCNAI) sites.

Sensitive Aquifer Recharge Areas

The site is located in a zone with elevated contamination potential.

Sensitive Aquifer Recharge Areas (SARA)



- Sensitive Recharge Area

Page 55 of 264

12

McHENRY-LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT



1648 S. Eastwood Dr. Woodstock, Illinois 60098 (815) 338-0444 ext. 3 www.mchenryswcd.org

April 14, 2025

Veronica Davis
1382 Greco Rd.
Schaumburg, IL 60193

Re: Parcel # 09-36-329-008
Common Location: 505 Mineral Springs Dr., McHenry, IL 60051
NRI# L25-025-4686
Zoning Change: Variance for Garage

Dear Ms. Davis:

The McHenry-Lake County Soil and Water Conservation District has carefully reviewed your application for Natural Resource Information Report on the Phillip & Veronica Davis property as applied for in Report #25-025-4686. Due to the amount of previously disturbed soils on the site, the SWCD finds that impact to natural resources from the proposed use is minimal for the purposes of the NRI report. A full Natural Resource Information Report will not be necessary.

No floodplain or wetlands were found on the site from office maps. Our wetland inventories are for informational and planning purposes only. Any proposed drainage work, in wet areas, requires a certified wetland delineation. If drainage work is to occur, please contact the Army Corps of Engineers and McHenry County Department of Planning & Development for permit information.

This letter fulfills your requirement to notify the SWCD of land use changes as per the Illinois Compiled State Statutes, Chapter 70, Par. 405/1 et seq. Illinois Revised Statutes, Ch. 5, Par 106 et seq. and the McHenry County Stormwater Ordinance. If you have any questions concerning this letter, feel free to call our office.

Sincerely,

Spring M. Duffey
Executive Director

cc. McHenry County Department of Planning and Development

IN THE MATTER OF THE APPLICATION OF
MAEGAN JACQUELINE O'TOOLE, OWNER
FOR AN AMENDMENT OF THE UNIFIED DEVELOPMENT
ORDINANCE OF McHENRY COUNTY, ILLINOIS FOR
A RECLASSIFICATION AND VARIATIONS

)
)
)
)

Z25-0045

WHEREAS, your Petitioner **Maegan Jacqueline O'Toole, owner of record**, has filed an application with the McHenry County Zoning Board of Appeals requesting reclassification of the subject property from the **"B-1" Neighborhood District to "R-1" Residential District** as it relates to the McHenry County Unified Development Ordinance, as it relates to the real property more fully described as:

**LOT 12 IN BLOCK 5 IN FOX LAKE VISTA UNIT 3, A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 46 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 27, 1928 AS DOCUMENT 82707, IN BOOK 6 OF PLATS, PAGE 44, IN MCHENRY COUNTY, ILLINOIS
PIN 05-32-434-014**

More commonly known as **6309 State Park Road, Spring Grove, Illinois in Burton Township.**

WHEREAS, the Application requests **reclassification of the subject property from its present classification which is "B-1" Neighborhood Business to "R-1" Residential District with Variations to allow for: 1) a setback of zero (0) feet from the required (10) feet from the South lot line; 2) a setback of twelve (12) feet from the required twenty (20) feet from the East street lot line for the principal residence; 3) fifty (50) feet of road frontage instead of the required minimum one hundred (100) feet of road frontage; and 4) a minimum lot area of sixteen hundredths (0.16) acres instead of the required minimum half (0.5) acre lot area.**

WHEREAS, the subject property consists of approximately sixteen hundredths **(0.16) acres** in which reclassification is contemplated.

WHEREAS, a hearing on said application was held before the Zoning Board of Appeals of McHenry County in the manner and the form as prescribed by the Ordinance and Statute; and

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of the exhibits advanced thereat, the Zoning Board of Appeals of McHenry County did **recommend by a vote of 6 ayes and 0 nay the granting of the reclassification of the subject property from its present classification which is "B-1" Neighborhood Business to "R-1" Residential District with Variations to allow for: 1) a setback of zero (0) feet from the required (10) feet from the South lot line; 2) a setback of twelve (12) feet from the required twenty (20) feet from the East street lot line for the principal residence; 3) fifty (50) feet of road frontage instead of the required minimum one hundred (100) feet of road frontage; and 4) a minimum lot area of sixteen hundredths (0.16) acres instead of the required minimum half (0.5) acre lot area.**

WHEREAS, the McHenry County Board has considered the recommendation as submitted by the Zoning Board of McHenry County.

WHEREAS, the McHenry County Board has determined that the requirements for reclassification of the subject property have been met.

NOW, THEREFORE BE IT ORDAINED, that the Unified Development Ordinance and the Zoning Maps of McHenry County, and such Ordinances and such maps as amended, be and the same are hereby amended to allow the ***reclassification of the subject property from its present classification which is "B-1" Neighborhood Business to "R-1" Residential District with Variations to allow for: 1) a setback of zero (0) feet from the required (10) feet from the South lot line; 2) a setback of twelve (12) feet from the required twenty (20) feet from the East street lot line for the principal residence; 3) fifty (50) feet of road frontage instead of the required minimum one hundred (100) feet of road frontage; and 4) a minimum lot area of sixteen hundredths (0.16) acres instead of the required minimum half (0.5) acre lot area.***

This Ordinance shall be in full force and effect from and after its passage as by law provided.

DATED this _____ day of _____, 2025.

Chairperson, McHenry County Board
McHenry County, Illinois

ATTEST:

County Clerk

NUMBER VOTING AYE: _____

NUMBER VOTING NAY: _____

NUMBER ABSTAINING: _____

NUMBER ABSENT: _____

MCHENRY COUNTY
ZONING BOARD OF APPEALS
MINUTES | June 12, 2025

Zoning Hearing

County Board Conference Room
667 Ware Rd, Woodstock, IL 60098

1:30 PM

ZONING BOARD OF APPEALS REPORT TO THE MCHENRY COUNTY BOARD – Z25-0045

- 1. APPLICANT:** Maegan O'Toole
- 2. REQUEST:** Reclassify B-1 Neighborhood Business District to R-1 Residential District with variances to reduce the street yard setback from twenty (20) feet to twelve (12) feet, reduce the side yard setback from ten (10) feet to zero (0), reduce the minimum lot size from half (0.5) acre to sixteenth hundredth (0.16) acre, and reduce minimum lot width from one hundred (100) feet to fifty (50) feet.
- 3. LOCATION AND SIZE OF PROPERTY IN QUESTION:** The subject property is located on the west side of State Park Road, approximately one thousand five hundred (1,500) feet south of U.S. Route 12, in Burton Township.
- 4. DATE AND TIME OF HEARING AND VOTING MEETING:** June 12, 2025, 1:30 PM
- 5. LOCATION OF HEARING AND VOTING MEETING:** County Board Conference Room, 667 Ware Road, Woodstock, Illinois
- 6. PRESENT AT HEARING:**
 - A. ZBA Members: Vicki Gartner– Vice Chair, Charles Eldredge, Kurt Schnable, Jessica Beverly, William Kurnik, Mary Donner
 - B. Witness: Maegan O'Toole, Zachary Drozd
 - C. Public: Anna Kurtzman – County Staff, Kit GearhartSchinske – County Staff
- 7. ITEMS OF EVIDENCE:** None
- 8. SUMMARY OF TESTIMONY AT HEARING:** Vice - Chair Gartner opened the hearing. The board members introduced themselves. Ms. Gartner introduced the application. Ms. Gartner swore in the applicant and staff. Ms. Gartner asked the applicant if she would like to waive the reading of the

application. Ms. O'Toole stated that she would. Mr. Drozd introduced himself and the applicant's request.

Mr. Eldredge asked the applicant if she would like to incorporate the written answers to the map amendment as testimony into the record. Ms. O'Toole stated that she would.

Staff asked the applicant the Standards to the Variation questions. Ms. O'Toole answered those questions in the affirmative.

Staff gave their report. The current zoning is "B-1" Neighborhood Business for several years. Lake County is located to the East. It is unknown if the building was ever used as a business. It is currently used as residential. The surrounding land uses are residential. The future land use designation is primarily environmentally sensitive due to wetlands and floodplains that are on and in this area. Staff stated that the applicant is trying to finance the property and because of the fact that it is "B-1" Neighborhood Business, the house would not be allowed to be rebuilt in its present location unless the rezoning with the variances are granted.

Mr. Eldredge asked Staff if the land behind the subject parcel is unbuildable due to wetland designation. Staff stated that that is correct.

Ms. Gartner informed the applicant that there only six (6) members of the board, and asked the applicant if they would like to postpone the vote to another date to have a vote by seven members of the board. Ms. O'Toole stated that she would like to proceed to a vote immediately. Ms. Gartner closed the testimony portion of the hearing.

9. SOIL AND WATER CONSERVATION DISTRICT REPORT:

For further information refer to report number: L25-019-4680.

10. ILLINOIS DEPARTMENT OF NATURAL RESOURCES:

This consultation was not required for this application.

11. SUMMARY OF VOTING MEETING DISCUSSION:

Vice-Chair Gartner opened the voting meeting immediately following the hearing.

Mr. Eldredge motioned to accept the petition as submitted. Ms. Donner seconded the motion.

Mr. Eldredge stated that this is a small lot created close to a century ago at the eastern edge of the county. It is typical of its time. He stated that the request brings the zoning into alignment with the area.

Ms. Gartner determined that the standards for Map Amendment and for Variation had been met. Motion carried.

12. FACTS THAT SUPPORT RECOMMENDING APPROVAL OF THE REQUEST:

- The current zoning is “B-1” Neighborhood Business district.
- The surrounding zoning is “R-1” Single Family Residential.
- The future land use map indicates Environmentally Sensitive Area.
- The Standards for a Map Amendment and for Variation have been met.
- The request brings the zoning of the site into alignment with the area.

13. FACTS THAT SUPPORT RECOMMENDING DENIAL OF THE REQUEST: None.

14. MOTIONS: Mr. Eldredge motioned to accept the petition as submitted. Ms. Donner seconded the motion. Motion carried (6-0).

15. VOTE:

6 – AYES; 0 – NAYS; 0 - ABSTAIN

GOES TO COUNTY BOARD WITH ZBA RECOMMENDATION FOR Approval of the map amendment from B-1 Neighborhood Business District to R-1 Residential District with variances to: 1) reduce the street yard setback from twenty (20) feet to twelve (12) feet, 2) reduce the side yard setback from ten (10) feet to zero (0), 3) reduce the minimum lot size from half (0.5) acre to sixteenth hundredth (0.16) acre, and 4) reduce minimum lot width from one hundred (100) feet to fifty (50) feet.

Full Comments and complete application submittal for the above agenda items are available on the McHenry County Meeting Portal.

Maegan O'Toole:

Yes, please approve this.

Vicki Gartner:

What would you do without us?

Mary Donner:

Absolutely nothing.

Vicki Gartner:

Okay. Now again, I'll close the hearing portion of the meeting and we'll move into the voting portion. And once again, we're only six members. If you feel this is a little iffy that you might not get your approval, you do need five positive votes for this to go forward as recommended by our board to the county board. Less than five would not be a recommendation. So it's up to you if you want us to vote today or do you want to continue.

Maegan O'Toole:

Yes, Please.

Mary Donner:

We should just hold up cards.

Charles Eldredge:

Madam Chairman, I move acceptance of the petition.

Mary Donner:

Second with the variations.

Vicki Gartner:

Yeah, with the variations.

Charles Eldredge:

With the variations.

Vicki Gartner:

Let's get those in there for sure. I need that voting sheet here. Okay. And my glasses. Okay. That was Charlie and Mary. Mary, okay. All right. Is there any discussion?

Charles Eldredge:

This is a small lot created close to a century ago at the very eastern edge of the county. It's typical of a lot of stuff created at that time in that it makes no sense in terms of modern land planning, but there it is. I recall that in another location we had a bunch of lots equally small that were all zoned for bars and had never been anything but residences. In these very old subdivisions, lots of things were done that made sense in the twenties and thirties and have not made sense since then. It is simply a matter of cleaning up what is a mess on our zoning code to grant these people both their variances and their map amendment,

because they aren't asking to change anything. They're just asking that what they presently have be approved of so that they can get appropriate financing. I have no objection to anything they're asking for, and I support the petition.

Vicki Gartner:

Thank you.

Anna Kurtzman:

Mary?

Mary Donner:

I have no objections. I second it.

Vicki Gartner:

Okay, thank you. Kurt?

Kurt Schnable:

I agree with what's been said.

Jessica Beverly:

I also agree.

Vicki Gartner:

Bill?

William Kurnik:

And so do I.

Vicki Gartner:

Okay.

And I have to say the variances are kind of a no-brainer because the house is where the house is, and this was planned so long ago that who knows what they were thinking. And unless you want to open a bar there and you really want it to be residential. So the standards have been met for both the variances and the zoning change. So I'm in favor, so I'll call the roll. Sorry, smoke out there. Okay. Mr. Eldredge?

Charles Eldredge:

Yes.

Vicki Gartner:

Okay. Oh, nobody's here. Kurt?

Kurt Schnable:

Yes.

Vicki Gartner:

Ms. Beverly?

Jessica Beverly:

Yes.

Mary Donner:

Next me.

Vicki Gartner:

I know without my glasses, my lines get screwed up. Okay.

Mary Donner:

I'm Mary Donner. Yes.

Vicki Gartner:

Okay. And Bill Kurnik?

William Kurnik:

Yes.

Vicki Gartner:

And I will vote yes as well. So this is going to be recommended by our board to the county board with a vote of six to zero unanimous. And the meeting that you will attend, well, you don't have to attend it, but the county meeting is next month.

Staff Report for the McHenry County Zoning Board of Appeals

Application: #Z25-0045

PIN: 05-32-434-014

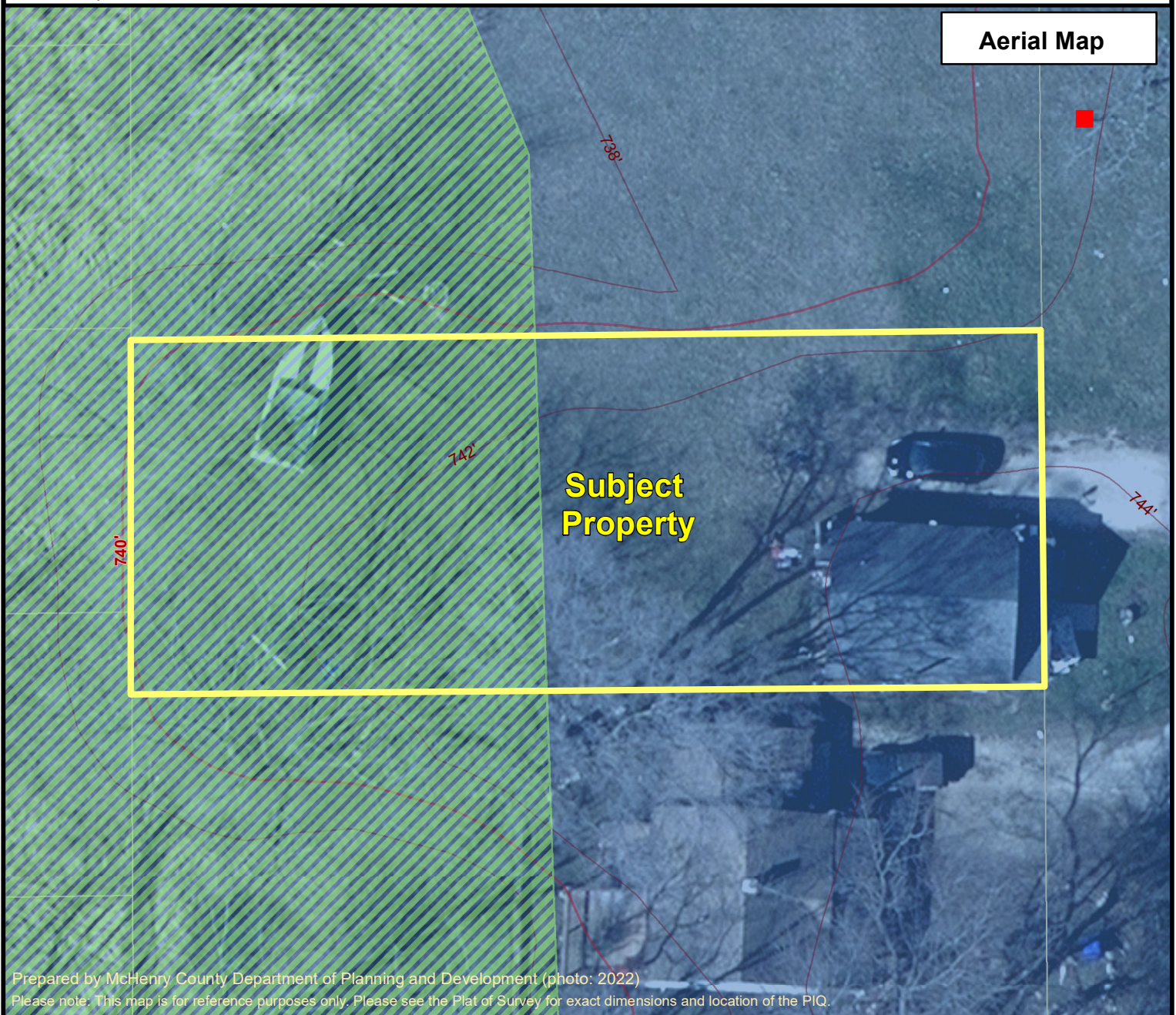
Address: 6309 State Park Road, Spring Grove

Applicant: Maegan O'Toole

Location: The subject property is located on the west side of State Park Road, approximately one thousand five hundred (1,500) feet south of U.S. Route 12, in Burton Township.

Hearing: June 12, 2025

Request: Reclassify B-1 Neighborhood Business District to R-1 Residential District with variances to reduce the street yard setback from twenty (20) feet to twelve (12) feet, reduce the side yard setback from ten (10) feet to zero (0), reduce the minimum lot size from half (0.5) acre to one sixteenth (0.16) acre, and reduce minimum lot width from one hundred (100) feet to fifty (50) feet.



Elevation

(feet above sea level)

- 10-foot contours
- 2-foot contours

ADID Wetland Map 2005

- High Functional Value Wetland (hfw)
- High Quality Wetland (hqw)
- Wetland (w)
- Farmed Wetland (fw)

FEMA Flood Hazard Areas

- 0.2 % Annual Chance of Flood
- 1% Annual Chance of Flood
- Floodway

Feet 10 5 0 10 20
1 inch equals 20.83 feet



Staff Report for the McHenry County Zoning Board of Appeals

STAFF COMMENTS

The following comments and conclusions are based upon staff analysis and review prior to this hearing and are to be considered viable unless evidence is established to the contrary. Staff may have additional comments based upon the testimony presented during the public hearing.

BACKGROUND & REQUEST SUMMARY

The applicant is requesting a map amendment from the B-1 Neighborhood Business District to the R-1 Single-Family Residential District on a platted lot (part of the Fox Lake Vista Subdivision, which was platted in 1928 – predating the County’s zoning regulations). Along with request the applicant is also seeking four (4) variances to address existing situations associated with this property:

- 1) reduce the minimum size of the parcel from the required half (0.5) acre to just over a quarter acre (0.29 acre);
- 2) reduce the minimum lot width from one hundred (100) feet to fifty (50) feet;
- 3) reduce the street yard setback from twenty (20) feet to twelve (12) feet; and
- 4) reduce the side yard setback from ten (10) feet to zero (0) feet.

The subject property is located on the east side of State Park Road, about one thousand five hundred (1,500) north of the intersection with US Route 12. The property in question is part of a subdivision which was recorded in 1928 (Fox Lake Vista Subdivision), thus pre-dating the county’s first zoning regulations.

According to the plat of survey, the subject property contains a frame single-family residence. The southern wall of this structure is located one point forty-four (1.44) feet from the southern property line and the eastern wall of the house is just over eighteen (18) feet from the right-of-way line. The survey also shows that there is porch with no dimensions provided by the surveyor. The applicant has indicated that the porch extends six point three (6.3) feet from the face of the house – thus the house, with the porch is located twelve feet from the right-of-way line. The applicant has also indicated that the porch is within one (1) foot of the southern lot line – with the eaves, the house and porch are located on the southern property line, hence the applicant’s request for a zero (0) foot setback from the southern side lot line.

MCHENRY COUNTY UNIFIED DEVELOPMENT ORDINANCE

- The Applicant must meet the Approval Standards for Map Amendment, listed in §16.20.010.E.1 of the *McHenry County Unified Development Ordinance*.
- The Applicant must meet the Approval Standards for a Zoning Variance, listed in § 16.20.020.F of the *McHenry County Unified Development Ordinance*.

STAFF ANALYSIS

Current Land Use & Zoning

The subject property was granted its current zoning of B-1 Neighborhood Business in 1949 (case #394), which was re-affirmed in 1979 when the County last conducted a comprehensive zoning update. This property has been used as a Single-Family Residence for many years. The proposed reclassification is consistent with the R-1 zoning to the north, south and west of the subject property.

2030 Comprehensive Plan Future Land Use map

The subject property has a future land use designation of **Environmentally Sensitive Area**.

2030 Comprehensive Plan & 2030 and Beyond Analysis

The text of the 2030 Comprehensive Plan and 2030 and Beyond Plan support the reclassification to the R-1 Single-Family Residential District. There is minimal additional impact to the agricultural, natural, and water resources on the site (*See comments below*).

McHenry County 2030 and Beyond, Adopted October 18, 2016—

Big Idea #1 Let’s make our communities healthy, active, and green

"We can make it happen by promoting development that is compact, contiguous to, or located within municipalities in order to preserve rural landscapes while providing greater mobility choices for all residents." (p.12)

- The Village of Spring Grove and the Village of Fox Lake are both within about a third of a mile (0.3) the subject property.

Big Idea #2 Let's build on our strengths

"We can make it happen by preserving our wide array of housing choices and lot sizes – from rural to urban." (p. 14)

- The proposed reclassification would allow the property owner to legally use the property for residential purposes – which was the intended use when the property was platted in 1928.

Big Idea #3 Let's grow smarter

"We can make it happen by focusing development that is compact, contiguous to, or located within municipalities, and away from areas designated for agriculture and lacking infrastructure and services." (p. 16)

- The subject property is less than a third (0.33) of a mile from two (2) different municipalities (Fox Lake and Spring Grove). The subject property has not been used agriculturally. Utilities already service the property.

Big Idea #4 Let's expand our economy

No applicable text.

McHenry County 2030 Comprehensive Plan, Adopted April 20, 2010

Community Character & Housing

"Promote increased density and compact contiguous development." (p. 23)

- The subject property is part of a platted residential subdivision which was recorded in 1928.
- Staff has been able to locate three (3) building permits associated with this property. The first building permit which staff was able to locate for this property was applied for in August 1953 for a commercial building. The next permit was to replace a well and the third building permit for this property was issued in 2008 for a residential remodel, with notes in the file indicating that improvements were being sought to bring the building into compliance with its original use and dimensions.

Agricultural Resources

"Maintain and protect the most productive agricultural lands, where appropriate, by discouraging nonagricultural growth in these areas." (p. 29)

- There are no agricultural uses currently occurring on the property. Granting the reclassification will not impact the owner from providing limited agricultural uses on the property.

Greenways, Open Space & Natural Resources

Objective: *"Promote land uses that minimize the impact on land, water, energy, and other natural resources" ...* (p. 43)

- The McHenry-Lake County Soil and Water Conservation District *Natural Resources Inventory* was received. The letter indicates that a full report isn't necessary due to the size of the parcel and disturbance which as already occurred on site. The report does note the presence of farmed wetland along the western edge of the property and one hundred (100%) of the property is located within a FEMA designated food zone. Please refer to attached NRI Letter #L25-019-4680 for details.

Water Resources

Objective: *"Preserve, improve, and replenish the quality and quantity of existing groundwater resources."* (p. 63)

- The proposed reclassification does not include any new improvements that would increase impervious surface area.

Economic Development

No applicable text.

Infrastructure

No applicable text.

STAFF ASSESSMENT

The applicant is requesting a map amendment from the B-1 Neighborhood Business District to the R-1 Single-Family Residential District on a platted lot which is just over a quarter acre (0.29) in size. Along with the request for reclassification, the applicant is also seeking four (4) variances to recognize the existing site conditions – variance to reduce the minimum lot size requirement, reduce the minimum lot width requirement, reduce the minimum distance between the structure and the street property line and reduce the minimum distance between the structure and the side lot line.

The request is consistent with the existing Single-Family Residential land uses of the area. The request is also consistent with the recommendations provided in the 2030 and Beyond Plan and the 2030 Comprehensive Plan text. The reclassification is not consistent with the future land use map designations of **Environmentally Sensitive Area**. The subject property is in a sensitive aquifer recharge area (SARA). Staff has no objection to the applicant's request for reclassification and variances as it recognizes the existing use of the property.

Report prepared the June 3, 2025, by Anna Kurtzman, Senior Planner - McHenry County Department of Planning & Development.

Section 16.20.010.E.1 of the McHenry County Unified Development Ordinance

Approval Standards for Zoning Amendments. The Zoning Board of Appeals recommendation and the County Board decision shall consider the following standards. However, the Zoning Board of Appeals' recommendation and the County Board's decision on any zoning text or map amendment is not controlled by any one factor under the following standards, but rather the approval of amendments is based on a balancing of the factors under each standard.

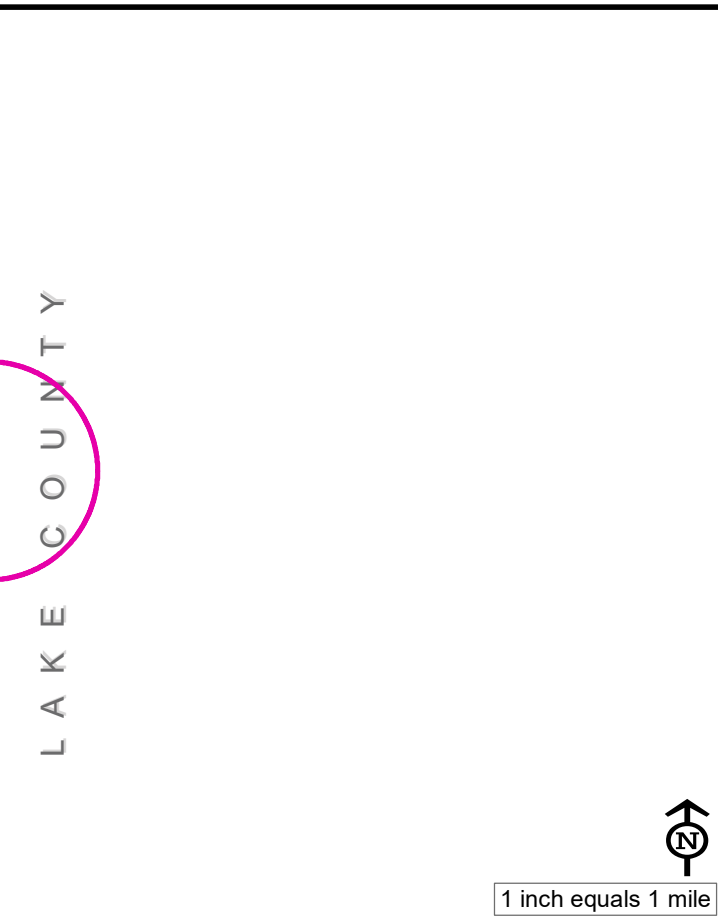
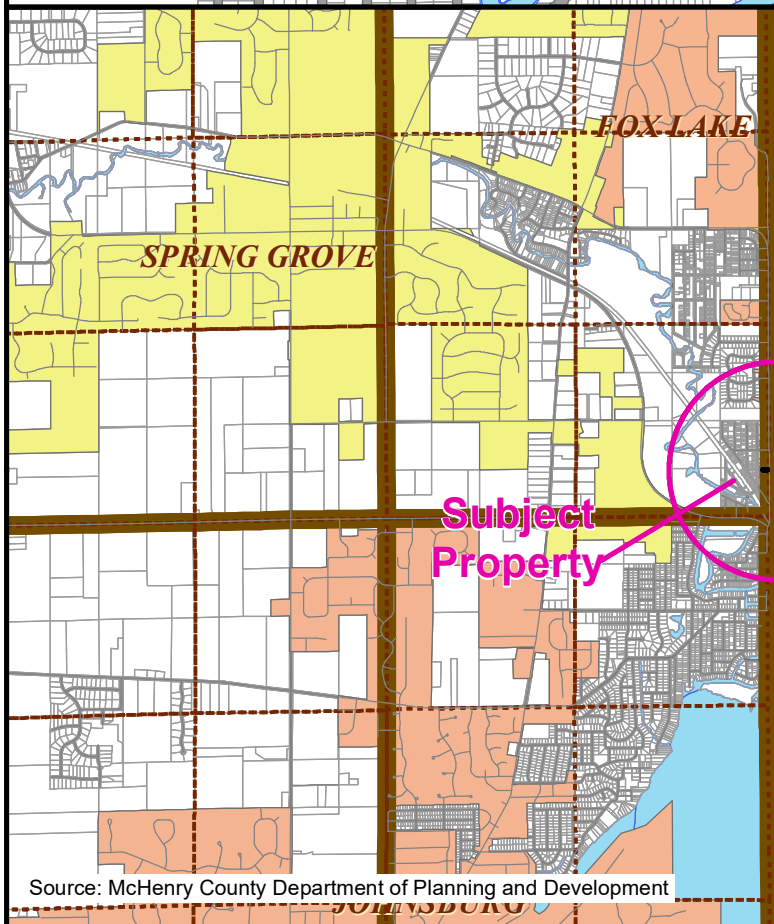
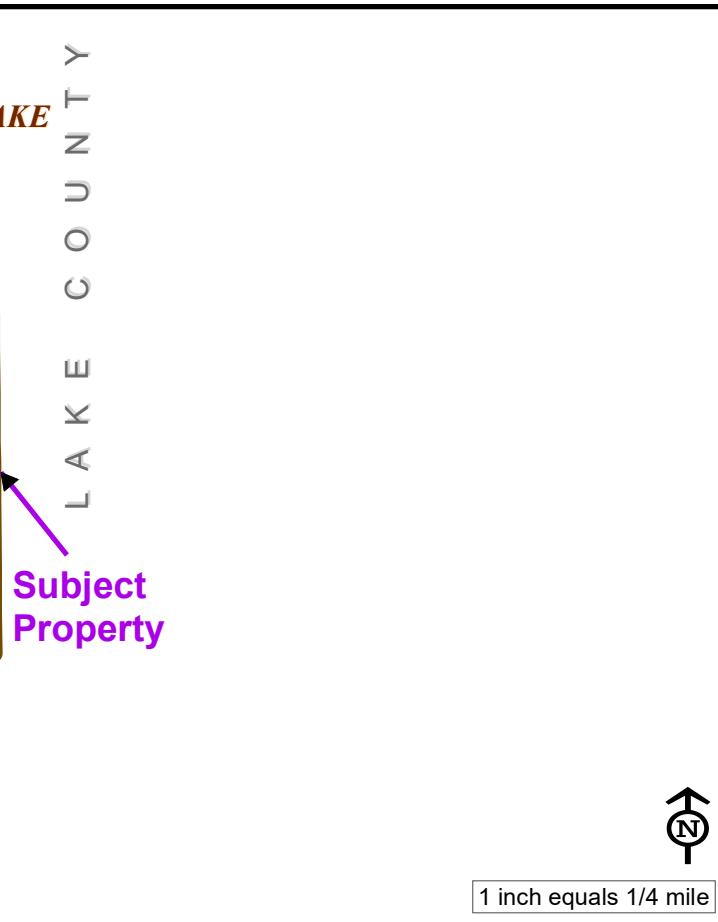
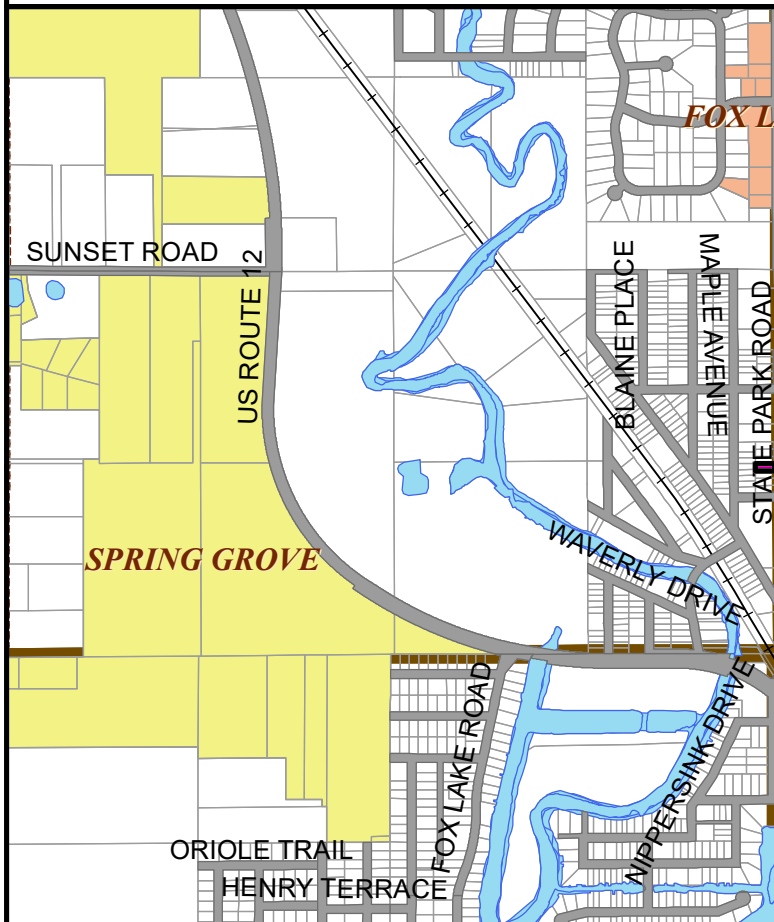
1. *Approval Standards for Map Amendments.*

- a. The compatibility of the proposed zoning with the existing use and zoning of nearby property.
- b. The extent to which property values of the subject property are diminished by the existing zoning.
- c. The extent to which the public health, safety, and welfare of the public are promoted by the existing zoning.
- d. The relative gain to the public, as compared to the hardship imposed upon the applicant, if the proposed zoning is denied.
- e. The suitability of the property for the purposes for which it is presently zoned.
- f. The length of time the property has been vacant as zoned considered in the context of land development in the vicinity of the subject property.
- g. The community need for the proposed use.
- h. The consistency of the proposed amendment with the adopted comprehensive plan and the appropriateness of the comprehensive plan to the subject property.

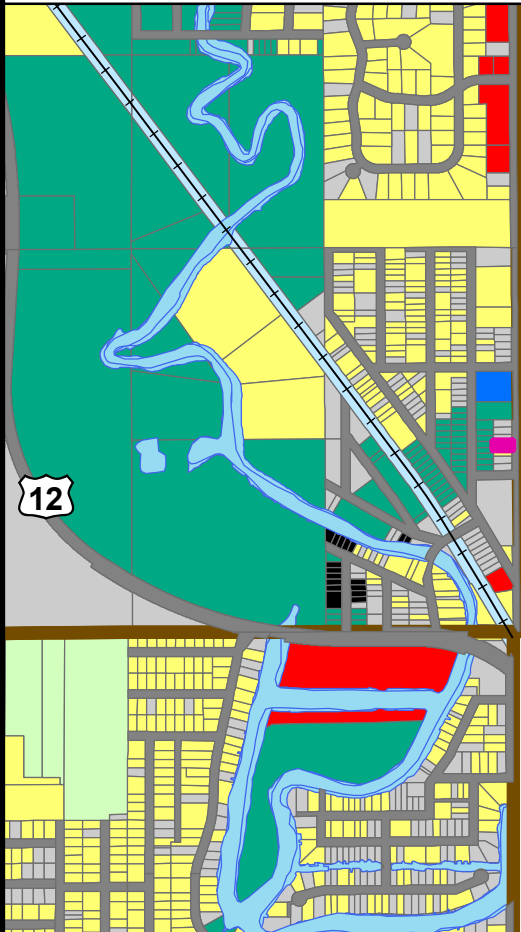
Section 16.20.020.F of the McHenry County Unified Development Ordinance

No zoning variation from the provisions of this Ordinance may be granted unless the Zoning Board of Appeals or Hearing Officer and County Board makes specific findings that the request meets each of the standards imposed by this section. These standards are as follows:

1. The particular surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out.
2. The conditions upon which the application for a variation are based are unique to the property for which the variation is sought and are not generally applicable to other property within the same zoning district.
3. The purpose of the variation is not based exclusively upon a desire to increase the monetary gain realized from the property.
4. The alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.
5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.
7. That the granting of the variation requested will not confer on the applicant any special privilege that is denied by this Ordinance to other land or structure of the same zoning district.



Current Land Use Map



Subject Property

LAKE COUNTY



1 inch equals 1/4 mile

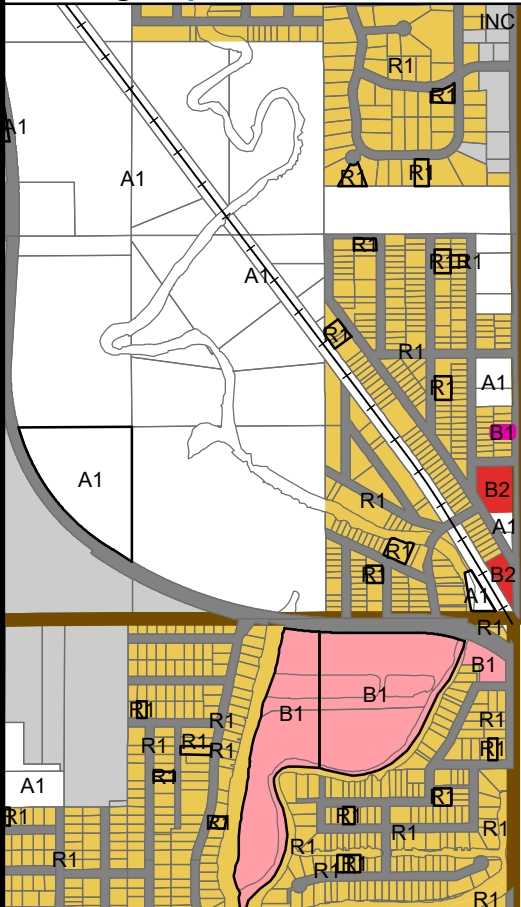
Current Land Use
Single-Family Residential

Adjacent Land Use(s)

North: *Vacant*
South: *Single-Family Residential*
East: *Lake County*
West: *Open Space*

- Agriculture
- MCCD Agriculture
- Single-Family Residential
- Multi-Family Residential
- Open Space
- Golf Course
- Commercial
- Office
- Industrial
- Mixed Use
- Earth Extraction
- Vacant
- Government / Institutional
- Transportation, Communication, Utilities
- Under Review

Zoning Map



Subject Property

LAKE COUNTY



1 inch equals 1/4 mile

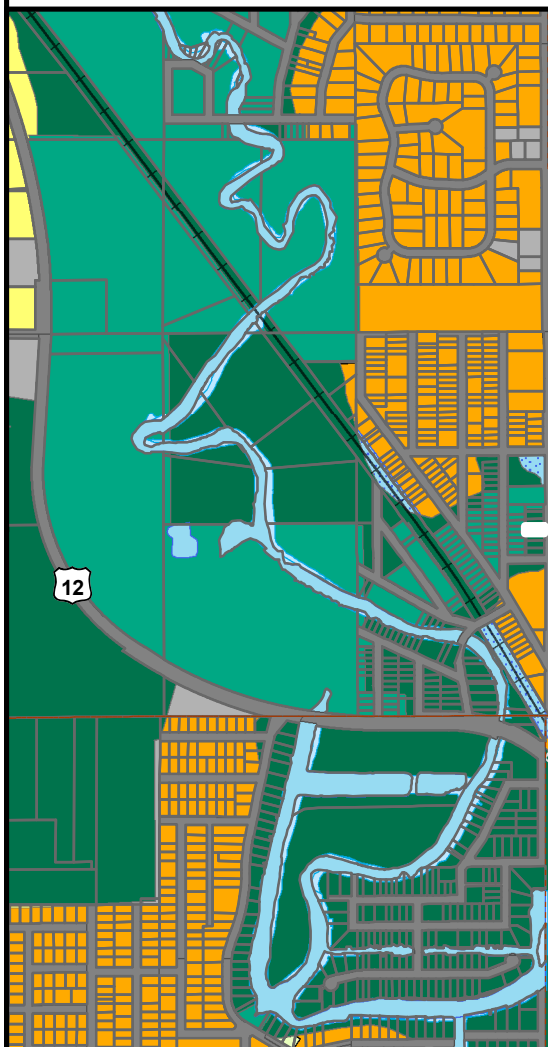
Current Zoning
B-1 Neighborhood Business

Adjacent Zoning

North: R-1 Residential
South: R-1 Residential
East: R-1 Residential
West: R-1 Residential

- A-1 Agriculture
- A-2 Agriculture
- E-5 Estate
- E-3 Estate
- E-2 Estate
- E-1 Estate
- R-1 Single-Family Residential
- R-2 Two-Family Residential
- R-3 Multiple-Family Residential
- B-1 Neighborhood Business
- B-2 Neighborhood Business
- B-3 General Business
- O Office / Research
- I-1 Light Industrial
- I-2 Heavy Industrial
- PD Planned Development
- C Conditional Use
- V Variation
- Incorporated

McHenry County 2030 Comprehensive Plan Future Land Use Map



LAKE COUNTY

Subject Property

Future Land Use Map Designation

Environmentally Sensitive Area

- Agricultural
 - Open Space
 - Environmentally Sensitive Area
 - Estate
 - Isolated Estate
 - Residential
 - Isolated Residential
 - Retail
 - Mixed Use
 - Office, Research, Industrial
 - Gov't, Institutional, Utilities
 - TOD Existing Rail Station
 - TOD Future Rail Station
 - Active Earth Extraction Site
 - Municipality
- Scale: 1 inch = 1/4 mile



Municipal / Township Plan Designations

<u>Burton Township:</u>	N/A	
<u>Spring Grove:</u>	High Density Residential – County Zoning	
<u>Johnsburg:</u>	N/A	
	<u>Fox Lake:</u>	Natural Area

McHenry County 2030 Comprehensive Plan — Text Analysis

Land Use

ENVIRONMENTALLY SENSITIVE AREAS – include existing floodplains, floodways, wetlands 10 acres and larger. These environmental resources are further discussed in the Greenways, Open Space, and Natural Resources and the Water Resources sections of the 2030 plan. Environmentally sensitive areas should be protected from negative impacts of adjacent land uses.

Sensitive Aquifer Recharge Areas

The site is located in a zone with elevated contamination potential.

Sensitive Aquifer Recharge Areas (SARA)



Sensitive Recharge Area

McHENRY-LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT



1648 S. Eastwood Dr. Woodstock, Illinois 60098 (815) 338-0444 ext. 3 www.mchenryswcd.org

April 7, 2025

Meagan J. O'Toole
6309 State Park Rd.
Spring Grove, IL 60081
Email: megotoole23@gmail.com

Re: Parcel # 05-32-434-014
Common Location: 6309 State Park Rd., Spring Grove, IL
NRI# L25-019-4680
Zoning Change: B-1 to R-1

Dear Ms. O'Toole

The McHenry-Lake County Soil and Water Conservation District has carefully reviewed your application for Natural Resource Information Report on the Meagan J. O'Toole property as applied for in Report #25-019-4680. Due to the amount of previously disturbed soils on the site, the SWCD finds that impact to natural resources from the proposed use is minimal for the purposes of the NRI report. A full Natural Resource Information Report will not be necessary, but we would like to highlight a few resources on and adjacent to the property.

Earthwork in or near a wetland requires a permit from the Army Corps of Engineers or the McHenry County Department of Planning & Development. The McHenry County ADID Wetland Inventory indicates the presence of a High Quality Wetland N428 on the western portion of your parcel (see attached ADID map). It is recommended that a jurisdictional wetland delineation be performed on this parcel before any additional construction occurs. Please contact the Army Corps of Engineers and McHenry County Department of Planning & Development for permit information.

Additionally, the FEMA Flood Insurance Rate Map (Panel 17111C0112J) indicates Zone AE, 100-year floodplain with a base flood elevation of 747' on your parcel. If additional construction is to occur it is recommended that you contact the McHenry County Department of Planning & Development for possible permitting requirements.

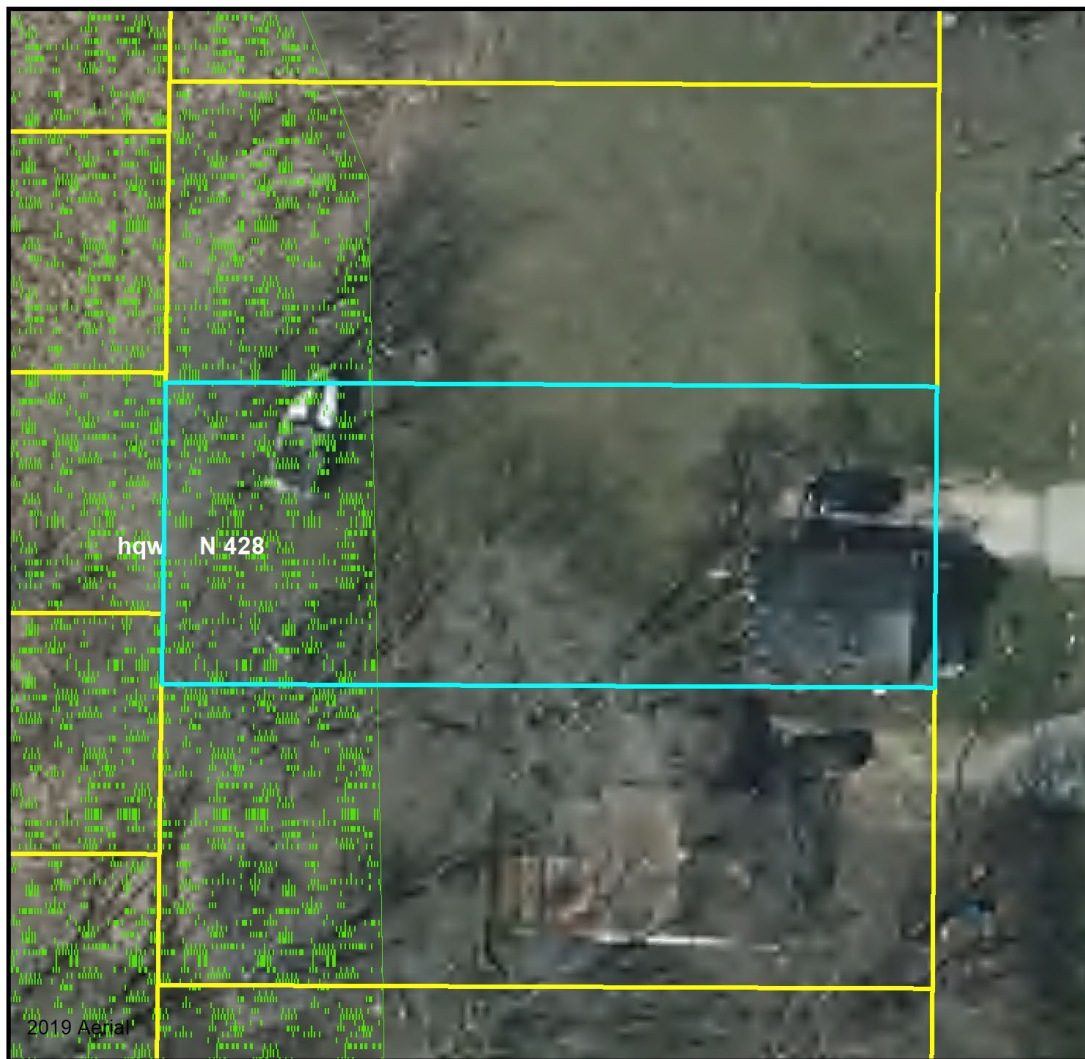
This letter fulfills your requirement to notify the SWCD of land use changes as per the Illinois Compiled State Statutes, Chapter 70, Par. 405/1 et seq. Illinois Revised Statutes, Ch. 5, Par 106 et seq. and the McHenry County Stormwater Ordinance. If you have any questions concerning this letter, feel free to call our office.

Sincerely,

A handwritten signature in black ink, reading "Spring M. Duffey". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Spring M. Duffey
Executive Director

cc. McHenry County Department of Planning and Development



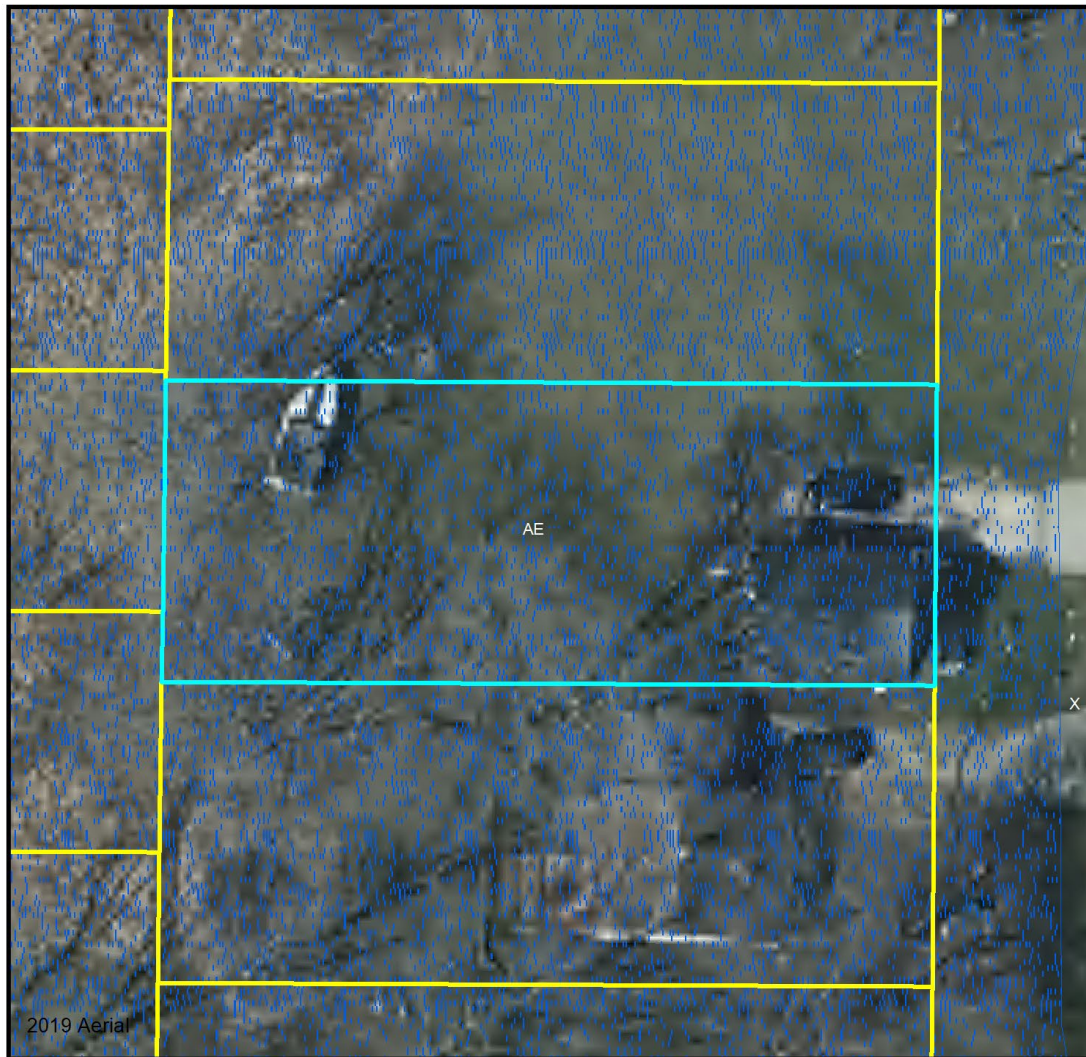
0 5 10 20 30 40 Feet

Produced By: McHenry-Lake County Soil & Water Conservation District



Key To Features	
	farmed wetland
	high functional wetland
	high quality lake
	high quality wetland
	lake
	wetland

Resources for the Future



0 5 10 20 30 40 Feet

Produced By: McHenry-Lake County Soil & Water Conservation District



Key To Features

FEMA Floodplain

Flood Zone



0.2 PCT ANNUAL CHANCE FLOOD HAZARD



100 yr



100 yr with base flood elevations determined



100 yr with 1-3 ft. flood depths



100 yr usually sheet flow

Resources for the Future

IN THE MATTER OF THE APPLICATION OF
TPE IL MH376, LLC, APPLICANT
FOR AN AMENDMENT OF THE UNIFIED DEVELOPMENT
ORDINANCE OF McHENRY COUNTY, ILLINOIS FOR A
CONDITIONAL USE

)
)
)
)
)

Z25-0057

WHEREAS, your Petitioner, **TPE IL MH376, LLC**, as your Applicant, has filed a petition with the McHenry County Zoning Board of Appeals requesting the issuance of a Conditional Use as it relates to the McHenry County Unified Development Ordinance, as it relates to the real property more fully described as:

PART OF THE WEST HALF OF THE SOUTHWEST QUARTER AND PART OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 44 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SAID WEST HALF OF THE SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 32 MINUTES 19 SECONDS EAST ALONG THE WEST LINE THEREOF, 179.42 FEET TO THE CENTERLINE OF U.S. ROUTE 14 PER PLAT OF DEDICATION RECORDED AS DOCUMENT NO. 1999R0076695; THENCE SOUTH 77 DEGREES 21 MINUTES 27 SECONDS EAST ALONG SAID CENTERLINE, 1892.40 FEET TO THE NORTHWEST CORNER OF THE LANDS DESCRIBED IN BOOK 429 OF DEEDS, PAGE 456; THENCE SOUTH 03 DEGREES 25 MINUTES 40 SECONDS WEST ALONG THE WEST LINE THEREOF, 90.85 FEET TO THE SOUTH LINE OF THE LANDS DESCRIBED AS PARCEL 1CV1018-B IN DOCUMENT NO. 2012R0041072 AND THE PLACE OF BEGINNING; THENCE NORTHWESTERLY 296.96 FEET ALONG SAID SOUTH LINE, BEING ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2,340.00 FEET, THE CHORD OF WHICH BEARS NORTH 69 DEGREES 40 MINUTES 23 SECONDS WEST, FOR A LENGTH OF 296.76 FEET TO THE SOUTH LINE OF THE LANDS DESCRIBED IN DOCUMENT NO. 656860; THENCE NORTH 77 DEGREES 21 MINUTES 27 SECONDS WEST ALONG SAID SOUTH LINE, 26.71 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 12 DEGREES 35 MINUTES 32 SECONDS EAST ALONG THE WEST LINE THEREOF, 1.74 FEET TO THE SOUTH LINE OF THE LANDS DESCRIBED AS PARCEL 1CV1018-A IN DOCUMENT NO. 2012R0041072; THENCE WESTERLY 186.61 FEET ALONG SAID SOUTH LINE, BEING ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2,340.00 FEET, THE CHORD OF WHICH BEARS NORTH 76 DEGREES 14 MINUTES 55 SECONDS WEST, FOR A LENGTH OF 186.56 FEET; THENCE ALONG SAID SOUTH LINE THE FOLLOWING 9 COURSES: (1) THENCE NORTH 78 DEGREES 32 MINUTES 04 SECONDS WEST, 288.51 FEET; (2) THENCE SOUTH 11 DEGREES 27 MINUTES 56 SECONDS WEST, 150.00 FEET; THENCE NORTH 78 DEGREES 32 MINUTES 04 SECONDS WEST, 60.00 FEET; (4) THENCE NORTH 11 DEGREES 27 MINUTES 56

SECONDS EAST, 150.00 FEET; (5) THENCE NORTH 78 DEGREES 32 MINUTES 20 SECONDS WEST, 92.84 FEET; (6) THENCE SOUTH 00 DEGREES 02 MINUTES 44 SECONDS WEST, 5.10 FEET; (7) THENCE NORTH 78 DEGREES 32 MINUTES 04 SECONDS WEST, 470.17 FEET; (8) THENCE NORTH 11 DEGREES 27 MINUTES 56 SECONDS EAST, 5.00 FEET; (9) THENCE NORTH 78 DEGREES 32 MINUTES 04 SECONDS WEST, 308.71 FEET TO THE EAST LINE OF THE LANDS DESCRIBED IN DOCUMENT NO. 2002R0030500; THENCE SOUTH 00 DEGREES 32 MINUTES 19 SECONDS EAST ALONG SAID EAST LINE, 209.67 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE SOUTH 89 DEGREES 27 MINUTES 41 SECONDS WEST ALONG THE SOUTH LINE THEREOF, 160.00 FEET TO THE WEST LINE OF THE SAID WEST HALF OF THE SOUTHWEST QUARTER; THENCE SOUTH 00 DEGREES 32 MINUTES 19 SECONDS EAST ALONG SAID WEST LINE, 2,136.98 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH 89 DEGREES 39 MINUTES 01 SECONDS EAST ALONG THE SOUTH LINE THEREOF, 1,311.29 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 00 DEGREES 33 MINUTES 18 SECONDS WEST ALONG THE EAST LINE THEREOF, 1,312.69 FEET TO THE SOUTHWEST CORNER OF THE SAID NORTHEAST QUARTER OF THE SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES 51 MINUTES 48 SECONDS EAST ALONG THE SOUTH LINE THEREOF, 481.78 FEET TO THE WEST LINE OF SAID LANDS DESCRIBED IN BOOK 429, PAGE 456; THENCE NORTH 03 DEGREES 25 MINUTES 40 SECONDS EAST ALONG SAID WEST LINE, 630.07 FEET TO THE PLACE OF BEGINNING, IN MCHENRY COUNTY, ILLINOIS.

PIN 13-23-300-026

Commonly known as US Route 14, Woodstock, Illinois, in Dorr Township.

WHEREAS, the Petition requests no reclassification of the subject property from its present classification which is ***"A-1" Agriculture District***, but a Conditional Use be granted ***to allow for a Commercial Solar Energy Facility***.

WHEREAS, the subject property consists of approximately ***74.826 acres*** in which no reclassification is contemplated.

WHEREAS, a hearing on said petition was held before the Zoning Board of Appeals of McHenry County in the manner and the form as prescribed by the Ordinance and Statute; and

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Zoning Board of Appeals of McHenry County ***did recommend, by a vote of 7 ayes and 0 nays, the granting of a Conditional Use to allow for a Commercial Solar Energy Facility, with the following conditions:***

1. **The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.**

2. Site development shall be in substantial conformance with the site plan prepared by Kimley-Horn, dated May 28, 2025 (attached).
3. The Decommissioning Plan shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the Decommissioning Plan.
4. A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.
5. A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.
6. Fencing shall be provided in compliance with the National Electrical Code, as applicable. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.
7. Recommendations made by the Illinois Department of Natural Resources in their January 15, 2025 letter to the applicants, with regard to protected resources in the vicinity of the project location, shall be followed.
8. All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.
9. All other federal, state, and local laws shall be met.
10. The energy storage system shall be removed from the site plan prepared by Kimley-Horn, dated May 28, 2025.

WHEREAS, the McHenry County Board has considered the recommendation as submitted by the Zoning Board of McHenry County.

WHEREAS, the McHenry County Board has determined that the standards for a Conditional Use Permit as set forth in the McHenry County Unified Development Ordinance and the Illinois Compiled Statutes have been met.

NOW, THEREFORE BE IT ORDAINED, that the Unified Development Ordinance and the Zoning Maps of McHenry County, and such Ordinances and such maps as amended, be and the same are hereby amended to allow the ***issuance of a Conditional Use to allow for a Commercial Solar Energy Facility, with the following conditions:***

1. *The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.*
2. *Site development shall be in substantial conformance with the site plan prepared by Kimley-Horn, dated May 28, 2025 (attached).*
3. *The Decommissioning Plan shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the Decommissioning Plan.*
4. *A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.*
5. *A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.*
6. *Fencing shall be provided in compliance with the National Electrical Code, as applicable. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.*
7. *Recommendations made by the Illinois Department of Natural Resources in their January 15, 2025 letter to the applicants, with regard to protected resources in the vicinity of the project location, shall be followed.*
8. *All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.*
9. *All other federal, state, and local laws shall be met.*
10. *The energy storage system shall be removed from the site plan prepared by Kimley-Horn, dated May 28, 2025.*

If any part, sentence, clause, or provision of this ordinance is adjudged to be unconstitutional or invalid, the remainder of this Ordinance shall not be affected thereby.

This Ordinance shall be in full force and effect from and after its passage as by law provided.

DATED this _____ day of _____, 2025.

Chairperson, McHenry County Board
McHenry County, Illinois

ATTEST:

County Clerk

NUMBER VOTING AYE: _____

NUMBER VOTING NAY: _____

NUMBER ABSTAINING: _____

NUMBER ABSENT: _____

ATTACHMENT: OFFICIAL SITE PLAN

MCHENRY COUNTY
ZONING BOARD OF APPEALS
MINUTES ● June 26, 2025

Zoning Hearing

County Board Conference Room

1:30 PM

667 Ware Rd, Woodstock, IL 60098

ZONING BOARD OF APPEALS REPORT TO THE MCHENRY COUNTY BOARD – Z25-0057

- 1. APPLICANT:** TPE IL MH376, LLC
- 2. REQUEST:** Conditional Use Permit to allow for a Commercial Solar Energy Facility
- 3. LOCATION AND SIZE OF PROPERTY IN QUESTION:** The property consists of approximately 74.826 acres and is located on the south side of U.S. Route 14, approximately one thousand five hundred (1,500) feet east of the intersection of Doty Road and U.S. Route 14, in Dorr Township, Illinois. PIN: 13-23-300-026
- 4. DATE AND TIME OF HEARING AND VOTING MEETING:** June 26, 2025 at 1:30 PM
- 5. LOCATION OF HEARING AND VOTING MEETING:** County Board Conference Room, 667 Ware Road, Woodstock, Illinois
- 6. PRESENT AT HEARING:**
 - A. ZBA Members: Linnea Kooistra – Chair, Vicki Gartner – Vice-Chair, Charles Eldredge, Kurt Schnable, Robert Kosin, Mary Donner, William Kurnik
 - B. Witness: Gloria Foxman - Turning Point Energy LLC, Ryan Solum – Licensed Professional Engineer, Project Manager with Kimley-Horn; Joseph Philip – Director of Engineering with Turning Point Energy; Bobby Ruiz – Fire Protection Consultant with Hiller; Andrew Hartigan – Real Estate Appraiser, MAI designated with CohnReznick
 - C. Attorney: Kyle Barry
 - D. Public: Kim Scharlow – County Staff; Kit GearhartSchinske – County Staff; Tiffany Umbarger; Joe Napolitano; Matt Hedges; Ronald Kurnowski
- 7. ITEMS OF EVIDENCE:** Power Point presentation

- 8. SUMMARY OF TESTIMONY:** Chair Kooistra opened the hearing. The board introduced themselves. Ms. Kooistra swore in the applicants, staff and the public.

Mr. Barry introduced himself and the applicants. Ms. Foxman introduced herself and the application. She discussed the benefits to McHenry County of the proposed solar farm. The benefits include: local jobs, opportunity for residents to subscribe and save on their electric bills, reduced greenhouse gas emissions, increased grid resiliency, pollinator habitat whose root structure improves soil structure.

Mr. Solum described the site plan and the site conditions. He stated that a drain tile study will be required and performed prior to construction. He stated that a wetland delineation was conducted and determined that they will not impact any federally jurisdictional wetlands on the site. He stated that they conducted a noise study which showed the noise level at forty-five (45) dBA. Mr. Kurnik asked if forty-five (45) dBA is quiet. Mr. Solum stated that it is comparable to the noise emitted by a refrigerator.

Mr. Phillip addressed the storage system proposed for the site. He stated that it is a twenty (20) megawatt hour storage system that will provide electricity to the grid in late afternoon, evening hours. The storage containers would be located near the entrance and co-located with the inverter and transformer away from housing and neighbors.

Mr. Ruiz addressed the safety of energy storage systems. He stated that he is a retired firefighter with forty-six (46) years of service, including as Fire Chief in Peoria, Arizona. Mr. Ruiz stated that energy storage systems are not new. He stated that they have evolved significantly over the past six (6) plus years. He further stated that there are over seven hundred (700) utility-scale energy storage facilities now operating in the U.S. Older facilities (2017-2019) had higher risk due to outdated materials (nickel, manganese, cobalt). He stated that newer technologies use safer materials like lithium iron phosphate. Mr. Ruiz stated that modern facilities have extensive sensors (heat, fire, gas) and ventilation systems to prevent and manage incidents. He stated that liquid cooling systems and deflagration panels improve safety and control. He stated that Battery Management Systems regulate voltage, monitor for abnormal heat, and can be shut down remotely; typically includes redundant monitoring systems. Mr. Ruiz discussed standards and testing. Facilities must comply with strict codes including International Fire Code, National Electric Code, and National Fire Protection Association 855 (specific to lithium-ion battery facilities). Underwriter's Laboratory (UL) 9540A testing requires batteries to undergo live burn tests to ensure fire does not propagate beyond a single container. He also stated that new facilities will have twelve (12) feet of spacing between containers, compared to only eight (8) inches in some older setups. He stated that recent incidents have proven that fires are being contained within individual containers.

Ms. Foxman stated that Hiller and project representatives are actively working with local fire departments, including recent meetings with Mr. Hedges, to ensure compliance and preparedness, and there would be ongoing training provided to firefighters and technical personnel.

Mr. Hartigan discussed property values. He stated that a general property impact study was included in the project application. He stated that the study was a Three-Pronged Research Approach:

- 1) Academic Studies including a 2024 Loyola University study focused on the Midwest (Illinois included). The Loyola study found utility-scale solar projects increased property values by 0.5% to 2%, largely due to increased tax revenue benefiting local schools and public services.
- 2) In-House Market Studies: CohnReznick has conducted over forty (40) studies nationwide comparing home sales near solar farms to similar homes farther away. Results show no consistent negative impact on property values near solar farms. Mr. Hartigan illustrated an example in Stephenson County, IL — two (2) test sales adjacent to a solar project showed a slight two (2) percent increase in property value compared to fourteen (14) control sales farther from the project. Test sales refer to homes sold within approximately one hundred twenty (120) feet of a solar farm.
- 3) Local Interviews conducted with brokers, county assessors, and township assessors. Feedback generally indicates no negative impact on property values from nearby solar farms. One broker shared that a buyer was unaware of a solar field across the street, implying no influence on purchase decision or value.

Mr. Kurnik asked if there is a concern about any potential contamination to the aquifer due to construction or operation. Mr. Solum stated that there is no reason for concern. He stated that during construction, there will be an erosion control plan in place that will be part of the stormwater pollution prevention plan and the National Pollutant Discharge Elimination System permit. He stated that the solar panels themselves are tier one (1). He stated that they are enclosed and do not pose a danger to the public. Ms. Foxman stated that planting pollinators under and around panels will improve the soil health and therefore water quality in the area.

Ms. Beverly asked if trees would be removed from the site. Ms. Foxman stated that they would not be removing trees near the road or in the big main grove. She stated that they would be removing areas of occasional trees.

Chair Kooistra opened the hearing to questions from the public. Mr. Kurnowski asked how much electricity is generated by the system. Ms. Foxman stated that it would generate enough electricity to power one thousand two hundred (1,200) to one thousand four hundred (1,400) homes.

Staff gave their report. The subject property is zoned “A-1” agriculture district. There is also “A-1” agriculture zoning to the east, west and south of the subject property. Staff stated that there is a solar farm under development within the City of Woodstock across the street to the North of the subject property. Staff stated that the subject property and the surrounding area is agricultural usage with the exception of the area to the Northwest which is residential use.

Ms. Kooistra asked Staff to address pollinator friendly landscaping. Staff stated that Planning and Development requires a landscape monitoring and maintenance plan at the time of building permit application. Staff reviews and approves the plan. She stated that Staff inspects the site annually or more frequently if needed to ensure that plantings are being established. Staff stated that it can take up to five (5) years for complete establishment of native plantings. Staff communicates with the project managers regarding any deficiencies or concerns.

Staff addressed the energy storage system. Staff stated that the Unified Development Ordinance does not currently list an energy storage system as a principal use, so Planning and Development would not allow for it as a standalone use on a property. It has been determined by the zoning enforcement officer that as an accessory use to a solar farm, it would be allowed just like any of the other equipment such as inverters. Staff stated it is supporting equipment.

Ms. Kooistra opened the floor to comments from the public. Mr. Kurnowski gave a comment.

Chair Kooistra closed the testimony portion of the hearing.

9. SOIL AND WATER CONSERVATION DISTRICT REPORT:

For further information refer to report number: 25-037-4698.

10. ILLINOIS DEPARTMENT OF NATURAL RESOURCES:

The consultation was received for this application.

11. SUMMARY OF VOTING MEETING DISCUSSION:

Chair Kooistra opened the voting meeting immediately following the hearing. She asked the board if they would allow her to not read the conditions into the record as her voice was failing. The board agreed.

Mr. Eldredge made a motion to add a condition to remove the energy storage system from the site plan. Ms. Beverly seconded the motion. Mr. Eldredge stated that he appreciates the information provided by the commissioner, but he would like a presentation from a disinterested, unrelated third-party expert before he could make a decision regarding energy storage systems.

Ms. Beverly stated that the IPA study indicates the need to get energy storage systems online and that they will reduce our energy costs. She stated that she would be more comfortable assessing proposals for energy storage systems once the Unified Development Ordinance has standards for siting, location and safety of energy storage systems.

Mr. Kurnik stated that the applicant has supplied an expert by experience and training who has given positive testimony regarding the safety of the energy storage systems. He stated that the technology has existed for ten (10) years. He stated that the energy storage systems are used in other applications. He stated that there is no difference in using the energy storage systems in the commercial solar energy system.

Ms. Kooistra stated that because the Unified Development Ordinance has not addressed the energy storage system, she would feel more comfortable voting on it after the Ordinance has standards for the board to assess.

The Zoning Board of Appeals asked Staff to provide a third-party independent expert to educate the board on the matter of energy storage systems. Motion carried (7-0).

Mr. Eldredge moved to accept the conditions as amended. Ms. Donner seconded the motion. Motion carried (7-0).

Mr. Eldredge moved to accept the petition subject to the conditions. Ms. Donner seconded the motion. He stated that the property in question is a semi-rural area between Woodstock and Crystal Lake along U.S. Route 14, directly across the street from another solar farm that is within the jurisdiction of the municipality of Woodstock. He stated that there is an earth extraction mine in the area, and it is a commercial corridor.

Ms. Kooistra stated that the standards have been met. Motion carried (7-0).

12. FACTS THAT SUPPORT RECOMMENDING APPROVAL OF THE REQUEST:

- The property is zoned "A-1" Agricultural District.
- The surrounding land use for the property is mainly agricultural.
- There is a commercial solar energy system in development to the North of the subject parcel and within the jurisdiction of the City of Woodstock.
- All county and state standards have been met.

13. FACTS THAT SUPPORT RECOMMENDING DENIAL OF THE REQUEST: None.

14. MOTIONS:

Mr. Eldredge made a motion to add a condition to remove the energy storage system from the site plan. Ms. Beverly seconded the motion. Motion carried (7-0).

Mr. Eldredge moved to accept the conditions as amended. Ms. Donner seconded the motion. Motion carried (7-0).

Mr. Eldredge moved to accept the petition subject to the conditions. Ms. Donner seconded the motion. Motion carried (7-0).

15. VOTE:

7 – AYES; 0 – NAYS; 0 – ABSTAIN

GOES TO COUNTY BOARD WITH ZBA RECOMMENDATION FOR Approval of the conditional use subject to the following conditions:

1. The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.
2. Site development shall be in substantial conformance with the site plan prepared by Kimley-Horn, dated May 28, 2025 (attached).

3. The Decommissioning Plan shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the Decommissioning Plan.
4. A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.
5. A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.
6. Fencing shall be provided in compliance with the National Electrical Code, as applicable. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.
7. Recommendations made by the Illinois Department of Natural Resources in their January 15, 2025 letter to the applicants, with regard to protected resources in the vicinity of the project location, shall be followed.
8. All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.
9. All other federal, state, and local laws shall be met.
10. The energy storage system shall be removed from the site plan prepared by Kimley-Horn, dated May 28, 2025.

Full Comments for the above agenda items are included in the audio recording of this meeting, which can be found on the McHenry County Meeting Portal. Portions of this document were produced with the assistance of OpenAI (2025) GhatGPT-4o in compliance with the McHenry County Artificial Intelligence Appropriate Use Policy.

Linnea Kooistra:

Okay, we'll come back to order. Before we continue, I just have a question for Kim. I just want to ask you if you feel that the petitioner has addressed the county and the state standards, and if they meet those standards?

Kim Scharlow:

Yes, I do believe they've met them.

Linnea Kooistra:

Okay. All right. Go ahead with whatever you wanted to ask us.

Kyle Barry:

I think that was the only thing, that I would echo what Kim said. And we appreciate the opportunity for the lengthy discussions this afternoon, and we appreciate the air conditioning, and appreciate the probative questions. This was a good discussion. Thank you.

Linnea Kooistra:

Well, this board, I would say we're very diverse and I think we do our due diligence on behalf of the taxpayer. So at this time we will close the hearing portion of the meeting. We'll move on to the voting portion. Again, this is Petition Z25-0057. And again for our conditional use permit to allow for commercial solar energy facility. So I'm just going to bring up the question to Mr. Eldredge, because you asked to have an expert. Do you want to vote on this without this battery storage, or do you want to continue this until we get an expert? Because you're the one that asked staff about this.

Charles Eldredge:

Well, I don't really care. I mean if we're going to vote on it, I would like separate vote on the-

Linnea Kooistra:

Storage.

Charles Eldredge:

On the storage portion.

Linnea Kooistra:

But the request doesn't even include the storage portion.

Speaker X:

Yes.

Charles Eldredge:

Yeah. well-

Linnea Kooistra:

It's part of the site plan. So we could ask to have it eliminated off the site plan.

Charles Eldredge:

Yes. I mean what I would recommend is that we go ahead, vote on it. I will propose a condition that the battery storage be eliminated from the site plan, which I would be happy to reconsider, after we learn more about safety with regard to these.

Linnea Kooistra:

Okay. So staff has proposed nine conditions, and they're up on the screen. Does anyone on the board have any objection to me not reading through them, since...

Speaker X:

[inaudible 01:55:49].

Linnea Kooistra:

... my voice is kind of an issue? It's okay? All right. Do we have any other proposed conditions?

Charles Eldredge:

Yes, my proposed condition is the removal of battery storage from the site plan.

Linnea Kooistra:

Is there a second?

Jessica Beverly:

I'll second.

Linnea Kooistra:

It's been moved by Mr. Eldredge to add a condition to remove the battery storage. And seconded by Ms. Beverly. Discussion, Mr. Eldredge.

Charles Eldredge:

Well, I've already said what I have to say. I really appreciate the information that's been provided by the commissioner, but I don't believe I know enough, and I believe I need a presentation from the disinterested, unrelated third-party expert, before I would have a chance of knowing enough to vote in favor. My suspicion is that after such a vote, such a presentation, I'd be comfortable enough to vote in favor. But right now by their testimony, it has the possibility of explosion, the possibility of fire. And while there are safeguards, I've never known safeguards that can't fail under some circumstances. And given my limited knowledge, I simply can't vote in favor without knowing.

Linnea Kooistra:

Any other comments? I'll just go down that line. Mr. Kosin, do you have any other comments?

Robert Kosin:

Yes, as one who has already said that I'd be supporting questioning of the ESS, I am more than otherwise known as an early adopter for technology. But that is in my own life and with my own family, much to the dismay of members of my family. But this is an element that is written in our requirements of health, safety, and general welfare for public purposes. And at this point we've had a wonderful discussion of new technology, and the delivery of the company has already proven itself, but yet it is still vague to the standard of health safety, general welfare. And I would be supporting such [inaudible 01:58:24].

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

My personal opinion is the state of Illinois has got a lot of government officials that are pushing these as part of their plan. I understand that and I get that, but I can tell you right now, if this was across the street from a residential subdivision, I would never vote to support the battery portion. And that's all I have to say right now.

Linnea Kooistra:

Ms. Beverly.

Jessica Beverly:

Yeah. It's my understanding that this is where the technology's going. We've had multiple developers present that we will expect to see these types of things in the future. And it's my understanding that there have been multiple failed bills in Springfield attempting to regulate them or introduce them into the market, similar to the Solar Sighting Act. And we have purposely put off in our UDO, regulating it ourselves while we wait for more guidance. And I'm not prepared to move forward with it until we get that guidance.

Linnea Kooistra:

Ms. Donner, any comments?

Mary Donner:

I am very conflicted for a number of reasons, but I will agree with the board's decision.

Linnea Kooistra:

Mr. Kurnik.

William Kurnik:

I too am conflicted, and I guess the first question I would ask, is Charlie, to address your issue about getting a disinterested third party.

Charles Eldredge:

How do we do that?

William Kurnik:

Any expert that's going to come and testify, that's retained by the petitioner is by definition, at least from my perspective, not disinterested, they're being paid by the petitioner.

Charles Eldredge:

I agree. I think the county needs to bring us somebody.

William Kurnik:

I don't know how we do that. So I guess your view is we continually deny these requests until the county acts?

Charles Eldredge:

Yes. That's my position.

William Kurnik:

My view is that I thought this was the first application of these battery storages with a solar panel. But being an alternate, I figured, well, maybe it's not the first time, I just was not in attendance. But I gather I'm correct that this was the first time the board has been...

Charles Eldredge:

Yes.

William Kurnik:

... presented with this. From my view, we have an expert by experience, if not by training, who's given positive testimony about the safety of these from my perspective. And this is as I understand the testimony, and you folks can correct me, this is just a different application of technology that is not new. These batteries I understand have been around for 10 years I think is the testimony. There's other applications for these batteries. I don't see how the battery being used in this application is any different than these types of batteries being used in other than solar farms. So while I'm conflicted, I think that based upon the testimony we've heard, and the safety aspects of it, that I'm not in favor of the amendment of removing this. For those reasons.

Mary Donner:

[inaudible 02:01:47].

Linnea Kooistra:

One sec. Go ahead.

Mary Donner:

As long as we're having a discussion and these are our statements, what do we do if we can find this third party that can come in and talk to us and tell us that everything is A okay, and these people are now out of that situation because we've approved it without it, now that they have to come back and say, "Now we want that battery to go back in," or "It is part of this petition." This is where I get conflicted. Where do we end up saying yes or no to that? And I understand exactly why we wouldn't,

but I also say now what happens if in the time it takes for you to actually get this moving, it's going to be a year before you get started or two years before you get started, and we get somebody in here or some other company comes in here and there have been the discussions and the presentations made?

Now we've told these people no and some other people two years from down the line when these are ready to go, we already know it's okay and we would approve somebody else. That's my conflict, is I just don't know how we say no to somebody and they're not even going to get started for another two years or a year. Isn't there a different kind of requirement or question or condition that we can have that would solve that? And I don't know how. I don't know that-

Linnea Kooistra:

Well, Mary, it is not part of this petition, as was stated by staff.

Mary Donner:

Okay.

Linnea Kooistra:

This is not part of the petition. It's an accessory use. So it was not asked for in the petition, it's just on the site plan.

Mary Donner:

Okay.

Linnea Kooistra:

And I will just say, just because we have not addressed it in the UDO, I would feel much more comfortable voting on it after our staff has set some standards for us to look at. And until that time, as a person who's not an expert, even though I appreciate the testimony of this man who's come forth, and I think he's really representing firefighters and just really wanting to protect them, and making sure that batteries are safe for them. But even with that excellent testimony, I just feel in our role as a zoning board, I just feel like we need some guidance in our UDO as to what we need to look at, before we say yes, it's safe, representing the interests of the public. And so I'll just agree with Mr. Eldredge, and when the county comes forth with, maybe they amend the UDO and add something for us to look at, then I'll be comfortable voting yes on that.

Charles Eldredge:

And I see no reason if that happens before they've constructed this, for them not to come back to us, [inaudible 02:04:53] asked to be added back in, then I certainly would consider that on top of that.

Linnea Kooistra:

I would as well.

Mary Donner:

Okay. Okay, that helps me out a lot.

William Kurnik:

Can I just ask one... I mean Kim, can staff do the necessary... Are they equipped to do investigation to do some research, and come up with-

Kim Scharlow:

We can certainly try. I know there are other jurisdictions that have added standards to their ordinance, I believe Will County added to their ordinance. They may have connections there. City of McHenry, I have a connection over there that possibly would be able to, because they have the standalone utility scale energy storage there, I might be able to reach out and see if there is somebody that would be willing to come and give more information.

Charles Eldredge:

Well, and somebody like Underwriters Laboratories or the National Fire Protection, or National Electricians whatever, undoubtedly have experts in this field. It's just a question of finding them.

Gloria Foxman:

We have to look [inaudible 02:06:06].

Charles Eldredge:

And then requiring probably some cost of having them come to talk us.

Gloria Foxman:

Right. I will have to look into that, but I can certainly do that.

Mary Donner:

Well, and so-

Linnea Kooistra:

I think it's something that we kind of need to be able to come back too. So I'll call for the vote on this new condition, this would be condition number 10. Mr. Eldredge?

Charles Eldredge:

Yes.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Yes.

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Beverly?

Jessica Beverly:

Yes.

Linnea Kooistra:

Ms. Donner.

Mary Donner:

Yes.

Linnea Kooistra:

Mr. Kurnik?

William Kurnik:

Yes.

Linnea Kooistra:

And I will vote yes. So this condition is approved, seven to nothing. At this time I would take a vote on all the conditions.

Charles Eldredge:

I move, acceptance of all the conditions as amended.

Mary Donner:

I'll second.

Linnea Kooistra:

It's been moved by Mr. Eldredge, second by Ms. Donner to approve the conditions. Any discussion? And I'll call for the vote. Mr. Eldredge?

Charles Eldredge:

Yes.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Yes.

Linnea Kooistra:

Mr. Schnable.

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Beverly?

Jessica Beverly:

Yes.

Linnea Kooistra:

Ms. Donner.

Mary Donner:

Yes.

Linnea Kooistra:

Mr. Kurnik?

William Kurnik:

Yes.

Linnea Kooistra:

And I'll vote yes. So the conditions are approved, seven to zero. At this time I would-

Charles Eldredge:

Madam Chairman, I move acceptance of the petition subject to the conditions.

Mary Donner:

I'll second.

Linnea Kooistra:

It's been moved by Mr. Eldredge, seconded by Ms. Donner, to approve this request with the conditions attached to it. Discussion. Mr. Eldredge.

Charles Eldredge:

Yes, this is a semi-rural area between Woodstock and Crystal Lake along 14, which is a major US highway. It is directly across the street from another solar farm that is within the jurisdiction of the municipality of Woodstock. There's a gravel pit in the area, it is a commercial corridor that is gradually... Well, maybe not so gradually developing in various ways as Crystal Lake and Woodstock come closer to one another. In my view, this is a petitioner who has had a number of successful petitions for solar

farms. Heretofore, I think they do a wonderful job of preparation and presentation, and I am happy to approve of this now that the storage has been removed until we learn more, and I support the petition.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

I can only echo the satisfaction of the presentation of the petition meeting the standards for it, with the expectation that it would be equivalent as well once such a presentation is given on the ESS, with the same kind of quality that the rest of the industry, who is likely to follow along Northwest Highway, from as far west as Boone County, I'm told, to arrive here in McHenry and fulfill such a standard.

Linnea Kooistra:

Mr. Schnable.

Kurt Schnable:

I agree with exactly what's been said so far.

Linnea Kooistra:

Ms. Beverly.

Jessica Beverly:

I agree with what's been said. I understand the IPA study saying that we have to get battery storage online, that it will reduce our bills. I've seen all that, I've seen the proposed bills. I would like to see our UDO reflect some sort of standard for siting and for location and for safety purposes before I'm going to be comfortable bringing in here. We have very intense fires in this area, we've had like four barn fires. I'm not comfortable introducing another massive fire risk to the area without staff having standards established.

Linnea Kooistra:

Ms. Donner.

Mary Donner:

[inaudible 02:10:32]. I agree with everyone who has spoken already. I hate pig in a poke. It's the first time. It's always hard to be the first one in and to see where it's going. And so we have to be very careful. This board is under huge scrutiny all the time, and so do not be as tight as we are in working on this, I have to go along with it. So I'm going to be voting, yes.

Linnea Kooistra:

Mr. Kurnik.

William Kurnik:

I have nothing to add.

Linnea Kooistra:

And I agree that the standards have been met. And with the public act passed by the state of Illinois, as long as their location standards are met, the county cannot deny a request. And the state standards have been met for siting this facility. So I'm in favor of the request. So I will call for the vote. Mr. Eldredge?

Charles Eldredge:

Yes.

Linnea Kooistra:

Mr. Kosin?

Robert Kosin:

Yes.

Linnea Kooistra:

Mr. Schnable?

Kurt Schnable:

Yes.

Linnea Kooistra:

Ms. Beverly?

Jessica Beverly:

Yes.

Linnea Kooistra:

Ms. Donner?

Mary Donner:

Yes.

Linnea Kooistra:

Mr. Kurnik?

William Kurnik:

Yes.

Linnea Kooistra:

And I'll vote yes. So this goes to the county with a seven to zero vote, approving the request. At this time, the hearing is closed.

This transcript was exported on Jul 03, 2025 - view latest version [here](#).

Kyle Barry:

[inaudible 02:11:47].

Speaker 5:

Thank you.

Speaker X:

Thank you.

Thank you.

Thank you.

There you go.

PART 4 OF 4 ENDS [02:11:51]

Staff Report for the McHenry County Zoning Board of Appeals

Application: #Z25-0057

PIN: #13-23-300-026

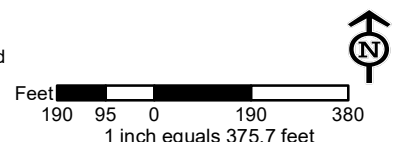
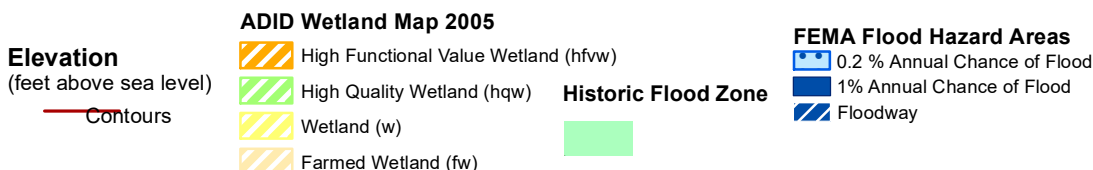
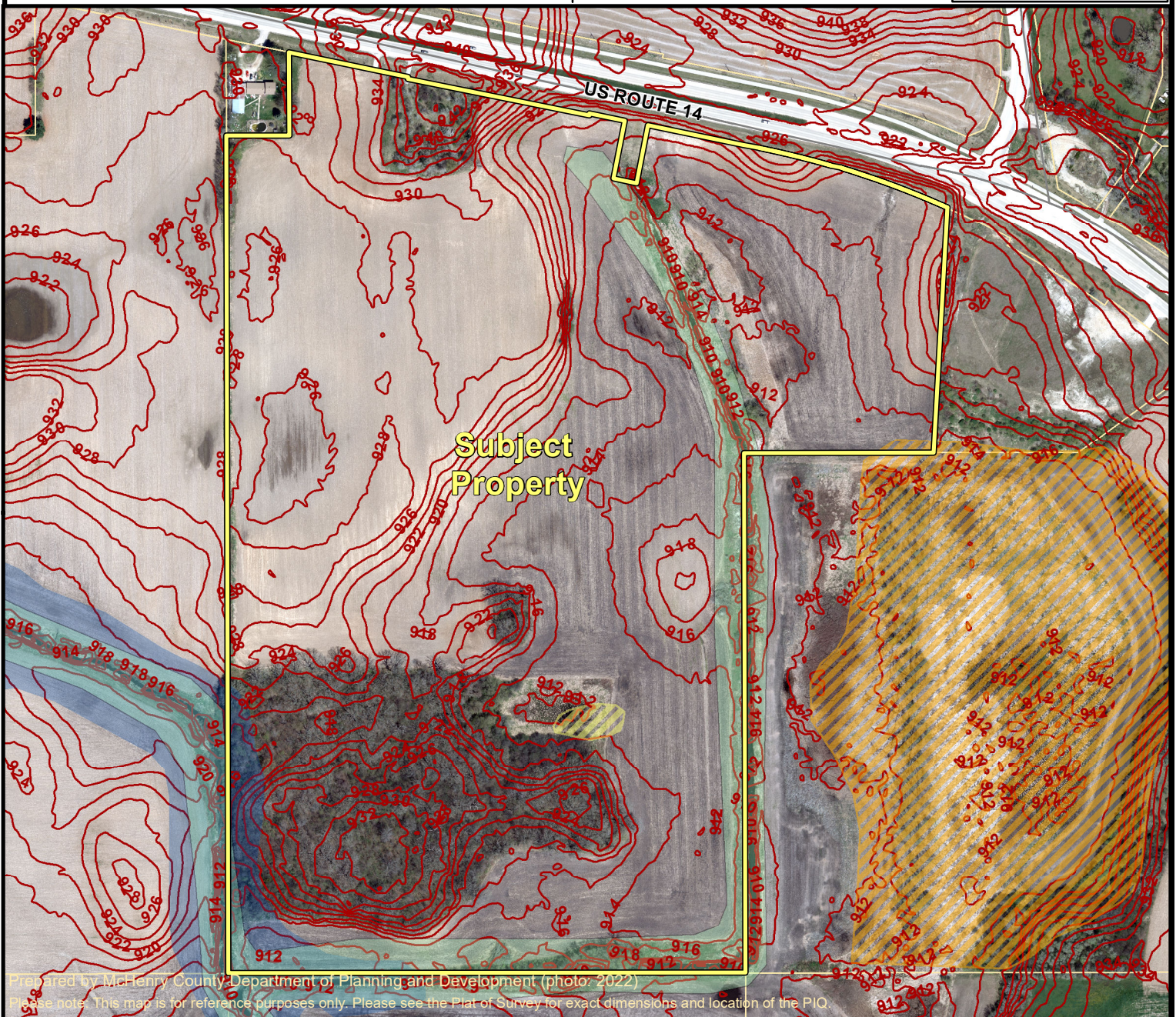
Location: The property consists of approximately 74.826 acres and is located on the south side of U.S. Route 14, approximately one thousand five hundred (1,500) feet east of the intersection of Doty Road and U.S. Route 14, in Dorr Township, Illinois.

Hearing: June 26, 2025

Applicant: TPE IL MH376, LLC

Request: Conditional Use Permit to allow for a Commercial Solar Energy Facility

Aerial Map



Staff Report for the McHenry County Zoning Board of Appeals

STAFF COMMENTS

The following comments and conclusions are based upon staff analysis and review prior to this hearing and are to be considered viable unless evidence is established to the contrary. Staff may have additional comments based upon the testimony presented during the public hearing.

BACKGROUND & REQUEST SUMMARY

The applicant is requesting a Conditional Use Permit to allow for a Commercial Solar Energy Facility. The subject property consists of approximately seventy-four and eight tenths (74.8) acres and is zoned A-1 Agriculture District. According to aerial photography, the subject property is currently in crop production, with a portion of the property in woodlands (approximately twenty-two (22) acres, as identified by the Soil and Water Conservation District). The proposed site plan indicates the majority of the woodlands will be avoided.

According to the narrative, the applicant is proposing a 4.99-megawatt commercial solar energy facility, enclosed by a seven (7)-foot security fence, per the regulations of the National Electric Code. The nearest adjacent residence on a nonparticipating parcel is over one-hundred fifty (150) feet from the proposed location of the solar array.

Note: On January 27, 2023, the State of Illinois passed Public Act 102-1123 (further modified under trailer bill P.A. 103-0580 on December 8, 2023), which modifies regulations for proposed commercial solar energy facilities. The County of McHenry has amended the Unified Development Ordinance, as of April 18, 2023, in order to comply with the State's regulations.

MCHENRY COUNTY UNIFIED DEVELOPMENT ORDINANCE

- The applicant must meet the Principal Use Standards for a Solar Farm, listed in County Code Section 16.56.030.PP of the UDO (*with the exception of any changes provided by Public Act 102-1123, as outlined above*).

STAFF ANALYSIS

Current Land Use & Zoning

The property is adjacent to Agricultural uses to the north, south, east and west, single-family residential use to the northwest, and vacant property to the east. The surrounding zoning consists of A-1 Agriculture District to the east, south and west and the City of Woodstock to the north.

2030 Comprehensive Plan Future Land Use Map

The proposed conditional use permit is somewhat consistent with the County's future land use designation of Office, Research, Industrial.

2030 Comprehensive Plan & 2030 and Beyond Analysis

The 2030 Comprehensive Plan and 2030 and Beyond Update support the construction of commercial solar energy facilities within existing agricultural areas. (*See analysis below*)

McHenry County 2030 and Beyond, Adopted October 18, 2016

Big Idea #1 Let's make our communities healthy, active, and green

"We can make it happen by preserving our groundwater aquifers, lakes, rivers, streams, and their natural functions." (p.11)

- The McHenry County Water Resources Division has determined that the panels will not be calculated as an impervious surface for the development permit. This is because the panels are proposed to be elevated above the ground several feet and supported by driven piles. The petitioner will be required to obtain a Stormwater Management Permit which will include calculations for all impervious areas, including but not limited to the piles, access drives, and equipment pads.

Big Idea #2 Let's build on our strengths

"We can make it happen by recognizing the economic and social importance of our agricultural industry." (p. 15)

- The McHenry County Soil and Water Conservation District's Natural Resources Inventory report (#25-037-4698) indicates that the LE score is 84 out of a possible 100 regarding soils for crop production. This is due, in part, to approximately 39.3% of the site containing prime farmland soils. The concerns that the development of solar facilities in the county will result in the loss of farmland, particularly prime farmland can be remediated because, unlike other forms of development, the land is preserved for future farming. Also, the proposed native vegetation may slow the velocity of runoff, capturing sediments or other pollutants and allowing water to infiltrate into the soil, thereby reducing potential for erosion and sedimentation and improving soil conditions.

Big Idea #3 Let's grow smarter

"The county should also be open to commercial enterprises in the unincorporated areas that are major generators of jobs or tax revenues for which no suitable municipal sites exist elsewhere in the county, or that are dependent upon a direct proximity to agriculture or open space and designed in harmony with these areas." (p. 17 & 21)

- Due to the size and scale of the project, undeveloped acreage is important to the siting and development of a commercial solar energy facility. The applicant should be prepared to address how the proposed use relates to the statement above regarding generation of jobs, tax revenues, and siting of the facility.

Big Idea #4 Let's expand our economy

"We can make it happen by improving infrastructure, including freight and commuter rail, access to major regional and interstate roadways, and access to high-speed internet services." (p.22)

- The proposed commercial solar energy facility will provide a renewable energy source to the electrical grid as an alternative to energy created from sources with a larger carbon footprint.

McHenry County 2030 Comprehensive Plan, Adopted April 20, 2010

Community Character & Housing

No applicable text.

Agricultural Resources

"Encourage owners of parcels with the greatest potential for productive agricultural use, such as parcels with an LE score of 80 or above that are in agricultural use and contiguous with other such parcels, to preserve their parcels for agricultural uses." (p. 38, #7)

- Commercial solar energy facilities typically have a life of approximately thirty (30) to forty (40) years and after that time the property may return to agriculture.

"Continue joint participation with the USDA Natural Resources Conservation Service and McHenry County Soil and Water Conservation District in educational programs regarding best soil conservation practices and improving rural water quality." (p. 38, #20)

- The McHenry-Lake County Soil and Water Conservation District recommends that areas between panels be planted to a native prairie mix to help increase water infiltration and reduce runoff from the site. It is recommended that a planting and maintenance plan be developed with the landowner to ensure that noxious weeds are controlled, and native plantings are properly installed and managed. The petitioner is encouraged to add pollinator species to this planting plan. The Soil and Water Conservation District also recommends, upon decommissioning, that if any underground lines are to remain, they should have at least five (5) feet of cover to adequately allow farming operations to commence after the facility's removal.

Greenways, Open Space & Natural Resources

"Protect environmentally sensitive areas from negative impacts of adjacent land uses." (p.57, #9)

- The IDNR identified protected resources may be in the vicinity of the project location, including Gladstone Fen Class III Groundwater Site and Blanding's Turtles. They provided recommended actions to be taken to avoid adversely impacting listed species and protected natural areas in the vicinity of the project. If these recommendations are adopted, the IDNR has determined impacts to the protected resources are unlikely.
- The Soil and Water Conservation District identifies approximately ten (10) mature Bur Oak trees within the proposed impact area. They recommend this area be avoided to preserve this valuable resource.

"Encourage the design of developments to achieve the broader sustainability of human and natural communities, including the social and economic dimensions of sustainability." (p. 57, #15)

- The proposed commercial solar energy facility will contribute to a broader sustainability objective in that it will produce clean energy as a replacement for energy produced by unsustainable means.

Water Resources

"Preserve and enhance the chemical, physical, biological, hydrologic integrity of streams, lakes and wetlands." (p.63)

"...land use and development should be carefully examined and regulated within sensitive groundwater recharge areas to ensure that the water quality, quantity, and natural recharge functions of the area are safely maintained." (p.67)

- The applicant will be required to obtain a Stormwater Management Permit prior to construction.

Economic Development

"Decrease the degree to which the residential sector in the County must pay for services." (p.87)

- The state legislature has approved standards that would regulate how commercial solar energy facilities are assessed for tax purposes. The standards would result in an increase from the current assessed value of agricultural land.

Infrastructure

"It is estimated that every 120 MW of solar power would eliminate 1.7 million tons of carbon dioxide emissions which is the equivalent of removing 310,000 vehicles from the nation's roadways annually. A 1,000 MW coal plant produces approximately 6 million tons of carbon dioxide per year." (p.116)

"Encourage all governmental units in the County to adopt and support ordinances that will enhance all segments of the areas electric grid." (p. 120, #5)

The proposed commercial solar energy facility is consistent with the *Comprehensive Plan* support of more sustainable energy sources.

STAFF ASSESSMENT

The 2030 Comprehensive Plan and the 2030 and Beyond Update both support the development of commercial solar energy facilities. Once the facility is constructed, there is very little to no traffic generated by the use. There is very minimal risk of noise, lighting, or other nuisances generated by this use. The proposed use is compatible with adjacent uses. As noted within Public Act 102-1123, a request for a Conditional Use Permit for a commercial solar energy facility shall be approved if the request is in compliance with the standards and conditions imposed within the Act, the zoning ordinance adopted consistent with this Code, and the conditions imposed under State and Federal statutes and regulations. A County may not adopt zoning regulations that disallow commercial solar energy facilities from being developed or operated in any district zoned to allow agricultural or industrial uses. All construction will be required to meet applicable codes and ordinances for: fire protection, commercial building and electrical construction, and stormwater management.

Staff offers the following conditions for consideration:

1. The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.
2. Site development shall be in substantial conformance with the site plan prepared by Kimley-Horn, dated May 28, 2025 (attached).
3. The *Decommissioning Plan* shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the *Decommissioning Plan*.
4. A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.
5. A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.
6. Fencing shall be provided in compliance with the National Electrical Code, as applicable. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.
7. Recommendations made by the Illinois Department of Natural Resources in their January 15, 2025 letter to the applicants, with regard to protected resources in the vicinity of the project location, shall be followed.
8. All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.
9. All other federal, state, and local laws shall be met.

16.56.030 Principal Use Standards

PP. COMMERCIAL SOLAR ENERGY FACILITY. Conditional use permits for a COMMERCIAL SOLAR ENERGY FACILITY shall have no time limit, unless the use is abandoned as specified in subsection PP.4. below (COMMERCIAL SOLAR ENERGY FACILITY: Abandonment), or the permit is revoked in accordance with § 16.20.040I. (Revocation of Conditional Use Permits).

1. Application.

- a. A threatened and endangered species consultation (EcoCAT) from the Illinois Department of Natural Resources is required at the time of conditional use permit application for any site that is five (5) acres or greater in size and currently in agricultural use or undeveloped.
- b. A site plan shall be provided showing all improvements, including structures, fencing, power lines (above and below ground), lighting, and landscaping, at a detail sufficient to understand the location, height, appearance, and area.
- c. All other application submittal requirements outlined in the *Planning and Development Department Zoning Application Packet* as published on the McHenry County Website.

2. Site design.

- a. Solar panels, structures, and electrical equipment, excluding fences and power lines for interconnection, shall be erected no less than fifty (50) feet from any lot line and no less than one hundred fifty (150) feet from any residence, other than a residence on the same ownership parcel.
- b. No structures, excluding power lines for interconnection, may exceed twenty (20) feet in height. Power lines shall be placed underground to the maximum extent possible.
- c. Lighting must comply with § 16.60.020 (Exterior Lighting).
- d. Solar panels shall have a surface that minimizes glare and shall comply with § 16.60.040D. (Lighting and Glare).
- e. The facility shall be situated as to minimize impacts to woodlands, savannas, wetlands, drainage tiles, and encroachment into flood plains. All site development shall comply with the Stormwater Management Ordinance. Any damaged drainage tiles shall be repaired.
- f. In order prevent erosion, manage run-off, and provide ecological benefit, the facility shall be planted with "low-profile" native prairie species, using a mix appropriate for the region and soil conditions per Illinois Department of Natural Resources (IDNR) standards, as amended from time to time.
- g. Fencing shall be provided in compliance with the National Electrical Code, as applicable. The use of barbed wire must comply with § 16.56.050H.1.c. of this Ordinance.
- h. Any part of the facility that is within five hundred (500) feet of a NONPARTICIPATING RESIDENCE, or road right-of-way, shall be landscaped with an arrangement of native shrubs, subject to approval by the County Board, unless the facility is screened from view by existing vegetation.
- i. Prior to building permit issuance, the operator shall prepare a landscape monitoring and maintenance plan to ensure the establishment and continued maintenance of the native prairie species, all installed landscape screening, and all existing vegetation that provides required landscape screening.
- j. Prior to scheduled public hearing, the operator shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture (IDOA), as required by that department.
- k. Prior to building permit issuance, the operator shall provide an executed road use agreement between the Applicant and the appropriate governing road and highway jurisdictions or the Illinois Department of Transportation (IDOT), showing approved entrances.

3. Safety.

- a. Prior to construction, the operator shall prepare an emergency management plan acceptable to the County and the local fire district and shall be responsible for training of emergency personnel, as needed.
- b. A sign shall be posted providing the name of the operator and a phone number to be used in case of an on-site emergency.
- c. Access shall be granted, provided appropriate advance notice, for periodic inspection of the site by the County or the local fire district.
- d. Damaged solar panels shall be removed, repaired, or replaced within sixty (60) days of the damage. The ground shall remain free of debris from damaged solar panels at all times.

4. Abandonment.

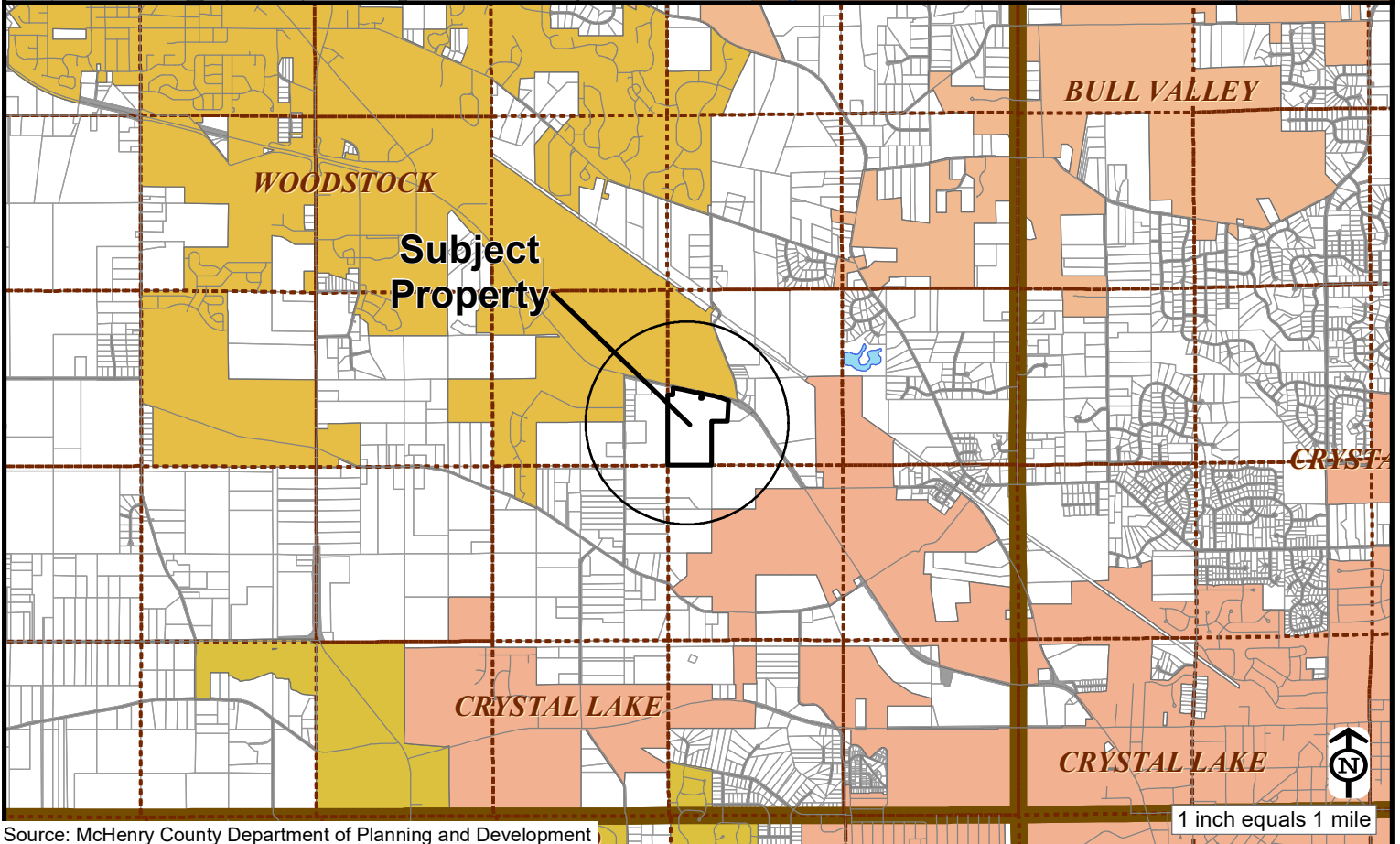
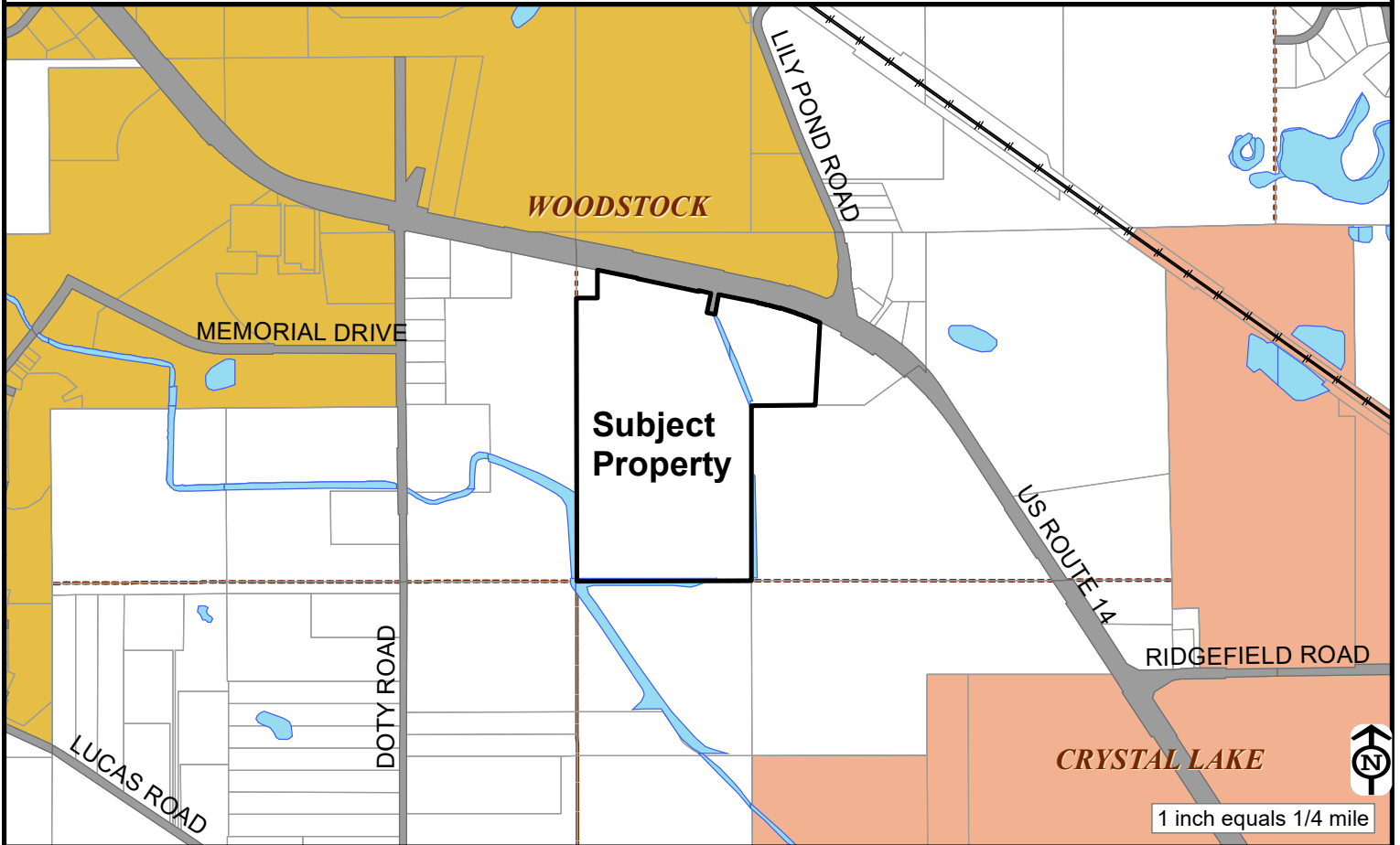
- a. The COMMERCIAL SOLAR ENERGY FACILITY shall be considered abandoned if the operator fails to pay rent as specified in the Agricultural Impact Mitigation Agreement, or it ceases to generate electricity for a period of twelve (12) consecutive months. Reports of electrical power production shall be provided to the County upon request. An abandoned COMMERCIAL SOLAR ENERGY FACILITY must be decommissioned and removed within twelve (12) months from the time it is deemed abandoned. The operator may appeal in writing to the Zoning Enforcement Officer for an extension of time in order to remove the facility or to bring the solar farm back into operation.

5. Decommissioning. Decommissioning and removal of the COMMERCIAL SOLAR ENERGY FACILITY shall be the responsibility of the operator upon abandonment or revocation of the conditional use permit. All operators shall comply with the following:

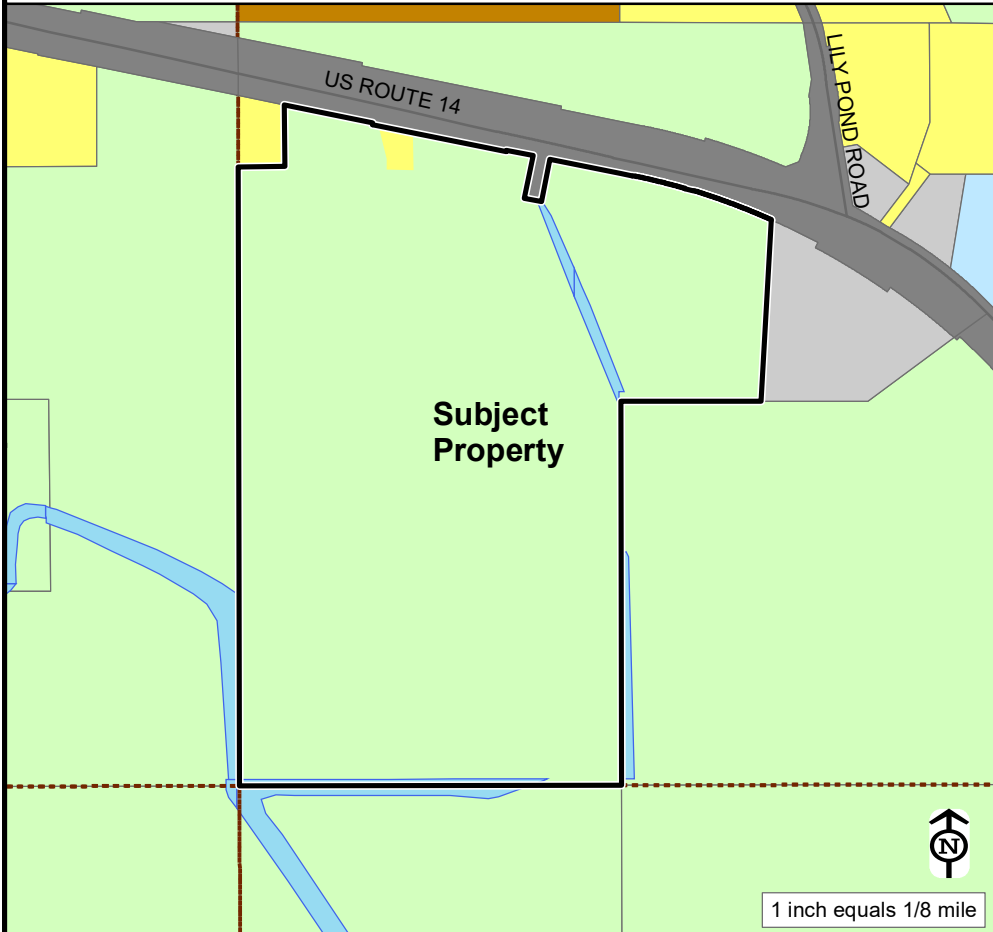
- a. Prior to building permit issuance, the operator shall prepare a decommissioning plan which shows the final site conditions after the COMMERCIAL SOLAR ENERGY FACILITY has been removed from the property. Decommissioning plans shall require removal of all solar panels, electrical equipment, poles, piles, foundations, and conduits (above and below ground). Access roads, fencing, groundcover, and landscaping may remain only by agreement of property owner.

b. Prior to building permit issuance, the operator shall submit an engineer's estimate of cost for decommissioning the facility and restoring the site in accordance with the approved decommissioning plan. Upon review and approval by the Zoning Enforcement Officer of the estimate, the operator shall obtain a bond, letter of credit, or other form of surety acceptable to the County to be held by the Department of Planning and Development in the amount of one hundred percent (100%) of the estimate. Provision of this financial assurance shall be phased in over the first eleven (11) years of the project's operation or as otherwise provided in accordance with the executed Agricultural Impact Mitigation Agreement.

c. During the operation of the facility, a new engineer's estimate of cost for decommissioning shall be submitted every ten (10) years to the Department of Planning and Development. Upon approval of the estimated costs by the Zoning Enforcement Officer, a revised surety shall be provided to the Department of Planning and Development in the amount of one hundred percent (100%) of the new estimate.



Current Land Use Map



Current Land Use

Agriculture

Adjacent Land Use(s)

North: *Agriculture*

South: *Agriculture*

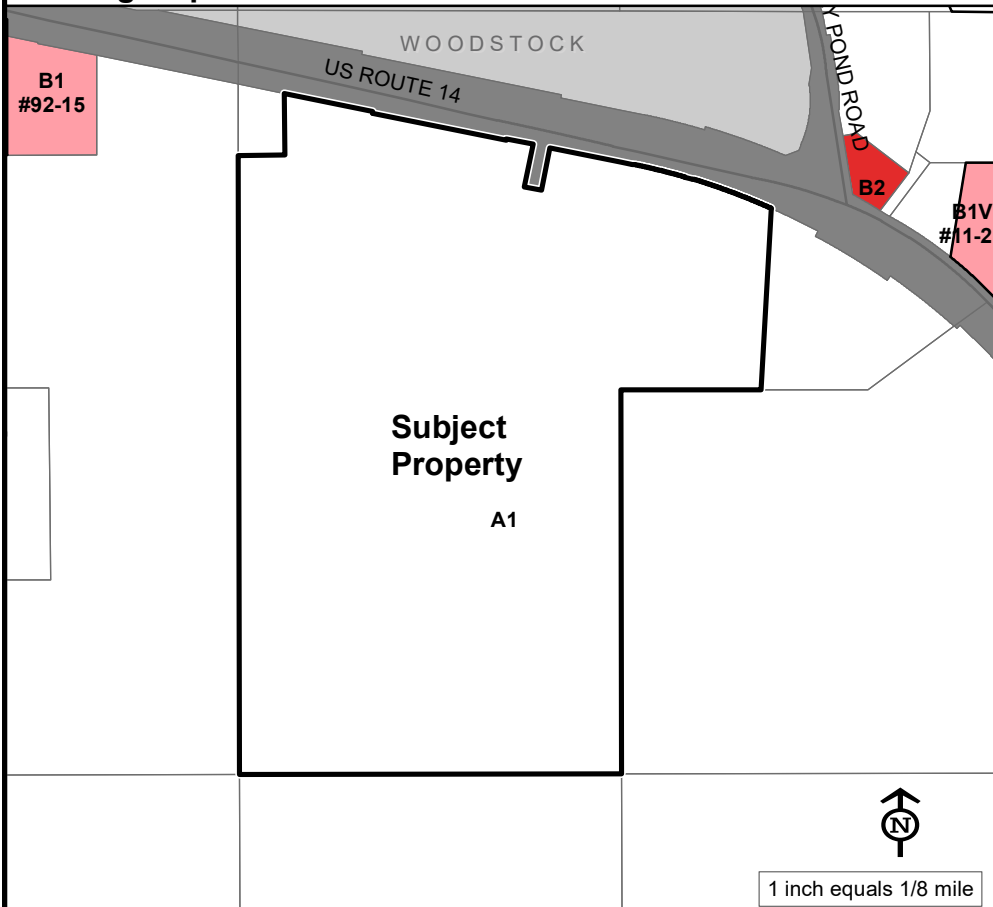
East: *Agriculture and Vacant*

West: *Agriculture and
Single-Family Residential*

- Agriculture
- MCCD Agriculture
- Single-Family Residential
- Multi-Family Residential
- Open Space
- Golf Course
- Commercial
- Office
- Industrial
- Mixed Use
- Earth Extraction
- Vacant
- Government / Institutional
- Transportation, Communication, Utilities
- Under Review

1 inch equals 1/8 mile

Zoning Map



Current Zoning

A-1 Agriculture

Adjacent Zoning

North: Incorporated (City of Woodstock)

South: A-1 Agriculture

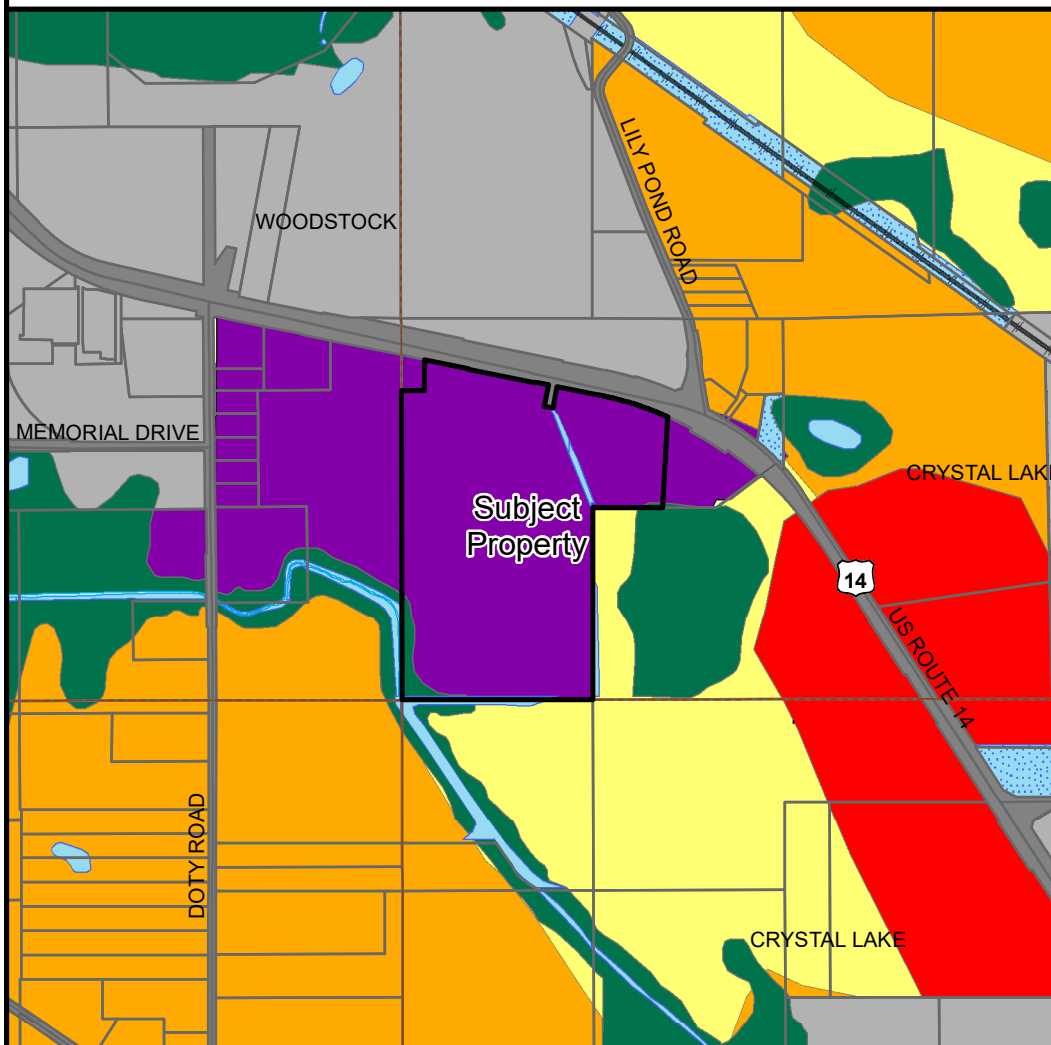
East: A-1 Agriculture

West: A-1 Agriculture

- A-1 Agriculture
- A-2 Agriculture
- E-5 Estate
- E-3 Estate
- E-2 Estate
- E-1 Estate
- R-1 Single-Family Residential
- R-2 Two-Family Residential
- R-3 Multiple-Family Residential
- B-1 Neighborhood Business
- B-2 Neighborhood Business
- B-3 General Business
- O Office / Research
- I-1 Light Industrial
- I-2 Heavy Industrial
- PD Planned Development
- C Conditional Use
- V Variation
- Incorporated

1 inch equals 1/8 mile

McHenry County 2030 Comprehensive Plan Future Land Use Map



Future Land Use Map Designation

*Office, Research, Industrial/
Environmentally Sensitive Area*

- Agricultural
 - Open Space
 - Environmentally Sensitive Area
 - Estate
 - Isolated Estate
 - Residential
 - Isolated Residential
 - Retail
 - Mixed Use
 - Office, Research, Industrial
 - Gov't, Institutional, Utilities
 - R TOD Existing Rail Station
 - R TOD Future Rail Station
 - Active Earth Extraction Site
 - Municipality
- Scale: 1 inch = 1/4 mile



Municipal / Township Plan Designations

Dorr Township: Office, Research, Industrial and Environmentally Sensitive Area

Woodstock: Commercial, Industrial, Office Mixed Use/Resource Conservation/Resource Conservation Corridor

Bull Valley: No Designation

Crystal Lake: No Designation

McHenry County 2030 Comprehensive Plan — Text Analysis

Land Use

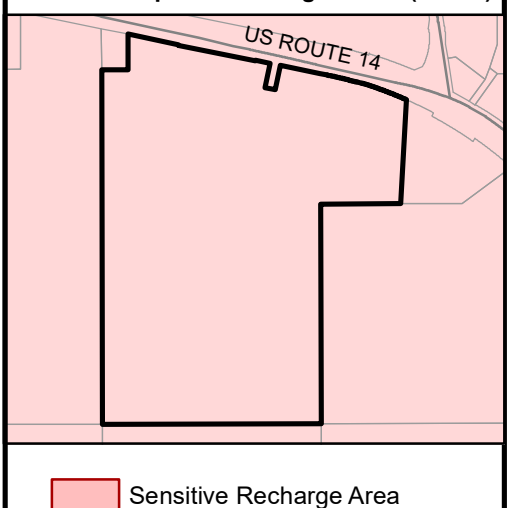
OFFICE, RESEARCH, INDUSTRIAL - includes existing and proposed areas for office, research, industrial, warehousing, and wholesale trade uses.

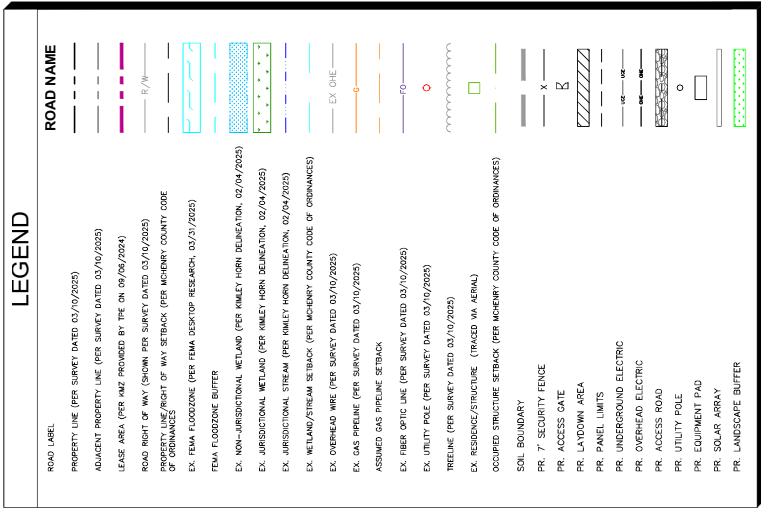
ENVIRONMENTALLY SENSITIVE AREA - includes existing floodplains, floodways, wetlands 10 acres and larger from the Advanced Identification (ADID) inventory, and most McHenry County Natural Area Inventory (MCNAI) sites.

Sensitive Aquifer Recharge Areas

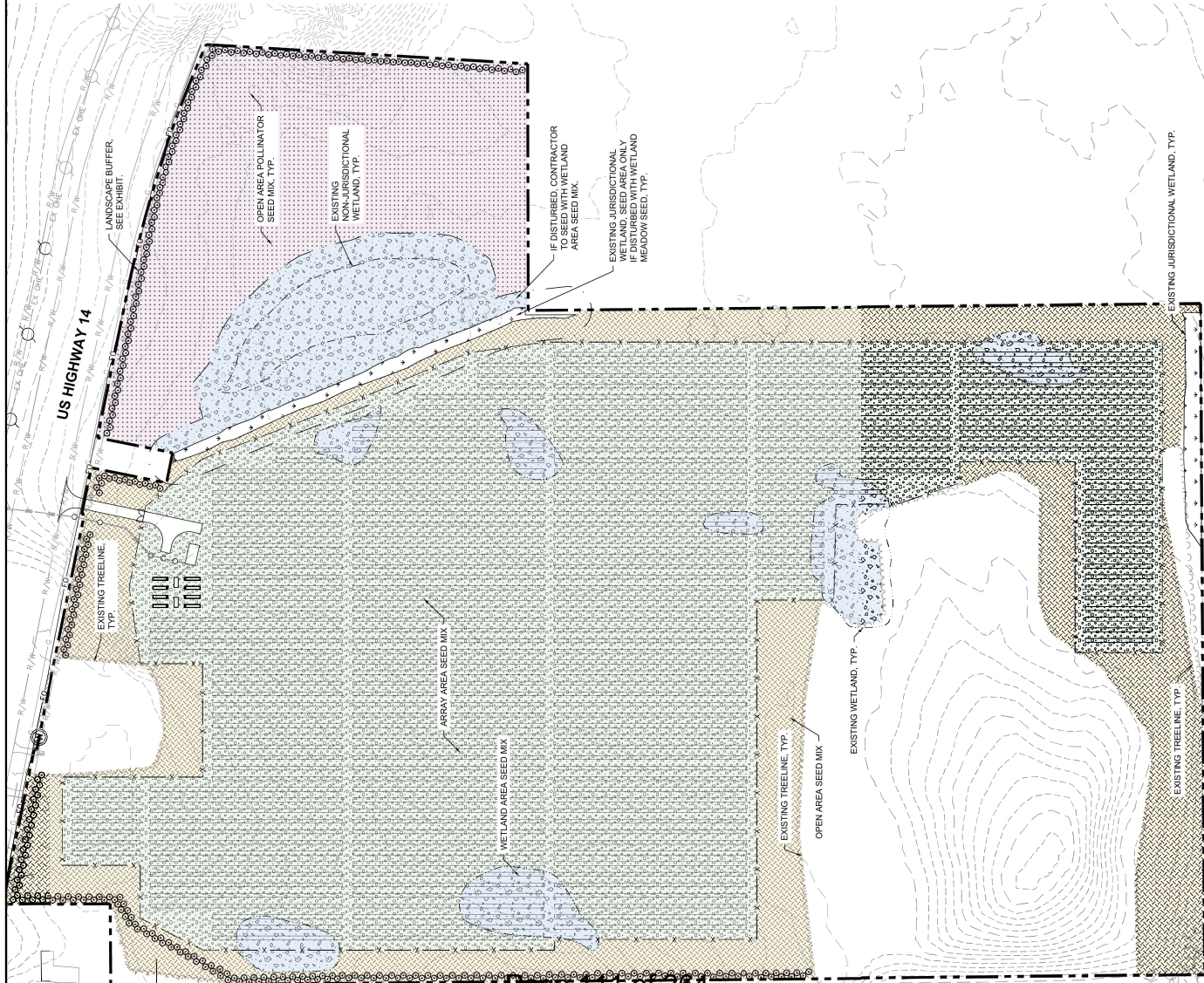
The site is located in a zone with elevated contamination potential.

Sensitive Aquifer Recharge Areas (SARA)



[illegible]

SOILS DATA TABLE			HYDROLOGIC SOIL GROUP
MAT UNIT SYMBOL	MAT UNIT NAME	W/D	
100A	HOUSTON W/CL 0 TO 2 PERCENT SLURPS	B/D	
153A+1	PULLA SHT CLAY (L)AM 0 TO 2 PERCENT SLURPS	B/D	
206A	THORP SHT CLAY (L)AM 0 TO 2 PERCENT SLURPS	C/D	
321B	CLAYED LAM 2 TO 4 PERCENT SLURPS	B	
321B1	CASCO CLAY (L)AM 6 TO 12 PERCENT SLURPS	B	
321B2	FOR SHT (L)AM 2 TO 4 PERCENT SLURPS	B	
327B	FOR SHT (L)AM 2 TO 4 PERCENT SLURPS, PINDOD	B	
327B2	FOR SHT (L)AM 4 TO 12 PERCENT SLURPS, PINDOD	B	
327B3	SHAMBA SHT CLAY (L)AM 0 TO 2 PERCENT SLURPS	B/D	
52A	MULLESTAMP SHT (L)AM 0 TO 2 PERCENT SLURPS	B/D	
52B	BURR SHT (L)AM 2 TO 4 PERCENT SLURPS	B	
701B	CLAYED LAM 2 TO 4 PERCENT SLURPS	B	
9462	CASCO-BROWNE COMPLEX 12 TO 20 PERCENT SLURPS, TENDRO	B	



CONCEPT PLANT SCHEDULE

EVERGREEN TREE/SHRUB

OPEN AREA SEED MIX

OPEN AREA SEED MIX

WETLAND AREA SEED MIX

RECOMMENDED SPECIES:

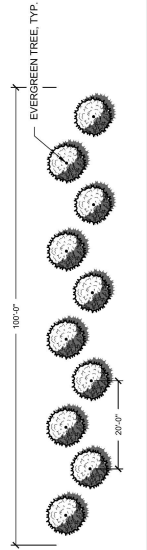
- SAWARA CYPRESS, SOFT SERVE
- JUNIPERUS VIRGINIA
- JUNIPERUS HORIZONTALIS
- PICEA MARIANA
- PICEA MARMILA
- PICEA PRAENSIS
- PICEA ALBERTA
- TAXUS CUSPIDATA
- CAPITATA
- TAXUS MEDIA
- HICKSII
- TAXUS AMERICANA
- THUJA OCCIDENTALIS

SEED MIXES TO BE REFERRED TO BY DATE BASED ON YEAR OF PURCHASE

GENERAL LANDSCAPE NOTES

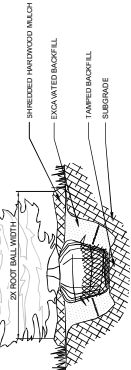
1. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLING MATERIALS AND PLANTS SHOWN ON THE LANDSCAPE PLAN. THE CONTRACTOR IS RESPONSIBLE FOR THE COST TO REPAIR UTILITIES, ADJACENT LANDSCAPE, PUBLIC AND PRIVATE PROPERTY THAT IS DAMAGED BY THE CONTRACTOR OR THEIR SUBCONTRACTORS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE COST OF ANY DAMAGE TO ADJACENT PROPERTY, INCLUDING BUT NOT LIMITED TO, DAMAGE TO ADJACENT PLANTS, TREES, AND LANDSCAPE MATERIALS.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO ANY CONSTRUCTION.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO ANY CONSTRUCTION.
4. NO PLANTING SHALL BE INSTALLED UNTIL ALL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPAIR OF ANY OF THEIR TRENCHES OR EXCAVATIONS THAT SETTLE.
6. DO NOT DISTURB THE EXISTING PAVING, LIGHTING, OR LANDSCAPING THAT EXISTS ADJACENT TO THE SITE UNLESS OTHERWISE NOTED ON PLAN.
7. PLANT QUANTITIES SHOWN ARE FOR THE CONVENIENCE OF THE OWNER AND JURISDICTIONAL REVIEW AGENCIES. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL PLANT QUANTITIES AS DRAWN.
8. THE CONTINUED MAINTENANCE OF ALL REQUIRED LANDSCAPING SHALL BE THE RESPONSIBILITY OF THE OWNER OF THE PROPERTY ON WHICH SAID MATERIALS ARE INSTALLED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE LANDSCAPING FOR A PERIOD OF ONE YEAR AFTER COMPLETION OF THE PROJECT.
9. NO GENERAL SPRAYS OF HERBICIDES IS TO BE USED FOR ANY SEEDED AREAS.
10. ONLY HERBICIDES FORMULATED FOR ANIMAL SAFETY SHALL BE USED.
11. ALL WORK DEEMED NATURAL AREA TO BE SEEDED OR PLANTED SHALL BE PERFORMED BY A QUALIFIED LANDSCAPE CONTRACTOR.
12. SEED SHALL BE OBTAINED FROM SOURCE SPECIALIZING IN NATIVE SPECIES, WHERE AVAILABLE OR AS APPROVED BY OWNER OR CLIENT'S REPRESENTATIVE.
13. ALL SEED MIXES SHALL BE INSTALLED WITH A COVER CROP DEPENDENT ON SEASON AND REQUIREMENTS SPECIFIED PER SEED MIX. SEED SUPPLIER.

LANDSCAPE BUFFER EXHIBIT



NOTES:

1. MAKE CUTS FOR DAMAGED BRANCHES. APPLY CUTTING SEALANT.
2. SET FOOTBALL ON UNEXCAVATED OR TAMPED SOIL TOP. IF FOOTBALL SHALL BE TWO INCHES ABOVE SURROUNDING GRADE WITH BUREAU AND WERE BACKFILL EXCAVATED, SET FOOTBALL ON EXCAVATED SOIL.
3. REMOVE WIRE BASKET AND BURP AND DOWNFOUR TO SIX INCHES BELOW TOP OF FOOTBALL. REMOVE ALL TWINE AND (IF USED), SYNTHETIC MATERIAL. REMOVE OR CORRECT GROUNDING RODS.
4. BACKFILL EXCAVATION WITH BASE OF FOOTBALL.
5. BACKFILL EXCAVATED SOIL, TAMPED LIGHTLY. HIGH CLAY OR POOR SOIL, SHALL RECEIVE SOLI AMENDMENT PER LANDSCAPE NOTES.
6. WATER THOROUGHLY WITHIN TWO HOURS USING 10 TO 15 GALLONS PER 100 SQ. FT.
7. APPLY MULCH IN EVEN LAYER, KEEPING AWAY FROM FOOTBALL FLARE.
8. FINAL LOCATION OF TREE TO BE APPROVED BY OWNER.



McHENRY~LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT

NATURAL RESOURCES INFORMATION REPORT

25-037-4698

May 23, 2025



This report has been prepared for:
Gloria Foxman

PREPARED BY:
McHENRY-LAKE COUNTY SOIL & WATER CONSERVATION
DISTRICT

1648 S. EASTWOOD DR.

WOODSTOCK, IL 60098

PHONE: (815) 338-0444

www.mchenryswcd.org

The McHenry-Lake County Soil & Water Conservation District
is an equal opportunity provider and employer.



NATURAL RESOURCE INFORMATION REPORT (NRI)

NRI Report Number	25-037-4698	
Applicant's Name	Gloria Foxman	
Size of Parcel	75 acres	
Zoning Change	Solar Facility	
Parcel Index Number(s)	13-23-300-026	
Common Location	Undefined	
Contact Person	Katherine Carlson	
<i>Copies of this report or notification of the proposed land-use change were provided to:</i>	<i>yes</i>	<i>no</i>
The Applicant		X
The Applicant's Legal Representation/Consultant	X	
The Village/City/County Planning and Zoning Department or Appropriate Agency	X	

Report Prepared By: *Spring M. Duffey*

Position: *Executive Director*

EXECUTIVE SUMMARY OF NRI REPORT #25-037-4698

It is the opinion of the McHenry-Lake County Soil and Water Conservation District Board of Directors that this report as summarized on these pages are pertinent to the requested zoning change.





Picture 1: Looking south from the northern portion of the parcel.



Picture 2: Looking east from the northern portion of the parcel.

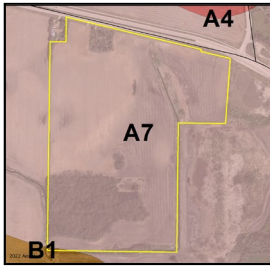


Picture 3: Looking south at 22-acre remnant oak woodland.



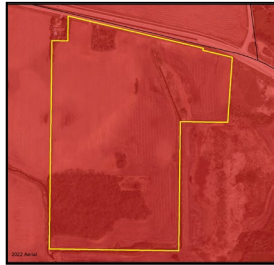
Picture 3: Looking southeast at portion of 22-acre remnant oak woodland, which according to the Zoning Site Plan, prepared by Kimley-Horn, dated 5/1/2025, will be impacted by the development. This island of trees, which is separated from the main oak woodland, contains 10 mature Bur Oak Trees (*Quercus Macrocarpa*).

Groundwater Contamination Potential and Recharge Areas:



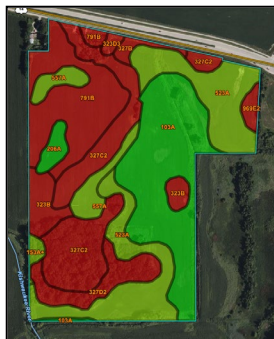
Aquifer Sensitivity Map (*This is the area beneath the soil profile down to bedrock)

The Geologic features map indicates the parcel is comprised of 75.7 acres of A7 and 0.10 acres of B1 geologic limitations. A7 has a high aquifer contamination potential and B1 has a moderately-high aquifer contamination potential.



Sensitive Aquifer Recharge Areas (Includes the soil profile and underlying geology).

The Sensitive Aquifer Recharge Map indicates the parcel is within an area designated as Sensitive Aquifer Recharge.



Soil Leachability Map (This is only the soil profile within the parcel from the surface down to approx. 5 feet).

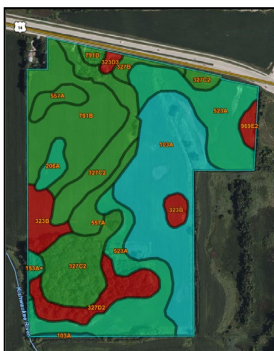
The Soil Leachability Index indicates 35.2 acres or 46.4% of parcel contains high leachable soils, for fertilizers (identified in red).

Soil Permeability Map (This is only the soil profile within the parcel from the surface down to approx. 5 feet. Soil permeability is a reflection of the speed in which water (with or without pollutants) can move through the soil profile.)
The USDA-NRCS Soil Survey Map of the area indicates 56.1 acres or 73.8% of parcel contains highly permeable soils.

Soil Limitations (This evaluates the parcel from the surface down to approximately 5 feet.):

Erosion Ratings

The NRCS Soils Survey indicates 19.2 acres or 25.2% of the parcel contains highly erodible soils.



Prime Farmland Soils

The Natural Resources Conservation Service (NRCS) Soil Survey indicates 29.8 acres or 39.3% of the parcel is comprised of prime farmland soils and 18.9 acres or 25.0% of the parcel is comprised of prime farmland if drained soils (identified in shades of green).



Ground-Based Solar Arrays

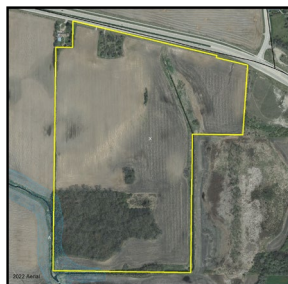
The Natural Resources Conservation Service (NRCS) Soil Survey indicates 53.2 acres or 70.1% of the parcel has very limited soils for ground-based solar arrays (identified in red).



Hydric Soils

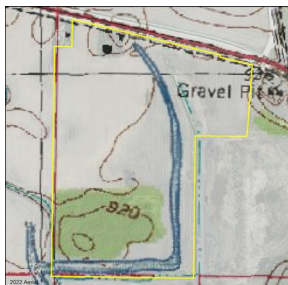
The NRCS Soil Survey indicates 36.9 acres or 48.7% of the parcel contains hydric soils (identified in orange and red). As the majority of these hydric soils are currently in agricultural production, there is a high probability that agricultural drain tile is present.

Floodplain Information:



The Flood Insurance Rate Map

Indicates 1.85 acres of the parcel is within Zone A, 100-year floodplain (identified in blue).

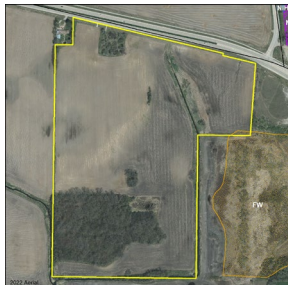


Flood of Record Map (Hydrologic Atlas)

The Flood of Record Map for this area indicates 5.89 acres of the parcel have previously flooded (identified in blue).

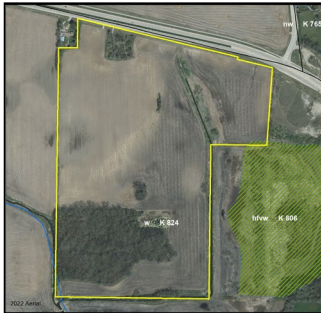
*The Zoning Site Plan, prepared by Kimley-Horn, dated 5/1/25, indicates the floodplain areas will not be impacted by the development.

Wetland Information:



USDA-NRCS Wetland Inventory

The NRCS Wetlands Inventory indicates 0.13 acres of farmed wetland (FW) on the parcel.



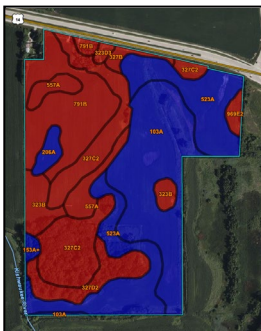
ADID Wetland Inventory

The ADID Wetland Study identifies 0.13 acres of high functional value wetland (hfvw) K806 and 0.28 acres of wetland (w) K824 on the parcel.

*The Wetland Delineation Report, prepared by Kimley-Horn, dated January 2025, identifies 10 wetland areas and two intermittent stream segments on the parcel. The Zoning Site Plan, prepared by Kimley-Horn, dated 5/1/25, indicates wetland 1, 2, 3, 5, 6, 7, 8, 9 (as identified in the Delineation Report) will all be impacted by the development. The proposed impacted wetlands appear to be isolated features and would be regulated by McHenry County. McHenry County allows up to 0.10 acres of impact with a permit. Additional impacted acres would require mitigation. Buffers are also required around the wetland areas. Please contact the McHenry County Department of Planning and Development for permitting requirements.

Flooding Frequency

The NRCS Soil Survey indicates that flooding is not probable on the parcel. The chance of flooding is nearly 0% in any year. Flooding occurs less than once in 500 years.



Ponding Frequency

The NRCS Soil Survey indicates that frequent ponding occurs on 36.9 acres or 48.7% of the parcel. Frequent means that ponding occurs, on average, more than once in 2 years. The chance of ponding is more than 50 % in any year (identified in blue).

Cultural Resources: Office maps indicate a high probability for cultural/historical features on the parcel in question.



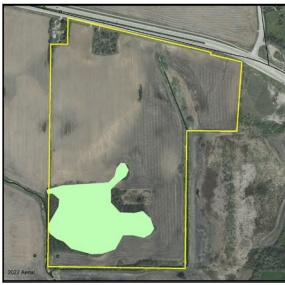
Preserved or Recognized Ecological Sites: Office maps indicate there are three McHenry County Natural Area Inventory sites near the parcel.

Lily Pond Marsh (DOR10) is an 81-acre basin marsh which is threatened by siltation, upstream impoundment, Common Reed Grass, Reed Canary Grass, and filling.

Muskrat Pond (DOR13) is a 7.6-acre basin marsh which is threatened

by siltation.

Woodstock Industrial Park Marsh (DOR17) is a 92.9-acre basin marsh, which is threatened by water table alteration, cattail expansion, Purple Loosestrife, Reed Canary Grass, development, and railroad bed maintenance.



Woodlands: The McHenry County Conservation Districts Remnant Oak Woodland Study identifies an oak woodland of 22 acres on the parcel.

*The Zoning Site Plan, prepared by Kimley-Horn, dated 5/1/25, indicates the northernmost portion of the oak woodland will be impacted by the development. The site visit conducted on 5/1/2025, identified 10 mature Bur Oak trees (*Quercus Macrocarpa*) within the proposed impact area. We recommend

this area be avoided to preserve this valuable resource.

Agricultural Areas: Office Maps indicate there are no State designated agricultural areas on the parcel in question.

Land Evaluation Site Assessment (LESA)

The Land Evaluation Score for the parcel is 84. A Site Assessment was not completed due to the Agricultural zoning on the parcel.

ADDITIONAL CONCERNS

The Board recommends that areas between panels and within the buffers be planted to a native prairie mix to help increase water infiltration and reduce runoff from the site. It is recommended that a planting and maintenance plan be developed with the landowner to ensure that noxious weeds are controlled, and native plantings are properly installed and managed. The petitioner should refer to the planting requirements of the Illinois Department of Natural Resources and McHenry County Department of Planning & Development.

Agricultural Impact Mitigation Agreement: We have not received notice from the Illinois Department of Agriculture that an Agricultural Impact Mitigation Agreement has been filed. Please reach out to Jeff Evers, IDOA, for more information.



JEFFREY EVERS | AGRICULTURAL LAND & WATER RESOURCE SPECIALIST III
Land and Water Resources

Illinois Department of Agriculture

John R. Block Building | 801 E. Sangamon Ave., P.O. Box 19281 | Springfield, IL 62794-9281
(O) 217-785-5594 | (F) 217-557-0993 | (TTY) 866-287-2999 | jeff.evers@illinois.gov





January 15, 2025

Keller Leet-Otley
US Highway 14
McHenry, IL 60098

**RE: MH376
Consultation Program
EcoCAT Review #2508210
McHenry County**

Dear Mr. Leet-Otley:

The Department has received your submission for this project for the purposes of consultation pursuant to the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], and Title 17 *Illinois Administrative Code* Part 1075.

The proposed action consists of a solar farm with associated access roads and utilities in McHenry County.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Illinois Nature Preserves Commission Lands
Gladstone Fen Class 3 Groundwater

State Threatened or Endangered Species
Blanding's Turtle (*Emydoidea blandingii*)

Due to the project scope and proximity to protected resources the Department recommends the following actions be taken to avoid adversely impacting listed species and protected natural areas in the vicinity of the project:

Gladstone Fen Class 3 Groundwater

This project falls within the Gladstone Fen Class 3 Groundwater recharge area, which protects the integrity of nearby Nature Preserves. The modification of groundwater quality and quantity which may affect conditions within a Nature Preserve is prohibited. The Department recommends the following to avoid and minimize impact to Gladstone Fen Class 3 Groundwater:

- Use the lightest weight equipment possible to complete the job.
- Balloon or large tires should be used whenever possible to reduce compaction.
- Disc site upon completion to de-compact the surface after final soil is placed to ensure good infiltration.
- Naturalized permeable basins and swales should be part included in the design.
- Use best management practices whenever possible, such as water run-off filtration through increased use of native plants, vegetated drainage swales, and rain gardens.
- Use careful consideration before discharging within this Class 3 Area.

Blanding's Turtle

- Educate personnel working on site about the Blanding's Turtle. Post photos of juvenile and adult Blanding's Turtles at a central location. State-listed species may not be handled without the appropriate permits pursuant to the *Illinois Endangered Species Protection Act*.
- If Blanding's turtles are encountered, crews should stop work immediately, allow the turtle to move out of the way and contact IDNR at (217) 785-5500.

Given the above recommendations are adopted the Department has determined that impacts to these protected resources are unlikely. The Department has determined impacts to other protected resources in the vicinity of the project location are also unlikely.

In accordance with 17 Ill. Adm. Code 1075.40(h), please notify the Department of your decision regarding these recommendations.

Consultation on the part of the Department is closed, unless the applicant desires additional information or advice related to this proposal. Consultation for Part 1075 is valid for two years unless new information becomes available which was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the action has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal and should not be regarded as a final statement on the project being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are unexpectedly encountered during the project's implementation, the applicant must comply with the applicable statutes and regulations.

This letter does not serve as permission to take any listed or endangered species. As a reminder, no take of an endangered species is permitted without an Incidental Take Authorization or the required permits. Anyone who takes a listed or endangered species without an Incidental Take Authorization or required permit may be subject to criminal and/or civil penalties pursuant to the *Illinois Endangered Species Act*, the *Fish and Aquatic Life Act*, the *Wildlife Code* and other applicable authority.


The Department also offers the following conservation measures be considered to help protect native wildlife and enhance natural areas in the project area:

- The Department strongly recommends that the project proponent establish pollinator-friendly habitat as groundcover wherever feasible. Solar Site Pollinator Establishment Guidelines can be found here:
<https://dnr.illinois.gov/conservation/pollinatorscorecard.html>
- The site should be de-compacted before planting.
- Long term management of the site should be planned for prior to development to ensure successful native pollinator habitat establishment and prevent the spread of invasive species throughout the lifetime of this project. An experienced ecological management consultant should be hired to assist with long-term management.
- Required fencing, excluding areas near or adjacent to public access areas, should have a 6-inch gap along the bottom to prevent the restriction of wildlife movement. Woven wire or a suitable habitat wildlife friendly fence should be used. Barbed wire should be avoided.
- If tree clearing is necessary, the Department recommends removing trees between November 1st and March 31st to avoid impacts to the state-listed bats and birds.
- Any required night lighting should follow International Dark-Sky Association's (IDA) Five Principles for Responsible Outdoor Lighting to minimize the effect of light pollution on wildlife: [Five Principles for Responsible Outdoor Lighting | DarkSky International](#)

If erosion control blanket is to be used, the Department also recommends that wildlife-friendly plastic-free blanket be used around wetlands and adjacent to natural areas, if not feasible to implement project wide, to prevent the entanglement of native wildlife.

Please contact me with any questions about this review.

Sincerely,



Bradley Hayes
Manager, Impact Assessment Section
Division of Real Estate Services and Consultation
Office of Realty & Capital Planning
Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
Bradley.Hayes@Illinois.gov
Phone: (217) 782-0031

RESOLUTION

Resolution Reducing Payroll Costs by Adopting Reclassification of One Position Within the Office of the County Treasurer Roster (17)

WHEREAS, to improve efficiency and continue to provide services at the lowest cost, all County departments are looking at creative ways of staffing and effective allocation of resources; and

WHEREAS, with the retirement of the Chief Deputy, the Accounting Assistant III has been promoted to the new Chief Deputy, thus vacating the Accounting Assistant III position; and

WHEREAS, the current staffing requirement for the Office of the Treasurer is for an entry-level Accounting Assistant I to best serve McHenry County taxpayers; and

WHEREAS, with this change, the Office of the Treasurer has achieved the goal to successfully transition the Accounting Assistant III to a Chief Deputy through a year-long training and mentoring period has taken on the responsibilities of cross-functional teamwork and succession planning; and

WHEREAS, to provide sufficient front office coverage, while also achieving the cost efficiencies of a 'promote from within' work environment, the Treasurer wishes to right-size organizational requirements by changing the Accounting Assistant III to an Accounting Assistant I; and

WHEREAS, the following classification changes are being requested and will result in total personnel savings of \$20,343, \$17,797 to the Treasurer's general fund salary expense, \$1,362 to the FICA Fund, and \$1,184 to the IMRF Fund:

Position #	Current Title	Current Grade	Proposed Title	Proposed Grade
17001307	Accounting Assistant III	5N	Accounting Assistant I	3N

WHEREAS, this change has been reviewed by Finance & Audit Committees and is being recommended to the County Board for approval.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that it hereby authorizes reclassification contained herein; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this resolution to the County Treasurer, Director of Human Resources, the Chief Financial Officer, and the County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution Reducing Payroll Costs by Adopting Reclassification of One Position Within the Office of the County Treasurer Roster (17)

Board / Committee Action Requested:

To approve a resolution reducing payroll costs by adopting the reclassification of one position within the Office of the County Treasurer roster.

Background and Discussion: Planned restructuring based on succession planning.

Impact on Human Resources: Position Reclassification

Impact on Budget (Revenue; Expenses, Fringe Benefits):

The personnel cost will be reduced by a total of \$20,343, which is the difference between the rate of the employee that was in the Accounting Assistant III position and promoted to Chief Deputy Treasurer and the starting rate of 3N. The salary reduction of \$17,797 will impact the Treasurer's general fund and the benefits will reduce the FICA and IMRF funds by \$1,362 and \$1,184 respectively.

Impact on Capital Expenditures: None

Impact on Physical Space: None

Impact on Other County Departments or Outside Agencies: None

Conformity to Board Ordinances, Policies and Strategic Plan: yes

RESOLUTION

Resolution to Approve Adopt-A-Highway Group Agreement (A49-12) (82)

WHEREAS, in order to augment the McHenry County Division of Transportation's litter collection efforts, McHenry County enacted the McHenry County Adopt-A-Highway Ordinance to allow for volunteer groups to adopt various sections of highways for the purpose of litter collection; and

WHEREAS, the Adopt-A-Highway Ordinance requires said volunteer group(s) to enter into an agreement with McHenry County defining the responsibilities of the volunteer groups and the County; and

WHEREAS, the Transportation Committee has reviewed the following groups for inclusion in the Adopt-A-Highway Program:

<u>Group</u>	<u>Section of Roadway</u>
Lanci Financial LLC	Harmony Road from Hemmer Rd to Briar Hill Rd

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that the agreement between McHenry County and each of the above-listed volunteer groups is hereby approved; and

BE IT FURTHER RESOLVED, that the County Board Chairman is authorized to execute said agreement; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute an electronic copy to the Director of Transportation/County Engineer.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution to Approve Adopt-A-Highway Group Agreement (A49-12) (82)

Board / Committee Action Requested:

To approve the inclusion of the identified group(s) into the McHenry County Division of Transportation (MCDOT) Adopt-A-Highway Program:

Lanci Financial LLC – Harmony Road from Hemmer Rd to Briar Hill Rd

Background and Discussion:

In order to augment the Division of Transportation's litter collection efforts, the County enacted an ordinance to allow volunteer groups to adopt various sections of highways for litter collection. With the approval of this resolution, the MCDOT has 158 groups enrolled in the program, covering approximately 76% of the 208 total sections.

The ordinance requires that each volunteer group enter into an agreement with McHenry County defining the responsibilities of the group and the County. This resolution approves the County entering into an agreement with the identified group(s) and section(s) of the highway.

The link below will take you to an interactive web display of the current Adopt-A-Highway map. Sections in green have been adopted, sections in blue are tentative, and sections in red are available for adoption.

[Adopt-A-Highway Online Map](#)

Impact on Human Resources: None

Impact on Budget (Revenue, Expenses, Fringe Benefits):

To duplicate the efforts of the Adopt-a-Highway volunteers, it would cost the County approximately \$15,000 annually.

Impact on Capital Expenditures: None

Impact on Physical Space: None

Impact on Other County Departments or Outside Agencies: None

Conformity to Board Ordinances, Policies and Strategic Plan:

Conforms to County ordinances, policies, and County's strategic plan.

DOT-2025-050

McHenry County Division of Transportation Adopt-A-Highway Application

Please print or type

For office use only:

Trans. Comm. _____
County Board _____
Mailed _____ Due _____
Sign Shop _____

Adopt-A-Highway Coordinator for your Group:

The coordinator can be any member who will be responsible for the Adopt-A-Highway paperwork and activities

Name	Jonathan Lanci	Phone Number	815.242.2160
Street Address	814 Doral Dr		
City, State, Zip	Marengo IL 60152		
E-Mail	jonathan@lancifinancial.com		

Members must be at least 10 years old to participate. There must be at least one adult over the age of 21 for each five participants between the ages of 10 and 18.

In the space below or as an attachment, please provide us with your group's goals or objectives:

To beautify our community and to reach potential customers through community outreach.
--

Lettering to appear on Adopt-A-Highway Sign – Websites & phone numbers are not allowed

				L	A	N	C	I				
		F	I	N	A	N	C	I	A	L		
					L	L	C					

Only 12 letters or spaces per line.
Print one letter or space per box.
Leave a space between words

Section of County Highway to be adopted – Please note groups are only allowed to adopt one section of road during the first year of Program participation.

FIRST CHOICE	Section Number	A49-12	Road Name	HARMONY Rd
From	HEMMER Rd		To	Brier Hill Rd

Does the group have financial interest in property along this section of County Highway? ☐ yes ☒ no

SECOND CHOICE	Section Number	A33-04	Road Name	KISHWAUKEE VALLEY Rd
From	ROOT Rd		To	HAWTHORNE Rd

Does the group have financial interest in property along this section of County Highway? ☐ yes ☒ no

Signature of Group Coordinator Jonathan Lanci Date 5/2/2025

Each group shall sign an agreement with the County Board before participating in the program.

Mail to: McHenry County Division of Transportation, 16111 Nelson Road, Woodstock, IL 60098

Fax to: 815-334-4989

Email to: AdoptAHighway@McHenryCountyIL.gov

Questions? Call 815-334-4970

Submit by Email

RESOLUTION

Appointment to the McHenry County Board of Health as of July 15, 2025 (18)

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that the following Appointments be and are hereby APPOINTED

Board of Health

Cindy Gaffney

Expiration Date

06/30/2025

Board of Health

Kyle Marcussen

Expiration Date

06/30/2025

Board of Health

Melissa Katz

Expiration Date

06/30/2025

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk



McHenry County Board

County Board Room
Woodstock, IL 60098

Meeting: July 15, 2025
Department: County Administration
Prepared By: Kathie Bough

RESOLUTION

SUBJECT: Appointment to the McHenry County Board of Health as of July 15, 2025 (18)

Board / Committee Action Requested:

To approve the appointments to the McHenry County Board of Health as of July 15, 2025.

County of McHenry
County Clerk Monthly Report
 FY 2025 Year to Date
 June 1, 2025 - June 30, 2025
 GENERAL FUND (100) REVENUE

<u>Main Account Description</u>	<u>Budgeted Revenue</u>	<u>June Actual Revenue</u>	<u>FY 2025 YTD Revenues</u>	<u>FY 2025 Revenue Variance</u>	<u>% Revenue Realized</u>
County Clerk Tax Redemption Fees	\$60,000.00	\$5,550.00	\$48,000.00	\$12,000.00	80.00%
Misc. County Clerk Fees	\$130,000.00	\$10,739.00	\$94,998.04	\$35,001.96	73.08%
County Clerk Automation Fee	\$30,000.00	\$2,516.00	\$20,098.00	\$9,902.00	66.99%
Federal and State Gov't Grant	\$90,000.00		\$69,935.00	\$20,065.00	77.71%
Election Judges Stipends - State Reimb.	\$60,000.00		\$10,205.00	\$49,795.00	17.01%
Interest Income - Bank Accts	\$30,000.00	\$6,128.16	\$35,509.53	(\$5,509.53)	118.37%
Misc income					
Totals	\$400,000.00	\$24,933.16	\$278,745.57	\$121,254.43	69.69%

County of McHenry
County Recorder Monthly Report
 FY 2025 Year to Date
 June 1, 2025 - June 30, 2025
 GENERAL FUND (100) REVENUE

<u>Main Account Description</u>	<u>Budgeted Revenue</u>	<u>June Actual Revenue</u>	<u>FY 2025 YTD Revenues</u>	<u>FY 2025 Revenue Variance</u>	<u>% Revenue Realized</u>
Tax Transfer Stamps	\$1,100,000.00	\$96,136.75	\$674,281.50	\$425,718.50	61.30%
Recording Fees	\$660,000.00	\$47,936.94	\$377,346.99	\$282,653.01	57.17%
Real Estate Recording Fees - County Portion	\$13,750.00	\$1,153.50	\$8,985.00	\$4,765.00	65.35%
Totals	\$1,773,750.00	\$145,227.19	\$1,060,613.49	\$713,136.51	59.79%

County of McHenry
County Recorder Monthly Report
FY 2025 Year to Date
June 1, 2025 - June 30, 2025
RECORDER'S AUTOMATION FUND (232) REVENUE

<u>Main Account Description</u>	<u>Budgeted Revenue</u>	<u>June Actual Revenue</u>	<u>FY 2025 YTD Revenues</u>	<u>FY 2025 Revenue Variance</u>	<u>% Revenue Realized</u>
Service Fees	\$75,000.00	\$6,208.94	\$43,685.89	\$31,314.11	58.25%
Real Estate Recording Fees - Recorder Automation	\$15,000.00	\$1,153.50	\$10,161.00	\$4,839.00	67.74%
Recorder Automation Fees	\$250,000.00	\$19,484.00	\$154,705.00	\$95,295.00	61.88%
Interest Income - Bank Accts	\$20,000.00	\$147.84	\$14,439.11	\$5,560.89	72.20%
Totals	\$360,000.00	\$26,994.28	\$222,991.00	\$137,009.00	61.94%

County of McHenry
County Recorder Monthly Report
 Illinois Housing Surcharge Fund - FY 2025 Year to Date
 June 1, 2025 - June 30, 2025

<u>Main Account Description</u>	<u>Opening Balance</u>	<u>FYTD Debit</u>	<u>FYTD Credit</u>	<u>Net Difference</u>	<u>Closing Balance</u>
Illinois Housing Surcharge Fund-Equity in Pooled Cash - GL	\$51,089.41	\$323,660.00	(\$327,744.00)	(\$4,084.00)	\$55,173.41
Illinois Housing Surcharge Fund-Accounts Receivable	(\$351.00)	\$323,678.00	(\$323,678.00)	\$0.00	(\$351.00)
Illinois Housing Surcharge Fund-Vouchers Payable	\$0.00	\$327,726.00	(\$281,916.00)	\$45,810.00	(\$45,810.00)
Illinois Housing Surcharge Fund-Due to State of Illinois	(\$50,738.41)	\$281,934.00	(\$323,660.00)	(\$41,726.00)	(\$9,012.41)
Totals	\$0.00	\$1,256,998.00	(\$1,256,998.00)	\$0.00	\$0.00

DAVID A. CHRISTENSEN
DIRECTOR

BROOKE LOYD
CHIEF DEPUTY



PHONE
815.338.6400

EMAIL
ema@mchenrycountyil.gov

McHenry County Emergency Management Agency Monthly Report for June 2025 By David A. Christensen, Director

Planned Events

- McHenry County EMA provided a mobile command post to support public safety operations during the Harvard Milk Days event. EMA volunteers were deployed to assist with coordination and situational awareness during the parade and throughout the subsequent festival activities, enhancing communication and response capabilities for partner agencies.

Mitigation / Resilience

- Since joining McHenry County, Resiliency Specialist Dawson has engaged with over sixty entities to advance county-wide resiliency initiatives. Taking a comprehensive approach, he has met with representatives from small municipalities, chambers of commerce, major manufacturers, key retailers, and township officials. He has also made targeted efforts to connect with regional representatives from home improvement retailers, pharmacies, storage providers, and freight carriers to strengthen community preparedness and continuity planning. See maps further on in this report.

Exercises

- The STARCOM radio drill was conducted.
- Our volunteers participated in the annual Field Days exercise. ARRL Field Day is an annual exercise organized by the American Radio Relay League (ARRL) to test the emergency communication capabilities of amateur radio operators across the United States and Canada. Held on the fourth full weekend of June, the event simulates emergency conditions by encouraging operators to set up field-based stations using alternative power sources such as generators or solar panels. Participants establish radio contact with as many stations as possible over a 24-hour period, demonstrating the critical role amateur radio can play in emergency response when conventional communications are disrupted. Field Day also serves as a public outreach opportunity to promote awareness of amateur radio's value in disaster preparedness and response.

Response

- EMA responded to one severe weather event in May (severe thunderstorms).

Planning

- Chief Deputy Director Loyd and EMA Planner Bowen prepared briefings for our volunteers at the Harvard Milk Days. Harvard puts together a comprehensive Incident Action Plan, from which EMA works out volunteer assignments and duties for the parade and festival.
- Several Incident Action Plans were reviewed and approved for temporary use permits.
- Director Christensen participated in a multi-jurisdictional, multi-disciplinary planning meeting focused on revitalizing coordinated mutual aid efforts across the state. Due to budget constraints and leadership transitions, the previously unified response framework has eroded during major emergencies and disasters. The group aims to leverage the collective capabilities of various mutual aid organizations while preserving local authority and operational autonomy.

Training

- Director Christensen and Planner Bowen virtually attended the IAEM Region 5 Summit, which offered valuable insight into emergency management best practices across the region.
- The Search and Rescue team conducted a training session utilizing SAR dogs to enhance field capabilities.
- Two volunteer driver training and vehicle familiarization sessions were conducted to support safe and effective response operations.

Special Events

- Ongoing work continues on configuring and outfitting the new command vehicle.

Looking Ahead to 2025

- EMA continues to make progress on multiple planning projects, several of which support agency accreditation, including:
 - Volunteer Management Software
 - Incident Action Planning (expanded use)

Primary Concerns

- Continuity of Operations (COOP) and Continuity of Government (COG) planning
- Cybersecurity and countermeasure strategies
- Terrorism threat assessment and preparedness planning
- Emergency Management Performance Grants – adapting to upcoming administrative rule changes

Significant Events:

1. None.

Response:

1. Lost person search in Yorkville
2. Evidence recovery in Elgin
3. Two LE support requests (light trailers) for vehicle accidents
4. Severe Thunderstorm warning.

Planning (on-going):

1. McHenry County Emergency Operations Center Procedures and National Qualifications
2. Local Emergency Operations Plans (local municipalities)
3. School Emergency Response Plans
4. Tier II Facilities filings (currently at 150+)

EMA event support requests:

Dates	Event	Equipment	Logistics

Among other duties:

- Illinois Emergency Services and Management Association (IESMA) Committee meetings
- Illinois Emergency Services and Management Association (IESMA) Committee to create an Executive Director position
- National Qualification System research and implementation
- Illinois Homeland Security Advisory Committee (EM Committee)
- Metro County Coordinators
- IESMA Legislative Committee

All Lifelines remained stable throughout the month.



A Lifeline enables the continuous operation of **government functions** and **critical business** and is essential to **human health** and **safety** or **economic security**.

Summary of Volunteer Hours**Total Hours Worked****Operations**

-Communications

45.75

-Search & Rescue

42.0

-Weather

8.75

-General

212.25

Logistics

-Support

6.0

-EOC Staff Support

4.5

-Training

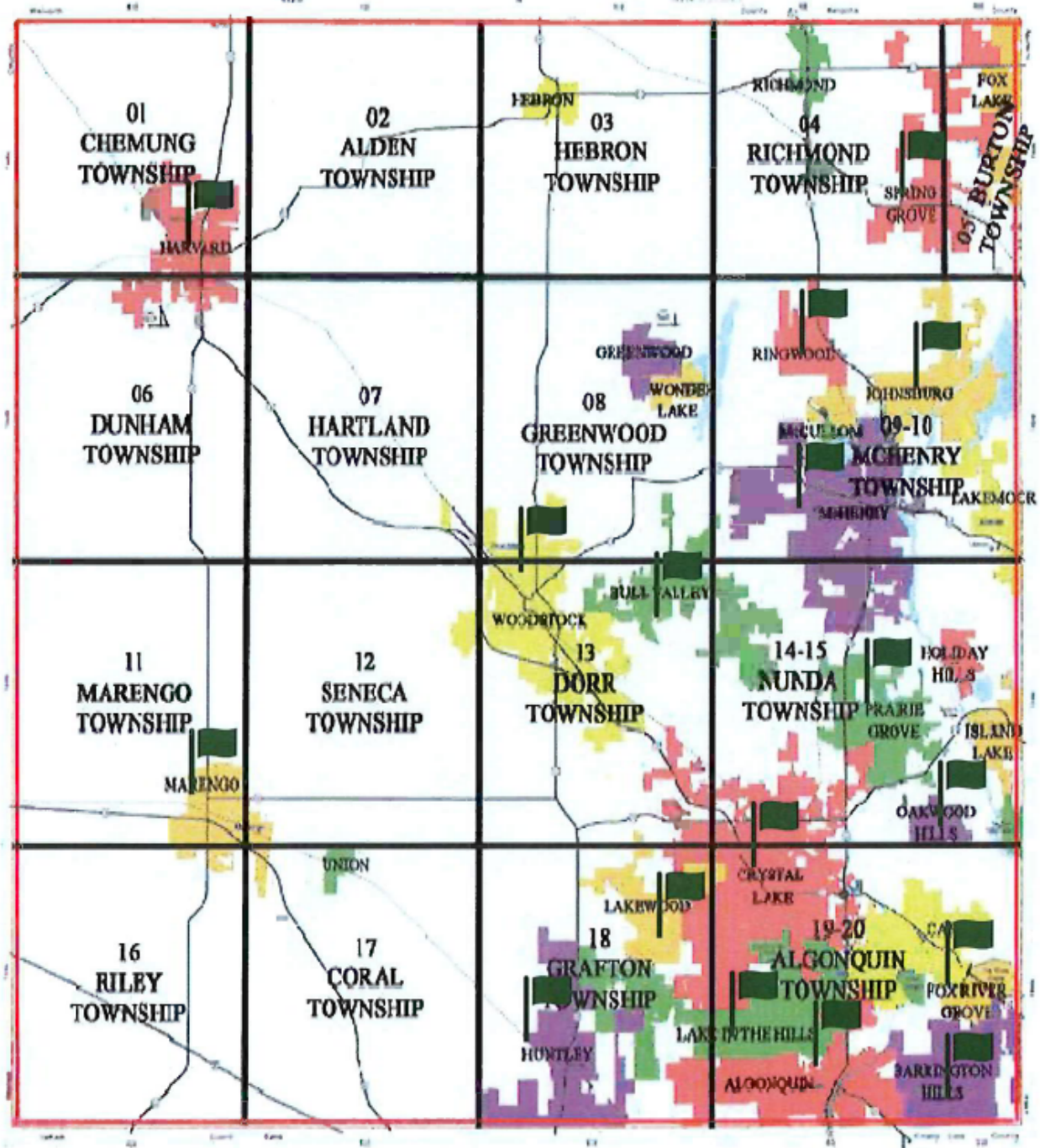
33.0

Total Monthly Hours**352.25****Total YTD Hours Donated for 2025****1,355.21****Value of various volunteer efforts in the month of June:**

SAR	\$1,901
EOC Ops Support	912
Wx	845
Comms	3,573
Support	1,690
Training	422
Volunteer Staff	1,842
Drivers	549
	\$11,734

<u>Performance Indicators:</u>	<u>Month</u>	<u>YTD</u>	<u>2025 Projected</u>
Number of Volunteers	43	43	60
EMA Staff Training Sessions	12	36	40
Volunteer Training Sessions		42	80
Community Presentations/Outreach (NHMP Action Item 23)	43	64	15
Disaster Exercises (Intergovernmental & County)	2	9	10
Mutual Aid Response (SAR, Rehab, EMA, MABAS, Weather)	1	11	20
Emergency Management Development (Coordinating Council)		12	6
Technical Advisory Assistance for Municipal & Township Gov (EOP, ETSB, Fire Chief's)		14	20
Event Coordination (Incident Action Plan, Communications)	2	12	15
Develop/Revise COOP, EOP, Hazard Mitigation & School Plans		9	15

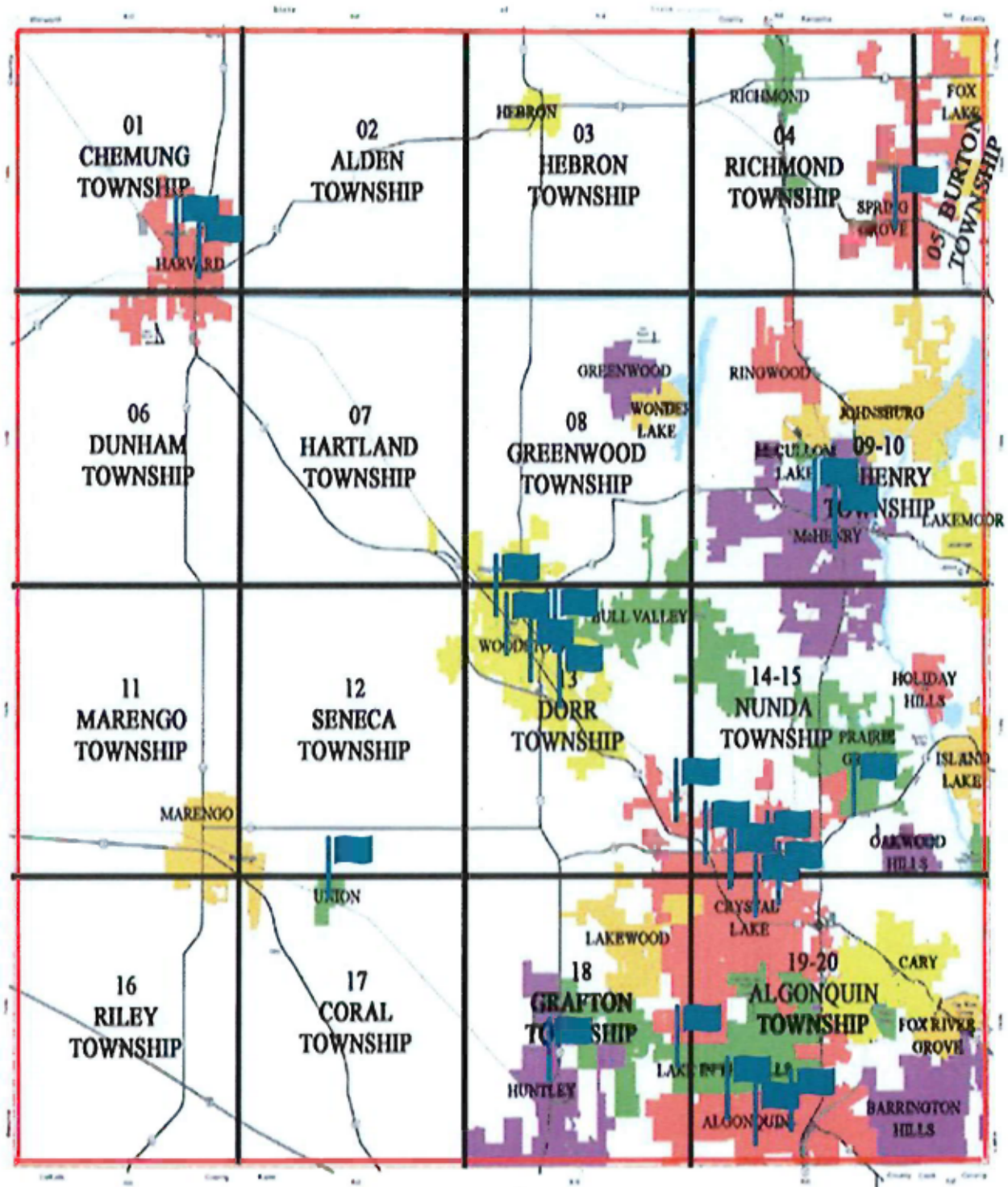
McHenry County, Illinois



Green Flags are visited locations as of 07/02/25 Chambers/Towns

McHenry County, Illinois

McHenry County EMA



Light Blue Flags represent local critical regional supplier and manufacturers/ businesses visited as of 07/02/25



OFFICE OF
PUBLIC DEFENDER

McHENRY COUNTY, ILLINOIS
2200 NORTH SEMINARY AVENUE
WOODSTOCK, ILLINOIS 60098
PHONE (815) 334-4170
FAX (815) 334-4692

PUBLIC DEFENDER
MARK G. COOK

ASSISTANTS

RICHARD BEHOF
KIM MESSER
KYLE KUNZ
MATTHEW FEDA
GIANNA VENTICINQUE
KAITILYN GLENN
GENE WILSON
MEREDITH HULBERT
MICHAEL WIER
DAVID GIESINGER
STEVEN JAENICKE
MATTHEW WINER
CHRISTOPHER KNIGHT

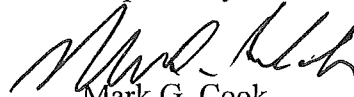
INVESTIGATOR
CORAL DRZEWIECKI

To: The Honorable Michael Feetterer, Chief Judge
The Honorable Michael Chimel
The Honorable Tiffany Davis
The Honorable Mark Gerhardt
The Honorable David Gervais
The Honorable Justin Hansen
The Honorable Jennifer Johnson
The Honorable Suzanne Mangiamiele

PUBLIC DEFENDER REPORT

	<u>June 2025</u>	<u>June 2024</u>
Defendants Assigned	354	338
Defendants Disposed	375	386
Total Number of Charges Disposed	623	819
Felonies	193	264
Misdemeanors	405	519
Juveniles	21	30
Other	4	6

Respectfully Submitted,


Mark G. Cook
Public Defender

cc: County Clerk
McHenry County Board
Kathy Keefe, Clerk of the Circuit Court



MCHENRY COUNTY CORONER
DR. MICHAEL R REIN, D.C.
COUNTY BOARD MONTHLY REPORT
June 2025



2025 Drug Related Deaths	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Fentanyl	1	0	1	0	0	0						
Fentanyl + Opiates	0	0	1	0	0	0						
Fentanyl + Heroin	0	0	0	0	0	0						
Fentanyl + Cocaine	0	0	0	0	0	0						
Fentanyl + Cocaine + Non-Opiates	0	0	0	0	0	0						
Fentanyl + Cocaine + Opiates	0	0	0	0	0	0						
Fentanyl + Non-Opiates	0	0	0	0	0	0						
Fentanyl + Opiates + Non-Opiates	0	0	0	0	0	0						
Fentanyl + Heroin + Cocaine	0	0	0	0	0	0						
Fentanyl + Heroin + Cocaine + Opiates	0	0	0	0	0	0						
Fentanyl + Heroin + Cocaine + Non-Opiates	0	0	0	0	0	0						
Fentanyl + Heroin + Cocaine + Opiates + Non-Opiates	0	0	0	0	0	0						
Fentanyl + Heroin + Opiates + Non-Opiates	0	0	0	0	0	0						
Fentanyl + Heroin + Opiates	0	0	0	0	0	0						
Fentanyl + Heroin + Non-Opiates	0	0	0	0	1	0						
Heroin	0	0	0	0	0	0						
Heroin + Cocaine	0	0	0	0	0	0						
Heroin + Non-Opiates	0	0	0	0	0	0						
Cocaine	0	0	0	0	0	0						
Cocaine + Opiates	0	0	0	0	0	0						
Cocaine + Opiates + Non-Opiates	0	0	0	0	0	0						
Cocaine + Non-Opiates	0	0	1	0	0	0						
Opiates	1	1	0	0	0	0						
Non-Opiates	0	2	0	0	0	0						
Opiates + Non-Opiates	1	1	0	0	0	0						
PENDING CASES	0	0	1	1	1	4						
TOTAL DEATHS	3	4	3	0	1	0						
* Opiates (Hydro/Oxycodone, Tramadol, Heroin, etc.)												
* Non-Opiates (Amphetamines, Benzodiazepines, etc.)												



MCHENRY COUNTY CORONER
DR. MICHAEL R REIN, D.C.
COUNTY BOARD MONTHLY REPORT
June 2025



Yearly Stats - June	Results
Total Deaths June 2025	149
Total Deaths YTD 2025	975
Total Deaths YTD 2024	904
Total Deaths 2024	1,872
Return to Medical YTD 2025	854
Return to Medical YTD 2024	789
Return to Medical Total 2024	1,638
Coroner Cases YTD 2025	117
Coroner Cases YTD 2024	115
Coroner Cases Total 2024	234
Scenes YTD 2025	198
Scenes YTD 2024	183
Scenes Total 2024	372
Hospital Deaths YTD 2025	237
Hospital Deaths YTD 2024	265
Hospital Deaths Total 2024	525
Hospice Deaths YTD 2025	520
Hospice Deaths YTD 2024	469
Hospice Deaths Total 2024	1,016
Fetal Deaths YTD 2025	9
Fetal Deaths Total 2024	18
Suicides YTD 2025	20
Suicides Total 2024	35
Nursing Homes/Assisted Living Deaths YTD 2025	248
Nursing Homes/Assisted Living Deaths YTD 2024	185
Nursing Homes/Assisted Living Total 2024	440
Autopsies Performed YTD 2025	53
Autopsies Performed YTD 2024	59
Autopsies Performed Total 2024	116
External Autopsies YTD 2025	14
External Autopsies YTD 2024	8
External Autopsies Total 2024	20



MCHENRY COUNTY CORONER
DR. MICHAEL R REIN, D.C.
COUNTY BOARD MONTHLY REPORT
June 2025



Drug Related Deaths	2021	2022	2023	2024	2025
Fentanyl	9	10	9	6	2
Fentanyl + Opiates	2	2	0	2	1
Fentanyl + Heroin	4	2	0	0	0
Fentanyl + Cocaine	1	3	11	4	0
Fentanyl + Cocaine + Non-Opiates	3	3	2	1	0
Fentanyl + Cocaine + Opiates	1	0	0	4	0
Fentanyl + Non-Opiates	5	5	2	2	0
Fentanyl + Opiates + Non-Opiates	4	0	2	1	0
Fentanyl + Heroin + Cocaine	1	0	0	0	0
Fentanyl + Heroin + Cocaine + Opiates	0	0	0	0	0
Fentanyl + Heroin + Cocaine + Non-Opiates	0	0	0	0	0
Fentanyl + Heroin + Cocaine + Opiates + Non-Opiates	0	0	0	0	0
Fentanyl + Heroin + Opiates + Non-Opiates	1	0	0	0	0
Fentanyl + Heroin + Opiates	0	0	0	0	0
Fentanyl + Heroin + Non-Opiates	1	3	0	0	1
Heroin	1	0	0	0	0
Heroin + Cocaine	0	0	0	0	0
Heroin + Non-Opiates	0	1	0	0	0
Cocaine	1	1	9	3	0
Cocaine + Opiates	0	0	0	0	0
Cocaine + Non-Opiates	1	0	0	1	1
Cocaine + Opiates + Non-Opiates	2	0	0	2	0
Opiates	1	2	2	0	2
Non-Opiates	3	7	4	9	2
Opiates + Non-Opiates	4	1	9	4	2
	Total 45	Total 40	Total 50	Total 39	Total 11
Pending					7
* Opiates (Hydro/Oxycodone, Tramadol, Heroin, etc.)					
* Non-Opiates (Amphetamines, Benzodiazepines, etc.)					



MCHENRY COUNTY CORONER
DR. MICHAEL R REIN, D.C.
COUNTY BOARD MONTHLY REPORT
June 2025



MONTH	Totals
Total Deaths	149
Return to Medical Deaths	131
Coroner Cases	18
Scenes	43
Hospital Deaths	35
Hospice Deaths	71
Fetal Deaths	1
Nursing Home / Assisted Living Deaths	38
Autopsies Performed	12
External Autopsies Performed	2



McHenry County Sheriff's Office

County Board Monthly Report

June 2025

Sheriff Robb Tadelman

Correctional Division	2024	LYT	2025	YTD
Total Inmates Received	276	3,399	317	1824
Total Inmates Discharged	255	3,264	316	1524
Average Inmate Count Per Day	345	3,749	328	1649
Inmates Transferred for Warrant Pick-Ups	43	493	66	256
Inmates taken to local court	562	5,958	494	2348
Warrants Served	134	1,855	181	828

Civil Process/Records	2024	LYT	2025	YTD
Civil Processes Received	708	10,007	835	4,680
Civil Processes Served	600	7,864	510	3,564
FOIA's Processed	178	2,468	180	1159
Bonds Processed	10	172	6	41
Subpoenas Processed	21	311	29	131

Court Security	2024	LYT	2025	YTD
Door Totals	28,020	310,841	26,712	174,052
Prohibited Items Confiscated	1,128	15,131	1,359	7,809
Warrant/Remands Served	33	494	21	190

Communications Division	2024	LYT	2025	YTD
Sheriff's Incidents Dispatched	3,091	35,504	3,442	18,780
Contracted Police Incidents Dispatched	2,146	20,700	3,149	16,245
Contracted Fire Incidents Dispatched	299	2,292	286	1,630
Incoming Phone Calls	5,401	44,508	5,424	29,665
Outgoing Phone Calls	2,870	29,597	2,602	14,423
911 Calls	1,180	11,869	1,168	5,971

Sheriff's Garage	2024	LYT	2025	YTD
Vehicle Repairs for all County Vehicles	87	1,056	88	449

Police Social Work	2024	LYT	2025	YTD
MCSO Referrals	42	459	58	271
PSW Program Referrals	151	1680	156	789

Traffic	2024	LYT	2025	YTD
Pedestrian	0	0	0	0
Fatal	0	10	4	13
Injury	29	294	23	142
No Injury Accidents	47	545	56	252
Deer	2	233	17	130
Hit & Run	10	54	3	32
Property Damage Accidents	4	174	14	71

21

Patrol Division	2024	LYT	2025	YTD
Citations Issued	559	6,881	695	3398
Warning Tickets Issued	164	2,240	177	1081
Incident Reports Taken	309	3,637	310	1794
Felony Arrests	24	242	24	138
Misdemeanor Arrests	57	765	60	340
Warrant Arrests	7	87	7	36

Investigations	2024	LYT	2025	YTD
Adult Arrests	10	66	2	36
Juvenile Arrests/Processed	2	31	1	14
Sex Offenders Registered	32	333	23	154
Sex Offenders Verifications	11	116	6	57
Cases Assigned	18	354	29	225
Cases Pending	165	1,779	182	1095
Cases Closed	14	311	46	184

Narcotics Division/Intelligence	2024	LYT	2025	YTD
Arrests	18	139	9	111
Felony Charges	32	313	14	194
Misdemeanor Charges	12	112	8	73
Federal Charges	0	0	0	0

RESOLUTION

Resolution Setting the Holiday Schedule for 2026 (18)

WHEREAS, it is necessary and appropriate that this County Board set the holiday schedule for the McHenry County Government Center for 2026.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that the McHenry County Government Center shall be closed in observance of the following holidays in 2025.

<u>HOLIDAY</u>	<u>DATE</u>	<u>OBSERVANCE (GOVERNMENT CENTER CLOSED)</u>	<u>COURTS/CIRCUIT CLERK CLOSED</u>
New Year's Day	January 1, 2026	January 1, 2026	January 1, 2026
Martin Luther King Jr. Day	January 19, 2026	January 19, 2026	January 19, 2026
Lincoln's Birthday	February 12, 2026	February 12, 2026 - Building Open**	February 12, 2026
President's Day	February 16, 2026	February 16, 2026	February 16, 2026
Spring Holiday	April 3, 2026	April 3, 2026	April 3, 2026
Memorial Day	May 25, 2026	May 25, 2026	May 25, 2026
Juneteenth	June 19, 2026	June 19, 2026	June 19, 2026
Independence Day	July 4, 2026	July 3, 2026	July 3, 2026
Labor Day	September 7, 2026	September 7, 2026	September 7, 2026
Columbus Day/Indigenous Peoples Day	October 12, 2026	October 12, 2026	October 12, 2026
Veterans Day	November 11, 2026	November 11, 2026	November 11, 2026
Thanksgiving Day	November 26, 2026	November 26, 2026	November 26, 2026
Day following Thanksgiving	November 27, 2026	November 27, 2026	November 27, 2026
Christmas Observed	December 25, 2026	December 25, 2026	December 25, 2026

Please note: *In 2026 all County employees are entitled to two personal days off as prescribed by the McHenry County Government Personnel Handbook.*

****In addition, employees working in offices that remain open on the day Lincoln's Birthday is observed (February 12, 2026) will be allowed one Flex Holiday.**

BE IT FURTHER RESOLVED, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to all departments and agencies of McHenry County Government, who are encouraged to give it the widest circulation.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk



McHenry County Board

County Board Room
Woodstock, IL 60098

Meeting: July 15, 2025
Department: County Administration
Prepared By: Kathie Bough

RESOLUTION

SUBJECT: Resolution Setting the Holiday Schedule for 2026 (18)

Board / Committee Action Requested:

To approve the resolution setting the Holiday Schedule for 2026.

RESOLUTION

Resolution Adopting the 2025-2028 McHenry County Strategic Plan (18)

WHEREAS, the McHenry County Board recognizes that strategic planning is an essential tool for good, responsible governance by establishing a long-term vision for the County, which then guides programs, policies, and services; and

WHEREAS, with the sunset of the McHenry County 2022-2025 Strategic Plan, McHenry County engaged Northern Illinois University's Center for Governmental Studies to assist with the development of its next strategic plan; and

WHEREAS, workshops and strategic planning sessions, the McHenry County Board shared individual members' ideas and visions, critically examined the County's strengths, weaknesses, opportunities, and threats, and worked together to identify strategic goals and objectives that reflect their collective values, priorities, and vision for the County; and

WHEREAS, the 2025-2028 Strategic Plan sets forth those goals, objectives, and action items to guide operational and policy decisions through 2028 and beyond.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that the 2026 Strategic Plan, attached hereto and made a part hereof, is hereby adopted; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to all County-wide elected officials, appointed County department heads, County Board members, the Deputy County Administrator, and the County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk



McHenry County Board

County Board Room
Woodstock, IL 60098

Meeting: July 15, 2025
Department: County Administration
Prepared By: Kathie Bough

RESOLUTION

SUBJECT: Resolution Adopting the 2025-2028 McHenry County Strategic Plan (18)

Board / Committee Action Requested:

To approve a resolution adopting the 2025 - 2028 McHenry County Strategic Plan.



McHenry County

2025-2028

Strategic Plan

Strategic Plan Goals and Action Items

*Adopted 10/19/2021
Amended 11/16/2021
Amended 04/18/2023
Amended 07/15/2025*

INTRODUCTION

As an organization, McHenry County has long held that strategic planning is essential to good, responsible governance and has regularly engaged in strategic planning exercises to establish goals for the County government, organization, and services. Adopted in 2021 and with this proposed 2025 amendment, this Strategic Plan outlines the County Board's key goals and priorities which will guide public policy, resource allocation and operational decisions through 2028 – and perhaps beyond. The McHenry County Strategic Plan is organized into the following six key strategic areas which frame the goals and strategic priorities:

LEADERSHIP AND GOVERNANCE

McHenry County is committed to the quality of life, economic betterment, and forward-thinking governance of the County on behalf of all its citizens. The County sees its position as a leader in the region, building collaborative relationships with municipalities and other local governments along with leading by example for property tax control. Leadership and Governance embodies the County Board's approach to the governance of the County and interaction with internal and external partners.

ORGANIZATION ADVANCEMENT

To achieve McHenry County's mission of providing the highest quality services and its vision as a leader and innovator in local government, elected officials and staff should continuously seek methods for delivering quality services with the most effective approaches while emphasizing the judicious use of resources. Additionally, County leaders recognize the value of advancing the County's administrative and programmatic affairs via an organization comprised of highly qualified, competent and committed public servants and professionals. Innovation, stewardship, best practices and professional development should be the hallmarks of the County's administrative functions and service delivery approaches. Organizational Advancement reflects the actions and efforts to improve the organization, and how it can efficiently and effectively carry out the business of the County with this mission in mind.

ENVIRONMENTAL STABILITY

McHenry County's balance of rural and suburban areas sets it apart from many other counties in the state of Illinois. While population and commercial growth are economically beneficial, that growth must be sustainable and balanced with efforts to preserve open

space, agricultural land, agricultural production, and conserve the County's groundwater supply. Additionally, advances in alternative energy sources and 'green' technologies have opened the door for McHenry County to explore ways in which it can integrate sustainable alternatives into its operations. Environmental Sustainability establishes the County's priorities and commitments to ensure the preservation and protection of open space, natural resources, agricultural heritage, water supplies, air quality, and energy conservation.

ECONOMIC AND WORKFORCE DEVELOPMENT

Successful economic development is the key to achieving the County's vision of a diversified tax base and strong financial position which is necessary to ease the property tax burden of County residents. New commercial developments provide greater employment opportunities in the County, increase the overall value of property, lessen the burden of property taxes, and broaden the diversity of government revenues allowing for better service provision. Workforce development efforts promote the availability of a skilled workforce to ensure that the human resources in the County adequately meet the needs of both new and existing businesses. Economic and Workforce Development articulates the strategies identified to advance McHenry County's economic opportunities and attend to the needs of its workforce.

HEALTH AND SOCIAL SERVICES

A healthy population and a robust system of social services to meet the needs of the people are the cornerstone of a successful community. McHenry County recognizes how critically important it is to understand the needs of our residents and ensure those needs are met through a variety of public, private and nonprofit service providers. Ranging from public health, mental health, long-term nursing care and a variety of support services and assistance programs to meet the needs of specific populations, McHenry County is committed to strategically addressing the Health and Social Services needs of the community.

QUALITY INFRASTRUCTURE

High quality infrastructure promotes economic development, ensures the functionality of the community and services, and enables residents and businesses to conduct their daily lives in a reliable and efficient manner. As used in this plan, quality infrastructure is a broad term that extends beyond the roads and transportation system and contemplates the physical systems, appurtenances, amenities, utilities, and facilities essential to support

the community needs and quality of life in McHenry County. This includes high speed internet access, recreation, multi-modal transportation systems and county facilities. Quality Infrastructure captures McHenry County's key strategic priorities for the advancement of economic, transportation and livability goals to accommodate the needs of County businesses and residents.

STRATEGIC GOAL REVIEW PERSPECTIVE

Short and Long-term / Complex and Routine

Identified goals can be viewed through various lenses by an organization. One perspective is to view strategic goals via a matrix of time and complexity. Here goals can be identified as short- and long-term based on the amount of time necessary to complete the goal and whether the goals are complex or routine and the amount of resources and external expertise, cooperation or input that might be needed. The definition of short- and long-term and complex and routine are defined below:

1. Short-term goals are one to three years (1 – 3) years and long-term goals are four to eight plus (4 – 8+) years; and,
2. Complex goals are accomplished through the collaboration of outside partners and the use of extraordinary resources; and routine goals are accomplished through internal efforts and the use of current resources

Each goal identified within the McHenry County Strategic Plan has been classified as short- or long-term and complex or routine. New goals and their classification have been completed.

Leadership & Governance

Classification	Strategic Goals
Short-term Complex	1) Develop and implement a reporting mechanism for all County appointed Boards to report activities and initiatives to the County Board to promote accountability, enhance information sharing, and improve overall coordination and communication
Short-term Routine	2) Create standards to determine program effectiveness, efficiency, and potential cost-savings
Long-term Complex	3) Explore and implement strategies to enhance regional collaboration with the County's intergovernmental partners to leverage resources, share information, and work together to identify quality solutions to current and potential challenges (e.g., control taxes, reach economies of scale, mitigate unfunded state mandates)
Short-term Complex	4) Work to encourage Springfield to help mitigate unfunded mandates and secure Federal funding for identified local needs
Long-term Routine	5) Work to make the County welcoming and inclusive to all
Short-term Routine	6) Educate residents on County processes and how to become involved
Short-term Routine	7) Explore sustainable funding sources to reduce reliance on property taxes
Short-term Complex	8) Improve Resiliency to Emergencies and Disasters
Short-term Routine	9) Provide training and continuing education for County Board Members

Organizational Advancement

Classification	Strategic Goals
Short-term Routine	1) Identify strategies to enhance integration, coordination, communication, and information-sharing between County-wide departments
Long-term Routine	2) Continue County-wide recruitment and retention efforts for qualified/skilled employees
Long-term Routine	3) Departments should collaborate on programs to maximize effectiveness and efficiency
Short-term Routine	4) Annually select and analyze the County's mandated versus nonmandated programs for financial sustainability
Short-term Routine	5) Create and maintain a living three-year financial model
Long-term Complex	6) Support the Sheriff's efforts to optimize the use of the corrections facility and enhance law enforcement across McHenry County

Environmental Sustainability

Classification	Strategic Goals
Long-term Routine	1) Work to enhance and maintain long-term sustainability of the strong agriculture industry within the County A) Evaluate and expand agritourism opportunities B) Review land preservation strategies, e.g. farm/conservation easements
Long-term Routine	2) Remain aware of advancement in alternative energy sources. Develop and implement an environmental sustainability plan.
Long-term Complex	3) Consider the reactivation and consolidation of drainage districts whenever future area development presents the opportunity

Long-term Complex	4) Explore opportunities to exercise local control of solar and wind farms
Long-term Complex	5) Advance awareness of the water supply and demand throughout the County

Economic and Workforce Development

Classification	Strategic Goals
Short-term Complex	1) Identify strategies to attract and retain a younger demographic in McHenry County
Long-term Complex	2) Develop and implement strategies to match workforce skills with employer needs and maintain a strong working relationship with labor and trade groups, McHenry County Community College, and workforce development
Long-term Complex	3) Develop the Route 23/I-90 corridors to act as an economic engine for the County
Short-term Complex	4) Advocate for workforce housing availability in McHenry County through collaboration with municipalities - Group 3

Health and Social Services

Classification	Strategic Goals
Short-term Complex	1) Review the McHenry County Board of Health's 2026 Community Health Assessment and Community Health Improvement Plan
Long-term Complex	2) Review the social services network in the County- continue to offer quality services, identify additional needed services, including those pertaining to homelessness, and work together for long-term operational and financial sustainability
Short-term Complex	3) Review and support of the Police Social Work Program and explore opportunities for continued funding

Quality Infrastructure

Classification	Strategic Goals
Long-term Complex	<p>1) Evaluate the County's infrastructure system and identify strategies to:</p> <p>A) Routinely maintain roads and bridges</p> <p>B) Work with the State of Illinois to improve Routes 23, 47, 31, 120, 176, and 173</p> <p>C) Develop "Complete Streets"(e.g., connectivity, multi-modal) on County roads</p> <p>D) Promote the expansion of transit service in McHenry County</p> <p>E) Implement a "Vision Zero" safety goal</p>
Long-term Complex	<p>2) Monitor and support ways to expand recreational opportunities for all demographics across the County</p>
Long-term Complex	<p>3) Investigate the need for a stand-alone public safety building</p>

Note: All goals that are in red text that appear in the summary above are new goals from the 2025 process.

RESOLUTION

Resolution Authorizing the Home Investment Partnerships Program Contingency Allocations for the Program Year 2025 (10)

WHEREAS, McHenry County, with a threshold population in excess of 200,000, is an “Urban Entitlement County” and therefore received direct annual funding from the U.S. Department of Housing and Urban Development (HUD) under the HOME Investment Partnerships Program (HOME) and Community Development Block Grant (CDBG) Programs; and

WHEREAS, McHenry County created the McHenry County Community Development and Housing Grant (CDHG) Commission to evaluate proposed projects and provide recommendations to the County Board for the use of the HOME and CDBG funds; and

WHEREAS, the County will receive Program Year 2025 HOME funding in the amount of \$537,687; and

WHEREAS, the Community Development Division of the McHenry County Department of Planning and Development solicited proposals on behalf of the Community Development and Housing Grant Commission for projects from for-profit and not-for-profit entities to further the housing, safety, and welfare of low to moderate income households in the County; and

WHEREAS, the Community Development and Housing Grant Commission has recommended the following portfolio or projects contingent on receipt of the funding made to the County by HUD;

Community Development – Administration – \$53,768

Full Circle Communities – Pearl Street Commons II – \$89,626

Habitat for Humanity – Trinity Trail – \$215,066

New Directions Addiction Recovery Services – Housing for Sustained Recovery – \$179,226

TOTAL: \$537,686

WHEREAS, should the County receive an allocation that is less than \$1,308,967 in CDBG funding and/or less than \$537,687 in HOME funding for Program Year 2025, project funding will be adjusted downward to reflect the actual allocation made to the County of McHenry by HUD; and

WHEREAS, should the County receive an allocation from HUD in excess of \$1,308,967 in CDBG Funding and/or more than \$537,687 in HOME funding for Program Year 2025, an additional funding round will be established to allocate the additional amount of funding; and

WHEREAS, the Public Health & Community Services Committee has reviewed said request.

NOW THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois that it hereby approves and authorizes the Chairman of the Board to enter into contract agreements (obligations) with the above listed organizations for the above cited projects in the amounts and timeframes as cited above and as funds are available and contingent upon the receipt of funds; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Director of Planning & Development; the Community Development Administrator; the County Auditor, the County Treasurer, the Chief Financial Officer, and the County Administrator.

DATED at Woodstock, Illinois, this 15 day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution Authorizing the Home Investment Partnerships Program Contingency Allocations for the Program Year 2025 (10)

Board / Committee Action Requested:

That the McHenry County Board approves and authorizes the Chairman of the Board to enter into contract agreements (obligations) with the above listed organizations for the above cited projects in the amounts as cited above and totaling \$537,687 in HOME funds.

Background and Discussion:

McHenry County is an entitlement community and receives federal HOME funding from HUD on an annual basis. The CDHG Commission reviewed all applications and recommended the allocation amounts for each project during their April 9, 2025, meeting.

Impact on Human Resources:

None.

Impact on Budget (Revenue; Expenses, Fringe Benefits):

McHenry County is an entitlement community and receives federal HOME funding from HUD on an annual basis.

Position Reclassification or Regrade, please address the following:

N/A

Impact on Capital Expenditures:

N/A

Impact on Physical Space:

N/A

Impact on Other County Departments or Outside Agencies:

There is no impact on other county departments. The Community Development Department had anticipated a higher allocation amount (\$600,000) than what was actually received. Project amounts were then reduced by an equal percentage based on what was received.

Conformity to Board Ordinances, Policies and Strategic Plan:

Funding conforms to Board Ordinances, Policies and the Strategic Plan.

RESOLUTION

Resolution Authorizing the Community Development Block Grant Program Contingency Allocations for the Program Year 2025 (10)

WHEREAS, McHenry County, with a threshold population in excess of 200,000, is an “Urban Entitlement County” and therefore received direct annual funding from the U.S. Department of Housing and Urban Development (HUD) under the HOME Investment Partnerships Program (HOME) and Community Development Block Grant (CDBG) Programs; and

WHEREAS, McHenry County created the McHenry County Community Development and Housing Grant (CDHG) Commission to evaluate proposed projects and provide recommendations to the County Board for the use of the HOME and CDBG funds; and

WHEREAS, the County will receive Program Year 2025 CDBG funding in the amount of \$1,308,967; and

WHEREAS, the Community Development Division of the McHenry County Department of Planning and Development solicited proposals on behalf of the Community Development and Housing Grant Commission for projects from for-profit and not-for-profit entities to further the housing, safety, and welfare of low to moderate income households in the County; and

WHEREAS, the Community Development and Housing Grant Commission has recommended the following portfolio or projects contingent on receipt of the funding made to the County by HUD;

Community Development – Administration – \$261,793

Habitat for Humanity – Homeowner Occupied Critical Home Repair – \$56,098

Hebron Township Road District – Green Street Water and Road Rehab – \$514,248

Pioneer Center for Human Services – Jackson Group Home Rehab – \$74,660

Village of Wonder Lake – Wildwood Subdivision Drainage and Roadway Rehab – \$145,933

Greater Family Health – Health Center Improvements – \$26,521

Senior Services Associates – Crystal Lake Senior Center Renovations – \$32,723

Turning Point – Security Enhancements and Updates – \$38,115

Consumer Credit Counseling Services of Northern Illinois – Housing Counseling – \$9,348

Elderwerks – Social Services Case Management – \$23,373

Home of the Sparrow – Landlord Engagement Coordinator and Case Management – \$28,048

Prairie State Legal Services – Housing Advocacy – \$18,698

Refuge for Women – Residential and Supportive Services – \$37,398

Veterans Path to Hope – Veterans Support for Stability – \$42,009

TOTAL: \$1,308,965

WHEREAS, should the County receive an allocation that is less than \$1,308,967 in CDBG funding and/or less than \$537,687 in HOME funding for Program Year 2025, project funding will be adjusted downward to reflect the actual allocation made to the County of McHenry by HUD; and

WHEREAS, should the County receive an allocation from HUD in excess of \$1,308,987 in CDBG Funding and/or more than \$537,687 in HOME funding for Program Year 2025, an additional funding round will be established to allocate the additional amount of funding; and

WHEREAS, the Public Health & Community Services Committee has reviewed said request; and

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois that it hereby approves and authorizes the Chairman of the Board to enter into contract agreements (obligations) with the above listed organizations for the above cited projects in the amounts as cited above and as funds are available and contingent upon the receipt of funds; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Director of Planning & Development; the Community Development Administrator; the County Auditor, the County Treasurer, the Chief Financial Officer, and the County Administrator.

DATED at Woodstock, Illinois, this 15 day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution Authorizing the Community Development Block Grant Program
Contingency Allocations for the Program Year 2025 (10)

Board / Committee Action Requested:

That the McHenry County Board approves and authorizes the Chairman of the Board to enter into contract agreements (obligations) with the above listed organizations for the above cited projects in the amounts as cited above and totaling \$1,308,965 in CDBG funds.

Background and Discussion:

McHenry County is an entitlement community and receives federal CDBG funding from HUD on an annual basis. The CDHG Commission reviewed all applications and recommended the allocation amounts for each project during their April 9, 2025, meeting.

Impact on Human Resources:

None.

Impact on Budget (Revenue; Expenses, Fringe Benefits):

McHenry County is an entitlement community and receives federal CDBG funding from HUD on an annual basis.

Position Reclassification or Regrade, please address the following:

N/A

Impact on Capital Expenditures:

N/A

Impact on Physical Space:

N/A

Impact on Other County Departments or Outside Agencies:

There is no impact on other county departments. The Community Development Department had anticipated a higher allocation amount (\$1.4M) than what was actually received. Project amounts were then reduced by an equal percentage based on what was received.

Conformity to Board Ordinances, Policies and Strategic Plan:

Funding conforms to Board Ordinances, Policies and the Strategic Plan.

RESOLUTION

Resolution Confirming the Increase in the Threshold of Grant Funding for the Lead Safe Homes Program Over \$30,000 by the McHenry County Department of Planning And Development - Community Development Division for McHenry County (10)

WHEREAS, it is desirous to create a safe and healthy environment for all McHenry County residents; and

WHEREAS, the number of County residents experiencing the detrimental effects of lead-based paint increased by over 108% in one year; and

WHEREAS, on a competitive basis, the United States Department of Housing and Urban Development (HUD) and the United States Department of Health and Human Services (HHS) offer federal grant opportunities to local communities to abate the negative effects of lead-based paint and other hazards from residential housing; and

WHEREAS, the Public Health and Community Services Committee authorized the Community Development Division staff to submit an application to HUD and HHS for federal grant funding on April 27, 2023; and

WHEREAS, on June 27, 2023, the Community Development Division staff submitted a request for funding in the amount of \$2,032,420 to HUD and HHS; and

WHEREAS, on August 17, 2023, HUD announced that it would award McHenry County's full grant request; and

WHEREAS, on September 19, 2023, the McHenry County Board approved resolution R-202309-10-227 authorizing the County Board Chairman to enter into a grant agreement with HUD in the amount of \$2,032,420 for the Lead-Based Paint Hazard Program; and

WHEREAS, on May 12, 2025, HUD announced new policy guidance number 2024-08.1 and 2024-09.1 increasing the per-unit cost cap for HUD approval to \$75,000.00 for the Lead Hazard Program and \$30,000.00 for Healthy Homes Grant Management units.

WHEREAS, the new policy guidance and this Resolution has been reviewed and approved by the Public Health and Community Services, Finance and Audit Committees.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that it hereby authorizes and confirms the Community Development Department to spend up to \$75,000.00 for Lead Hazard Program per unit; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the County Auditor, County Treasurer, County Administrator, Chief Financial Officer, Director of Purchasing, Community Development Administrator, and the Director of Planning and Development

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution Confirming the Increase in the Threshold of Grant Funding for the Lead Safe Homes Program Over \$30,000 by the McHenry County Department of Planning And Development - Community Development Division for McHenry County (10)

Board / Committee Action Requested:

To approve and confirm the Community Development Department to spend up to \$75,000.00 for Lead Hazard Program units.

Background and Discussion:

Prior to May 12, 2025, the LEAD Program threshold that required prior HUD approval was any unit over \$30,000.00. As the majority of projects regularly exceed \$30,000.00, HUD increased the approval unit threshold to \$75,000.00. The Community Development Department recognizes that the current county board policies require board approval of all projects over \$30,000.00. However, having to secure board approval for every LEAD unit over \$30,000.00 will create significant delays in project completion to the detriment of McHenry County families and children who are being exposed to the dangers of lead in their homes.

Impact on Human Resources:

N/A

Impact on Budget (Revenue; Expenses, Fringe Benefits):

This is federal HUD funding. This threshold change will not impact the county budget and will effectively expedite the LEAD project timeline by not having to secure prior HUD approval on units under \$75,000.00

Position Reclassification or Regrade, please address the following:

N/A

Impact on Capital Expenditures:

No impact on capital expenditures.

Impact on Physical Space:

No impact on physical space.

Impact on Other County Departments or Outside Agencies:

N/A

Conformity to Board Ordinances, Policies and Strategic Plan:

The current county board policies require board approval of all units over \$30,000.00.



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-3000

OFFICE OF LEAD HAZARD CONTROL
AND HEALTHY HOMES

POLICY GUIDANCE NUMBER: 2024-09.1 **DATE:** MAY 12, 2025

SUBJECT: Purpose and Use of Healthy Homes Supplemental Funding (HHSupp)-Revised

STATUS: Current

APPLICABILITY: Lead-Based Paint Hazard Reduction (LHR) and Lead Hazard Reduction Demonstration (LHRD) grantees

RELATED GUIDANCE: Supersedes 2016-01, which required use of the Healthy Homes Rating System for grants that use Healthy Homes Supplemental Funding

What is Healthy Homes Supplemental (HHSupp) funding?

Healthy Homes Supplemental (HHSupp) funding for the Office of Lead Hazard Control and Healthy Homes' (OLHCHH's) lead hazard reduction grant programs is used for identifying and remediating multiple housing-related health and safety hazards, other than lead-based paint hazards. HHSupp funding comes from the Office's annual budget line for the Healthy Homes Initiative, provided pursuant to sections 501 and 502 of the Housing and Urban Development Act of 1970.

What is the purpose of the HHSupp?

HHSupp funding is part of HUD's comprehensive approach to address housing related health and safety hazards that contribute to diseases and injuries in a coordinated fashion, rather than addressing a single hazard at a time.

What is the process for remediating hazards using HHSupp funding?

The process for identifying and remediating health and safety hazards in homes using Healthy Home Supplemental funding includes:

- 1) Develop work plan and policies and procedures;
- 2) Complete a healthy homes assessment based around the **8 healthy homes principles**¹

¹ The Healthy Homes Model and Principles are described in [Advancing Healthy Housing: A Strategy for Action](#), on page 3 and pages 9 – 10.

- 3) Develop the scope of work that prioritizes home health hazard remediation activities identified in the grantee's workplan and address the needs and health of the residents;
- 4) Remediate the health hazards;
- 5) Do final walkthrough to make sure the unit scope of work is completed;
- 6) Complete distribute and file reassessment and clearance report.

Develop Work Plan and Policies and Procedures:

The work plan and policies and procedures should include the following information prior to the start of any healthy home unit work remediation:

- Identify who will be completing the healthy homes assessment and scope of work, and their qualifications for performing those activities.
- Identify when the assessment, bidding, unit work completion and reassessment will occur within the unit production process.
- Describe in detail how the hazards found on assessment will be prioritized by the program for consideration in scope of work. Include any definitions relevant to the prioritization approach.
- Identify the number and average work cost of healthy home units to be completed.
- Describe the priority issues the grant program will seek to invest remediation in when found in enrolled units, and why.
- Describe the intervention approach that is being sought for each of the priorities and what variables would trigger any different level of intervention as applicable.
- Describe how the assessment, prioritization, report scope, invoicing and reassessment will be completed and documented in the unit file.
- Describe your process of paying invoices and funding flow.

Healthy Homes Assessment Process/Scope of Work:

A healthy home assessment for identifying hazards should include:

- Description of hazard categories to be identified in the Healthy Homes Assessment, and the documentary source(s) of the categories.
- Supportive documents such as pictures of the hazards being addressed is highly recommended for cost justification of unit activities.
- The assessment report should include recommendations to address prioritized hazards identified.
- The Scope of Work should match the remediation recommendations made from the assessment report and include the hazards that have identified to be remediated, the tasks necessary to complete the remediation, the estimated cost of the work, and the material and specifications to be used in the remediation.

The OLHCHH does NOT have a per unit cost cap on healthy homes assessment and hazard reduction work. However, for assisting units where the estimated cost healthy homes work using

HHSupp funds is greater than **\$30,000**, you must submit a request through the Healthy Homes Grant Management System (HHGMS) for approval **before** you commit funding for, or perform any hazard reduction work on, these projects. The request must include a detailed description of the work and an estimate of costs, including the type and age of the property, and ownership for multifamily projects. The request will be reviewed by your GTR and, if necessary, additional documentation may be requested for review prior to approval. Please do not commit funding for these projects until you receive approval from your GTR.

Please note that this updated policy guidance is **not** intended to allow you to spend more on units than you had been spending; it **is** intended to focus efforts to review project scopes and costs that are conducted in addition to reviews of quarterly progress reports, on the largest projects.

Remediate Hazards

Remediation must be based on the scope of work developed following the healthy home assessment, and the prioritization of each hazard per the work plan priorities and resident needs. As with the lead hazard evaluation and reduction work conducted under the grant, the grantee is responsible for the development, procurement, and monitoring of work completion in each unit and common area. All work completed using these funds must be administered in compliance with local and program requirements, including using certified contractors, licensing, permits, and insurance when they may be required, e.g., mold remediation, plumbing, electrical, radon, or asbestos work.

Do final walkthrough to make sure the unit work is completed

Program personnel must conduct a follow-up inspection and assessment following remediation of the hazards addressed in the scope of work. Results of the reassessment must be evaluated and documented to ensure the hazards were addressed adequately to reduce the risk of injury. If the hazard still exists, the grantee must document the hazard and take steps to ensure that the scope of work is completed, prior to completing the Clearance Report.

Complete, Distribute, and File Reassessment and Clearance Report

The Clearance Report must be maintained in the case file for the home where HHSupp funds are being expended.

What documentation must be provided to owners and occupants?

Any owners and occupants of the home where HHSupp funds were expended must receive the following documentation:

- A copy of the home inspection and assessment;
- A copy of the Healthy Home Hazard Summary Report; and
- A copy of the Clearance Report.

HHSupp Allowable Costs/Restrictions

Allowable HHSupp Costs

Costs that are directly related to the identification, assessment, and remediation of housing-related health and safety hazards are allowable costs for HHSupp funding. Allowable costs include the following and may be included in HHSupp budget by task item:

- Conducting the healthy homes assessment, including the costs of Inspection equipment; and Secondary inspections as required, including inspections by structural engineers, electrical engineers, and other follow-up investigators;
- Developing the scopes of work and associated reports;
- Remediating the hazards identified in the scope of work, including the costs of materials used to remediate hazards;
- Educational Materials individualized to hazards identified in enrolled housing units
- Training for staff, subrecipients, contractors, Promotoras, or Community Health Workers (CHW) that relates to and builds capacity for Healthy Homes assessment and home health hazard remediation (must be pre-approved by GTR prior to cost incurred)
- Reassessing the completed work and clearance.

Restrictions on Use of HHSupp Funds

- HHSupp funding is used for identifying and remediating multiple health and safety hazards in homes. HH Supp funding may **only** be used in homes where lead hazard reduction work (interim controls or abatement) is being conducted; however, grantees who receive lead hazard reduction funds with HHSupp funds are **not** required to expend HHSupp funding in every home where they expend lead hazard reduction funds. The decision is the grantee's (including its sub-grantees and contractors in the decision-making process, to the extent the grantee sees fit).

A grantee, sub-grantee, or vendor/contractor must **not** use HHSupp funds for the following:

- Salaries and Fringe for any persons **not** completing eligible work tasks;
- Administrative Costs;
- Travel;
- Outreach;
- General (non-housing unit specific) educational materials;
- Supplies outside of the scope of interventions to address hazards identified within individually completed Healthy Homes Hazard Summary Reports; and
- Research.
- www.hud.gov/program_offices/healthy_homes/ or www.cdc.gov/nceh/publications/books/housing/housing_ref_manual_2012.pdf.
- Overview of the Healthy Home Rating System. (Includes HHRS operating guidance, hazards chart, scoring tools, and other materials, for use on units evaluated under that System before July 1, 2017, and for units evaluated under that System since then for which the grantee has GTR approval for addressing in accordance with the HHRS.)

Housing Codes

- State Housing Codes
 - Healthy Housing Solutions, Housing Codes, <http://healthyhousingsolutions.com/hhtc/state-housing-codes/> (includes a state-by-state directory of housing codes)
 - National Conference of State Legislatures, Healthy Homes, www.ncsl.org/research/environment-and-natural-resources/healthy-homes.aspx (includes a directory of state laws regarding the health of a home environment)
- Local Ordinances
 - Municode, library.municode.com
 - General Code Library, www.generalcode.com/webcode2.html



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-3000

OFFICE OF LEAD HAZARD CONTROL
AND HEALTHY HOMES

Policy Guidance Number: 2024-08.1

Date: May 12, 2025

Subject: Eligibility of Units for Assistance with Lead Hazard Control Funds

Status: Updated

Applicability: All OLHCHH Lead-based Paint Hazard Control and Lead Hazard Reduction Demonstration grantees

The Office of Lead Hazard Control and Healthy Homes (OLHCHH) is issuing this policy guidance to clarify eligibility requirements for recipients of federal funds issued under OLHCHH lead hazard control grant programs (i.e., the Lead-based Paint Hazard Control and Lead Hazard Reduction Demonstration grant programs), and authorized by the Residential Lead-Based Paint Hazard Reduction Act (Title X), as amended, which establishes the criteria for which assistance can be provided for housing containing lead-based paint hazards. **NOTE: These are statutory requirements and cannot be waived or changed by HUD.**

Section 1011(a) of Title X reads:

- (1)for grants made to assist rental housing, at least 50 percent of the units must be occupied by or made available to families with incomes at or below 50 percent of the area median income level and the remaining units shall be occupied or made available to families with incomes at or below 80 percent of the area median income level, and in all cases the landlord shall give priority in renting units assisted under this section, for not less than 3 years following the completion of lead abatement activities, to families with a child under the age of six years, except that buildings with five or more units may have 20 percent of the units occupied by families with incomes above 80 percent of area median income level*
- (2)for grants made to assist housing owned by owner-occupants, all units assisted with grants under this section shall be the principal residence of families with income at or below 80 percent of the area median income level, and not less than 90 percent of the units assisted with grants under this section shall be occupied by a child under the age of six years or shall be units where a child under the age of six years spends a significant amount of time visiting*

Summary Table of Section 1011 Income Requirements

Occupant Type	Income Level¹	Child Occupant <6 years old
Renter	1. At least 50% units must be less than 50% area median income (AMI), and 2. Remaining units (<50%) must be less than 80% AMI	1. Not required at time of assistance 2. Property owner must give priority to families with child under 6 years old for at least 3 years.
Multifamily Renter (≥ 5 units in same property)	1. 20% of total number of units in same building may exceed 80% AMI 2. Remaining units must meet renter income requirements above	1. Not required at time of assistance 2. Property owner must give priority to families with child under 6 years old for at least 3 years.
Owner (primary residence)	All owner-occupied units must be occupied by families with less than 80% AMI	1. At least 90% of total number of owner-occupied units assisted must have: <ul style="list-style-type: none"> • A child under 6 years old in residence, or • A child under 6 years old spends a “significant amount of time”² or • A pregnant woman 2. Less than 10% of total number of units assisted may be occupied by families without a child

Prioritization of Units

The goal of the lead hazard control grant program is to prevent childhood lead poisoning. Each grantee must develop work plans and policies and procedures that are consistent with this goal. In addition, your efforts must comply with the Notice of Funding Opportunity under which the award was made, and other grant requirements when committing to address lead hazards in housing. Your work plan must contain a clear prioritization strategy and outreach plan (i.e., how you will reach children with lead poisoning, children under 6 at risk, units without children, etc.). Collaboration with local health agencies to obtain EBL lists is essential. There are limited funds for this effort, so grantees must be judicious and responsible when selecting units for participation in their programs.

Use of Funds in Multifamily (≥ 5 Units) Housing

Landlords and/or property owners should be encouraged to contribute towards the cost to remediate hazards in their properties, especially those owning large housing complexes, thus

¹ See Policy Guidance 2017-05, Revised Income Verification Guidance, for instructions on determining income.

² A “significant amount of time visiting” is defined as three hours a day on two separate days a week and a total of 60 hours per year.

ensuring that they demonstrate their responsibility to provide safe and healthy housing for their tenants. The level of contribution should be determined on a case-by-case basis at the discretion of the grantee.

A child is not required to be present for a multifamily property in order to receive lead hazard control assistance, but the owner/landlord must agree to give priority to families with children under six for not less than three years following the completion of work. You may require more stringent terms in your agreements with landlords, but not less.

Vacant Rental Units

The OLHCHH permits lead hazard control work in vacant units provided the landlord owner/landlord agrees to give priority to families with children under six for not less than three years following the completion of work. While remediating lead-based paint hazards in vacant units is permissible, grantees must ensure that they are not forgoing units where children are currently residing in preference of vacant units.

Renter-Occupied Units without Children

The OLHCHH recognizes that the intention of Title X is to implement primary prevention strategies that address homes where at-risk children are likely to reside, with a focus on homes where children under six years of age currently reside. Therefore, per Section 1011(a)(1), the OLHCHH permits grantees to assist income-eligible rental units where children under six are not currently in residence, provided that the landlord gives priority in renting units assisted, for not less than three years from the date of the completion (i.e., clearance of lead hazards) of lead hazard abatement activities, to families with a child under the age of six years. The OLHCHH considers a pregnant woman as having a qualifying “child occupant,” although the presence of a qualifying child at the time of assistance is not required in rental housing.

Giving Priority to Families with Children Under Six

Title X does not make it clear how “giving priority” is achieved. Furthermore, the Fair Housing Act does not permit property owners to discriminate based on race, color, national origin, religion, sex, familial status or handicap. Nevertheless, under Title X funding provided to recipients requires that the property owner “give priority in renting units assisted... for not less than 3 years following the completion of lead abatement activities.” This requirement applies to all rental housing, whether occupied or not at the time of assistance, and for not less than three years following the date of assistance; it does not apply to owner-occupied housing. The OLHCHH, therefore, advises grantees to establish policies that ensure assisted units are prioritized for families with children under six years of age, such as, but not limited to:

- Requiring compliance in the terms of your assistance agreement with owners;
- Registering assisted units in a publicly accessible lead-safe housing registry; and/or
- Following up with the owner(s) at least annually and document in the unit file that the owner has attempted to comply.

Owner-Occupied Units

Section 1011(a)(2) of Title X requires that 90% of all owner-occupied housing assisted with lead grant funds must have a child under the age of six years or spend a significant amount of time at the time of assistance. The OLHCHH considers a pregnant woman as having a qualifying “child occupant.” All owner-occupied units must have income at or below 80% AMI. **There is no period of availability requirement (i.e., “giving priority to families with children under six”) for owner-occupied units, as there is in rental housing.**

Eligibility of HUD-associated Housing Units Eligible/Not Eligible for OLHCHH LHC Funds

Program	Eligible?	Program	Eligible?
Housing Components of Community Planning & Development Programs		Housing in Military Impacted Areas (Section 238)	Yes
Community Development Block Grants (Entitlement)	Yes	Single Family Home Mortgage Coinsurance (Section 244)	Yes
Community Development Block Grants (Non-Entitlement) for States and Small Cities	Yes	Graduated Payment Mortgages (Section 245)	Yes
Community Development Block Grants (Section 108 Loan Guarantee)	Yes	Adjustable-Rate Mortgages (ARMs) (Section 251)	Yes
Special Purpose Grants	Yes	Manufactured Homes (Title I)	Yes
The HOME Program: HOME Investment Partnerships	Yes	Housing - Multifamily Programs	
HOPE for Homeownership of Single-Family Homes	Yes	Rent Supplements (Section 101)	No
Shelter Plus Care - Sponsor-based Rental Assistance	No	Multifamily Rental Housing (Section 207)	Yes
Shelter Plus Care - Tenant-based Rental Assistance	Yes	Cooperative Housing (Section 213)	Yes
Shelter Plus Care - Project-based Rental Assistance	No	Mortgage and Major Home Improvement Loan Insurance for Urban Renewal Areas (Section 220)	Yes
Shelter Plus Care - SRO Rental Assistance	No	Multifamily Rental Housing for Moderate-Income Families - Section 221(d)(3)	No
Single Family Property Disposition Homeless Initiative	No	Multifamily Rental Housing for Moderate-Income Families - Section 221(d)(4)	Yes
Emergency Shelter Grants	Yes	Existing Multifamily Rental Housing (Section 223(f))	Yes
Housing Opportunities for Persons with AIDS (HOPWA)	Yes	Supplemental Loans for Multifamily Projects (Section 241)	Yes
Surplus Properties (Title V)	No	Supportive Housing for Persons with Disabilities (Section 811)	No
Supportive Housing Demonstration Program Transitional Housing Component	Yes	HOPE 2: Homeownership of Multifamily Units (Title IV)	No
Supportive Housing Demonstration Program Permanent Housing Component	Yes	Low-Income Housing Preservation and Resident Homeownership (Title VI)	No
Supplemental Assistance for Facilities to Assist the Homeless (SAFAH)	Yes	Emergency Low-Income Housing Preservation (Title II)	No
Supportive Housing Program	Yes	Flexible Subsidy (Section 201)	No
Section 8 SRO Mod Rehab for Homeless Individuals	No	Public and Indian Housing	
Innovative Demonstration Program	Yes	Section 8 Project-Based Certificate Program	No
Housing - Single Family Programs		Section 8 Tenant Based Certificate and Voucher Program	Yes
One- to Four-Family Home Mortgage Insurance (Section 203(b) and (i))	Yes	Section 8 Moderate Rehabilitation Program	No
Rehabilitation Mortgage Insurance (Section 203(k))	Yes	Public Housing Development	No
Homeownership Assistance for Low- and Moderate-Income Families (Section 221(d)(2))	No	Public Housing Operating Subsidy	No
Homes for Service Member (Section 222)	Yes	Public Housing Modernization (Comprehensive Grant Program)	No
Housing in Declining Neighborhoods (Section 223(e))	Yes	Public Housing Modernization (Comprehensive Improvement Assistance Program)	No
Condominium Housing (Section 234)	Yes		

Unit Costs

The OLHCHH does NOT have a per unit cost cap on lead hazard control work. However, for assisting units where the estimated cost of lead hazard control using lead grant funds is greater than **\$75,000**, you must submit a request through the Healthy Homes Grant Management System (HHGMS) for approval **before** you commit funding for, or perform any hazard reduction work on, these projects. The request must include a detailed description of the work and an estimate of costs, including the type and age of the property, and ownership for multifamily projects. The request will be reviewed by your GTR and, if necessary, additional documentation may be requested for review prior to approval. Please do not commit funding for these projects until you receive approval from your GTR.

Please note that this updated policy guidance is **not** intended to allow you to spend more on units than you had been spending; it **is** intended to focus efforts to review project scopes and costs that are conducted in addition to reviews of quarterly progress reports, on the largest projects.

You must follow the OLHCHH's building component replacement criteria:

- Your lead hazard reduction projects must be based on a lead-based paint inspection and lead risk assessment of the home, and is not for replacing components with intact lead-based paint surfaces or with non-lead-based paint surfaces.
- The Healthy Homes Supplemental (HHSupp) funds in your grant may not be used for automatic replacement of building components (such as windows or doors). Replacement may be conducted based only a Healthy Homes Assessment (as described in Policy Guidance 2024-09.1) that identifies that each component to be replaced presents a health or safety hazard, and that a less intrusive and costly method of mitigating the hazard is inappropriate or inefficient.

Please consult with your assigned Government Technical Representative if you have any questions concerning this Policy Guidance.

RESOLUTION

Resolution Authorizing a Two-Year Contract with Falcon Green Resources of Woodstock, Illinois for Solid Waste Disposal/Recycling and Two Additional Optional Years (16)

WHEREAS, the McHenry County Facilities Management Department is responsible for the disposal of solid waste and recycling of refuse generated by County Departments in their day-to-day operations; and

WHEREAS, the Facilities Management Department prepared specifications for solid waste and recycling disposal, and the Director of Procurement and Special Services solicited bids to multiple potential bidders, and three (3) responses were received; and

WHEREAS, after reviewing the submitted proposals, the Director of Facilities Management is recommending a two (2) year base term contract with Falcon Green Resources of Woodstock, IL, as the lowest responsive and responsible bidder, with the option of two (2) additional years; and

WHEREAS, the costs for disposal of solid waste and recycling will be accounted for in the proposed FY2026 budget; and

WHEREAS, the Administrative Services and Finance & Audit Committees have reviewed the said request

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that it hereby authorizes the Director of Procurement and Special Services to initiate a two (2) year contract with Falcon Green Resources of Illinois with the option of two (2) additional years to provide solid waste and recycling disposal at an estimated annual cost of \$83,450; and

BE IT FURTHER RESOLVED, by this County Board of McHenry County, Illinois, that \$83,450 will be accounted for in the development of the FY2026 budget under the following budget line items:

		FY2026
Main Acct-Dept-Div-Fund		
444900-16-1600-100	FM - Gen Fund - Garbage	\$37,200
444900-16-1655-222	FM - Sheriff Cary Facilities - Garbage	\$2,000
444900-82-8240-205	VH - Valley Hi - Garbage	\$44,250
	TOTAL	<u>\$83,450</u>

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Director of Facilities, the Valley Hi Nursing Home Administrator, the Director of Procurement and Special Services, the County Auditor, the CFO, and the County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution Authorizing a Two-Year Contract with Falcon Green Resources of Woodstock, Illinois for Solid Waste Disposal/Recycling and Two Additional Optional Years (16)

Board / Committee Action Requested:

Approval to enter into a contract for solid waste disposal and recycling services with Falcon Green Resources of Woodstock, IL.

Background and Discussion:

the Facilities Management Department prepared specifications for solid waste and recycling disposal for County properties for the Director Procurement and Special Services Department. The bid was for a two-year (2) Base Term (FY2026 and FY2027) and two (2) Optional Years (FY2028 and FY2029). The Director of Facilities Management reviewed and the bids and wishes to extend a contract to the most responsive/responsible bidder, Falcon Green Resources of Woodstock, IL

Impact on Human Resources: None

Impact on Budget (Revenue; Expenses, Fringe Benefits):

The funds for solid waste disposal and recycling services will be included within the proposed FY2026 budget for Facilities Management, Valley Hi, and Division of Transportation.

Impact on Capital Expenditures: None

Impact on Physical Space: None

Impact on Other County Departments or Outside Agencies: None

Conformity to Board Ordinances, Policies and Strategic Plan: Follows the current County Purchasing Ordinance.



McHenry County
Procurement Executive Summary

June 10, 2025

Requesting Department: Facilities Management

Procurement Name: Bid 25-8356 Refuse Pickup & Recycling Services at McHenry County Government Facilities

Recommended Vendor: Falcon Green

Amount of Award: Over \$30,000 annually dependent upon usage (Valley Hi, DOT, and Facilities)
\$38,720 Year 1, Facilities only

Notification and Response

Bid/RFP Due Date: May 21, 2025

Bids/Proposals Received: 3

Prevailing Wage: Yes _____ Not Applicable __X__

Proprietary: Yes _____ No __X__

Award Statement

Falcon Green submitted the lowest responsive and responsible bid for County Facilities, with no exceptions. Waste management submitted thirteen (13) exceptions to the county bid, some of which added increased or additional costs relative to their base bid.

Based on cost and contract compliance, the Director of Facilities Management, and the Director of Procurement & Special Services recommend awarding this contract to the responsible low bidder, Falcon Green of Woodstock, IL. This was a cooperative bid with the McHenry County Conservation District (MCCD). MCCD will be awarding their own separate contract.

Vendor		Responsive Responsible
Falcon Green		Yes
Waste Management of Illinois		Yes, (13) <i>Exceptions</i> listed
Lakeshore Recycling Systems LLC		Yes



Bid 25-8356
Refuse Pickup and Recycling Services at McHenry County Government Facilities
and
RFQ# 0525.07.02
Garbage-Recycle Services at all McHenry County Conservation District Locations

Procurement Contact:

Djuana Leonard, C.P.M., Assistant Procurement Manager, Email: dmleonard@mchenrycountyil.gov

Bid Due Date and Time: May 21, 2025, no later than 9:00 AM (CST)

PDFs should be UPLOADED (submitted) here: <https://www.mchenrycountyil.gov/departments/purchasing/submit-your-rfp-rfq-or-bid>

MANDATORY COVER PAGE

PLEASE TYPE or PRINT CLEARLY

Company: Falcon Green Resources, Inc. Date: 05/22/2025

City: Woodstock State: IL

Contact Person: Kathryn Powles Telephone Number: (815) 334-8689

Email Address: kathyp@falconggreenresources.com

The attention of bidders is directed to the McHenry County Purchasing Ordinance, revised November 1, 2023. This Ordinance is incorporated by reference into this bid as if it were contained herein. Communication regarding this bid is limited to the Procurement Specialist listed above (or the Purchasing Administrative Specialist). Unauthorized communication with other McHenry County staff, officers, or collaborating Architecture-Engineering firm is strictly prohibited.

Directions For Submission:

All data and documentation submitted as part of this request shall become the property of McHenry County, Illinois. After a contract is executed, all qualifications, responses, documents, and materials contained shall be considered public information and will be made available for inspection in accordance with the Illinois Freedom of Information Act. Your company may provide a redacted version of your submission, which will be used for FOIA purposes.

Electronic submissions shall be UPLOADED (Submitted) here:

<https://www.mchenrycountyil.gov/departments/purchasing/submit-your-rfp-rfq-or-bid>



SCHEDULE OF EVENTS

March 29, 2025	Bid & RFQ Available on County Website
May 5-8	Site visits available upon request.
May 9, 2025	Questions due for BOTH SECTIONS no later than <u>12:00PM CST</u> Submit all questions <u>via email to:</u> dmleonard@mchenrycountyil.gov
May 14, 2025	Addendum posted on County website no later than 4:00PM CST
May 21, 2025	BIDS and RFQ submissions FOR BOTH SECTIONS are DUE NO LATER THAN <u>9:00AM CST</u> UPLOAD (Submit) electronic bids here: https://www.mchenrycountyil.gov/departments/purchasing/submit-your-rfp-rfq-or-bid
May 21, 2025	Bid opening for BOTH SECTIONS conducted via <u>Microsoft Teams Webinar at 1:00PM CST</u> Details available on bid page No onsite bid opening.

DESCRIPTION OF WORK

There are two (2) Separate Sections to this Solicitation. Bidders may bid on any or all sections. There may be multiple awardees. This Bid is NOT Subject to the Illinois Prevailing Wage Act.

Submissions for both Sections must be uploaded to the County's website.

SECTION 1

McHenry County seeks qualified firms to provide refuse pickup and recycling services at **McHenry County Government facilities** according to the specifications contained herein. This is a multi-year contract. Base Year 1 from December 1, 2025-November 30, 2026, Base Year 2 from December 1, 2026-November 30, 2027, Year 3, optional, from December 1, 2027-November 30, 2028, and Year 4, optional, from December 1, 2028-November 30, 2029, subject to continuing need and availability of funds.

**** Refer to Separate Excel Pricing Page ****



SPECIFICATIONS:

- Bidder will pay all fees, permits and licenses required for this contract
- Bidder shall comply with all applicable local, state and federal rules and regulations
- County may add or delete containers and weekly pickups in accordance with the stated bid prices
- Bidder must be currently licensed with the county of McHenry
- Response time for issues related to compactors may **NOT EXCEED 24 hours, Monday – Friday**

SERVICE LOCATIONS:

Location	Facility	Address
A	McHenry County Government Center	2200 N. Seminary Ave, Woodstock IL 60098
B	McHenry County Administration Bldg	667 Ware Road, Woodstock IL 60098
C	McHenry County Building A	675 Russel Court, Woodstock IL 60098
D	Office Building	400 Russel Court, Woodstock IL 60098
E	McHenry County Training Facility	655 Village Hall Drive, Cary IL 60013
F	McHenry County Firing Range	460 Cary Woods Circle, Cary il 60013
G	McHenry County Health/Animal Control	100 N. Virginia Street, Crystal Lake IL 60014
H	McHenry County Election Center	410 S. Eastwood Drive, Woodstock IL 60098
I	Valley Hi Nursing Home	2406 Hartland Road, Woodstock IL 60098
J	McHenry County Division of Transportation	16111 Nelson Road, Woodstock IL 60098
K	Office Building	500 Russel Court, Woodstock IL 60098

BILLING/INVOICING INFORMATION:

Billing Group #1:

Includes Locations A–G. In the beginning of each fiscal year a purchase order will be issued for this service agreement. The PO# shall be referenced on all monthly invoices. Locations A-G should be combined on one monthly itemized invoice. Invoices shall be emailed to facilities@mchenrycountyil.gov, attention: Lynnsey Osborne.

Billing Group #2 – McHenry County Election Center:

Location H only. This billing group shall be paid off the monthly direct invoice. No PO will be issued for this location. Invoices for Billing Group #2 shall be emailed to Maureen Gates at mkgates@mchenrycountyil.gov

Billing Group #3 – Valley Hi Nursing Home:

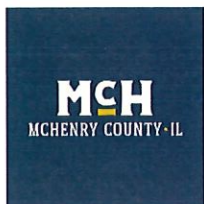
Location I only. In the beginning of each fiscal year a purchase order will be issued for this service agreement. The PO# shall be referenced on all monthly invoices. Invoices for shall be emailed to Becky Jandron at RLJandron@mchenrycountyil.gov

Billing Group #4 – McHenry County Division of Transportation:

Location J only. In the beginning of each fiscal year a purchase order will be issued for this service agreement. The PO# shall be referenced on all monthly invoices. Invoices shall be emailed to DOTAP@mchenrycountyil.gov, account is monitored by multiple finance staff members.

Billing Group # 5 – Office Building located at 500 Russel Court:

Location K only. This billing group shall be paid off the monthly direct invoice by two (2) separate checks. One check will be issued from McHenry County Workforce Network, and the other check will be issued from ETSB. No PO will be issued for this location. Invoices for Billing Group #5 shall be emailed to Kirsta Robson at KXRobson@mchenrycountyil.gov and Laura Heuer at LFHeuer@mchenrycountyil.gov



MANDATORY PAGE
REFERENCES & EXCEPTIONS

Provide contact information for three (3) current (within the last 12 Months) clients that meet our requirements of similar type to us, institutional, corporate, and governmental agencies. Notify your references that the County will be contacting them via e-mail. **Email address required. It is the bidder's responsibility to ensure references respond to the County, as required.**

Entity: Furst Properties Contact Person: Ron Furst

Address: 4 Jane Ln. City, State, Zip Code: Barrington, IL 60010

Email Address: Ron@furst.properties

Entity: H & H Storage Contact Person: Charlie Hunt

Address: 4760 IL Route 173, Suite 3 City, State, Zip Code: Poplar Grove, IL 61065

Email Address: HCC@Belvidere.net

Entity: Don Powles Contact Person: Don Powles

Address: PO Box 669 City, State, Zip Code: Woodstock, IL 60098

Email Address: DonPowles58@gmail.com

EXCEPTIONS TO SOLICITATION, (if there are none, write "NONE"): NONE



MANDATORY PAGE
CERTIFICATONS AND SIGNATURES

- I acknowledge there to be **SIX (6) Mandatory Pages**, for my submission to be considered:
McHenry County Cover Page, Excel Bid Pricing Sheet, References & Exceptions Page, and
Certifications & Signature Page & McHenry County Conservation District
Page 1 and Excel Pricing Sheet ☒ Yes

- Vendor certifies it has not been barred from contracting with a unit of State or Local Government because of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961, as amended. ☒ Yes

- Vendor certifies it is aware that all contracts for the Construction of Public Works are subject to the **Illinois Prevailing Wage Act** (820 ILCS 130/1-12) and this Solicitation
☐ Is Subject to, ☒ **Is not** Subject to the Illinois Prevailing Wage Act. ☒ Yes

- Vendor acknowledges this Solicitation ☐ Is Subject to, ☒ **Is not** Subject to the **Employment of Illinois Workers in Public Works Act** (30 ILCS 570/3) and will comply with the requirements set forth in this Act. ☒ Yes

- I acknowledge this Solicitation ☐ Requires, ☒ **Does not** Require a Bid Bond
Bid Security shall be in an amount equal to at least ten percent (10%)
of the amount of the Bid except for the Division of Transportation, which should be at least five percent (5%). Bid Security shall be a bond provided by a surety company authorized to do business in the State of Illinois, or a certified check, bank draft, or cashier's check. ☒ Yes

- I acknowledge this Solicitation ☐ Requires, ☒ **Does not** Require
Performance & Payment Bonds ☒ Yes

- Vendor understands that, in submitting this bid/proposal, it waives all right to plead any misunderstandings regarding the foregoing information presented in the Solicitation Documents, including but not limited to, the McHenry County Purchasing Ordinance, Standard Terms and Conditions, and All Addendums. ☒ Yes

I have carefully examined the Bid or Request, Scope of Work, Specifications, and any other documents accompanying or made a part of this Request. I certify I am duly authorized to submit on behalf of the firm, and the firm is ready, willing, and able to perform if awarded the contract. I further certify, under oath, this proposal is made without prior understanding, agreement, connection, discussion, or collusion with any other person, firm or corporation submitting a proposal for the same product or service.

Individual/Company/Corporation: Falcon Green Resources, Inc.

Printed Name and Title: Kathryn Powles - President

Telephone Number: (815) 334-8689 Email: kathyp@falconggreenresources.com

Address: 14212 Washington St. Woodstock, IL 60098

Signature:  Date: 05/22/2025

Witness Name & Title: Amber Cybul - Office Admin Witness Signature: 



SECTION 2

MCHENRY COUNTY CONSERVATION DISTRICT

Refer to Separate Excel Pricing Page



McHenry County
CONSERVATION DISTRICT

RFQ# 0525.07.02

RE: Garbage-Recycle Services at all McHenry County Conservation District Locations

Scope of Services Requested at Site:

Work includes all labor, equipment, and materials for the Refuse and Recycle Pick up Services
See Attachment A for Schedule


Note:

- The contractor shall provide all necessary garbage/recycle bins/toters/dumpsters necessary per attached listing.
-

Schedule of Prices: See Attachment A

1. 6 Yard Dumpster	\$ 150.00
2. 4 Yard Dumpster	\$ 120.00
3. 2 Yard Dumpster	\$ 85.00
4. Toters	\$ 65.00
5. 10 Yard Dumpsters as needed	\$ 350.00
6. 20 Yard Dumpsters as needed	\$ 420.00
7. 30 Yard Dumpsters as needed	\$ 520.00

Company Name: Falcon Green Resources, Inc.

By:  (Signature)
Kathryn Powles (Printed Name)
President (Title)

Date: 05/22/2025

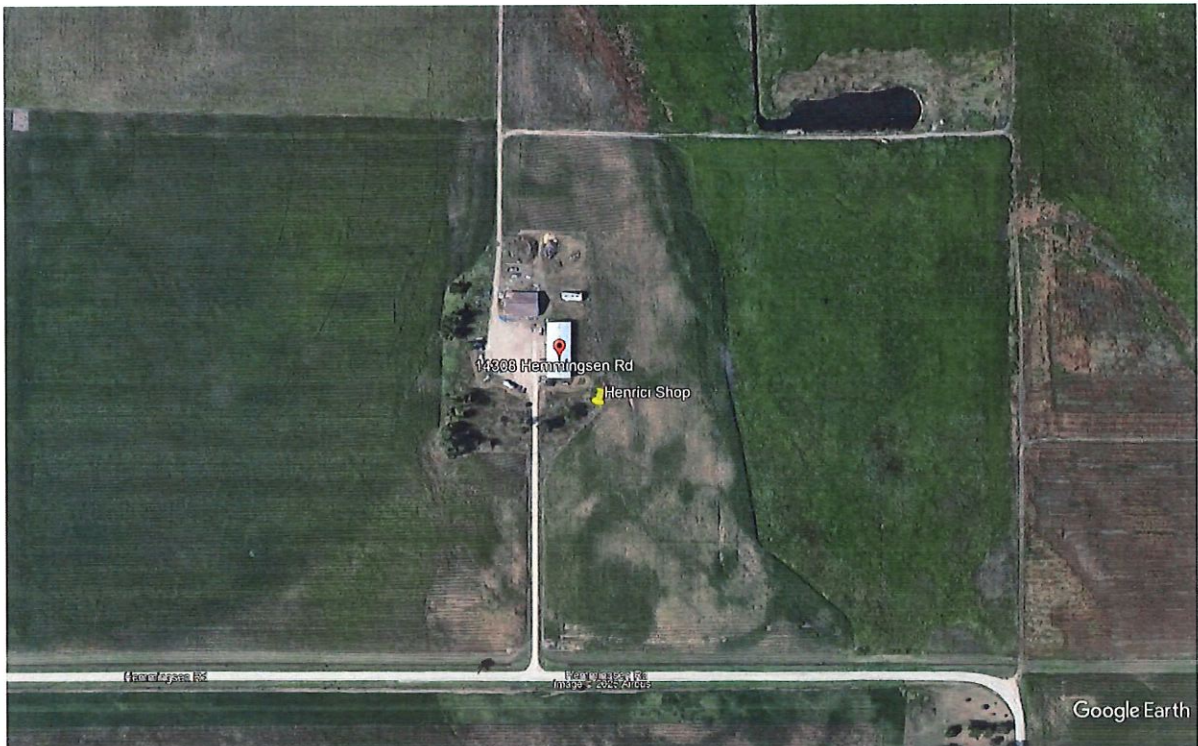
Respectfully,
McHenry County Conservation District

Ben O'Dea
Parks & Fleet Supervisor
C: 815-482-3244

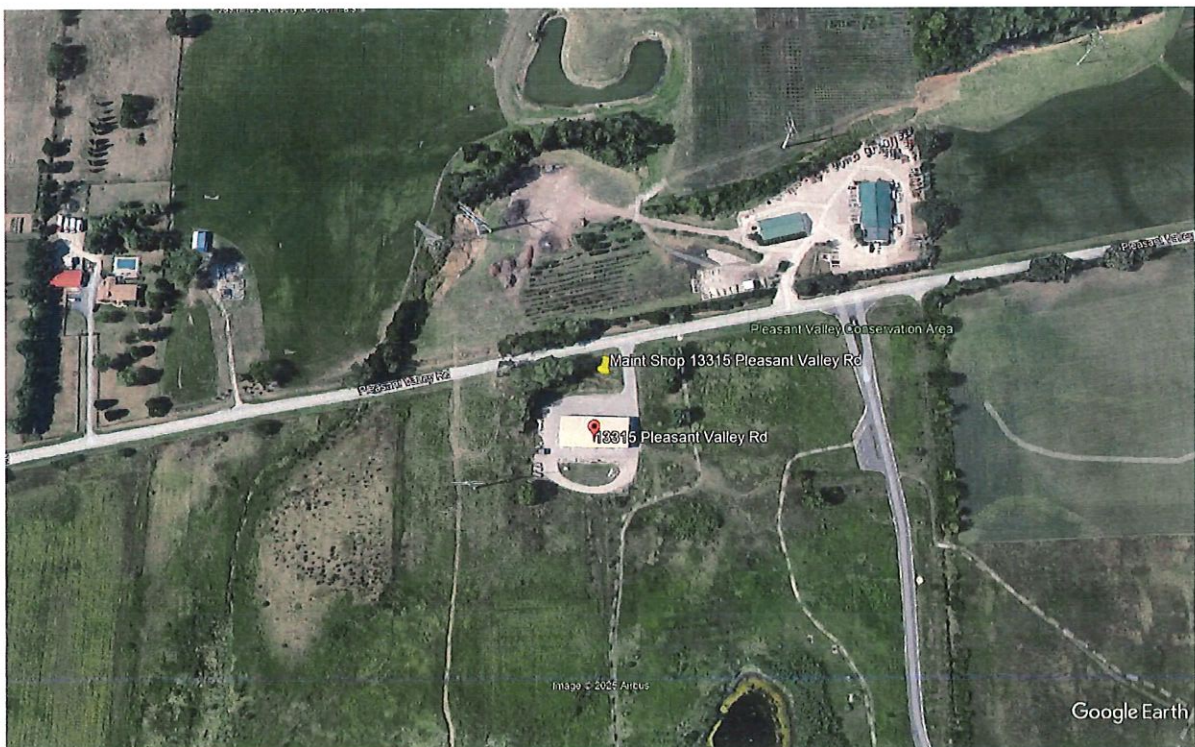
Note:
Locations listing and maps as attachment A

Contact Ben O'Dea with any questions or to schedule a site visit if needed.

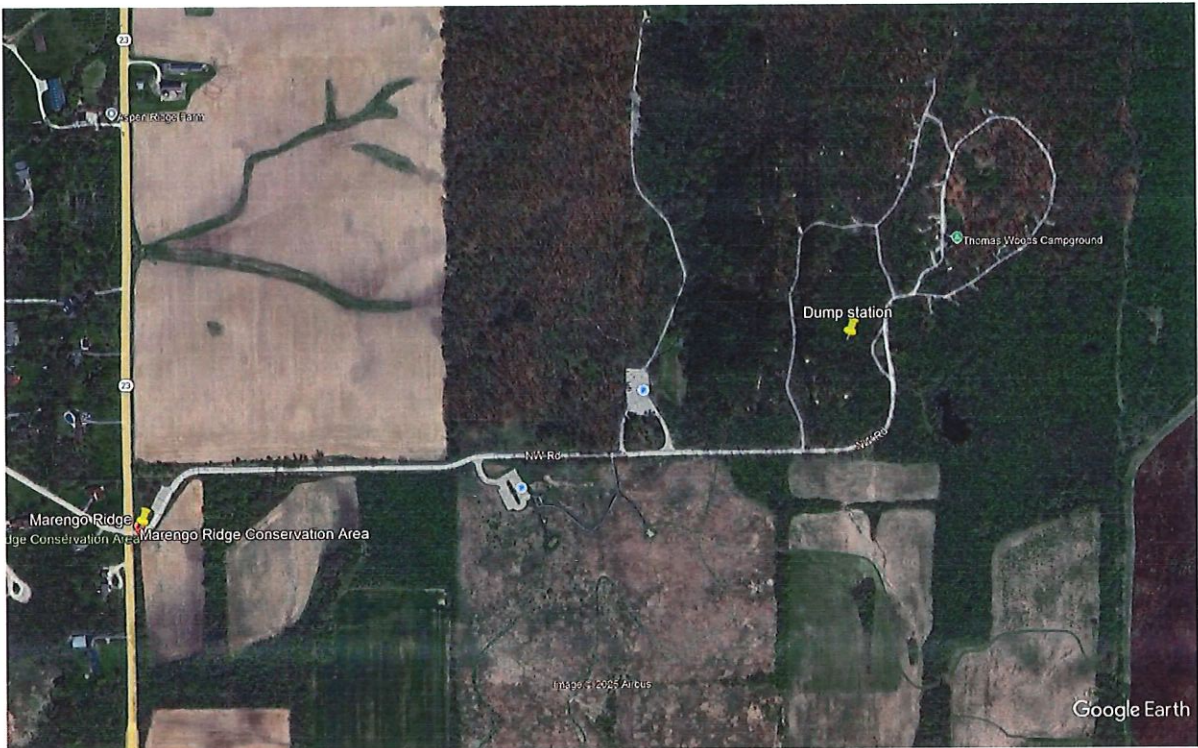
Henrici Shop 14308 Hemmingsen Rd, Huntley



Pleasant Valley Maint Shop 13315 Pleasant Valley Rd, Woodstock



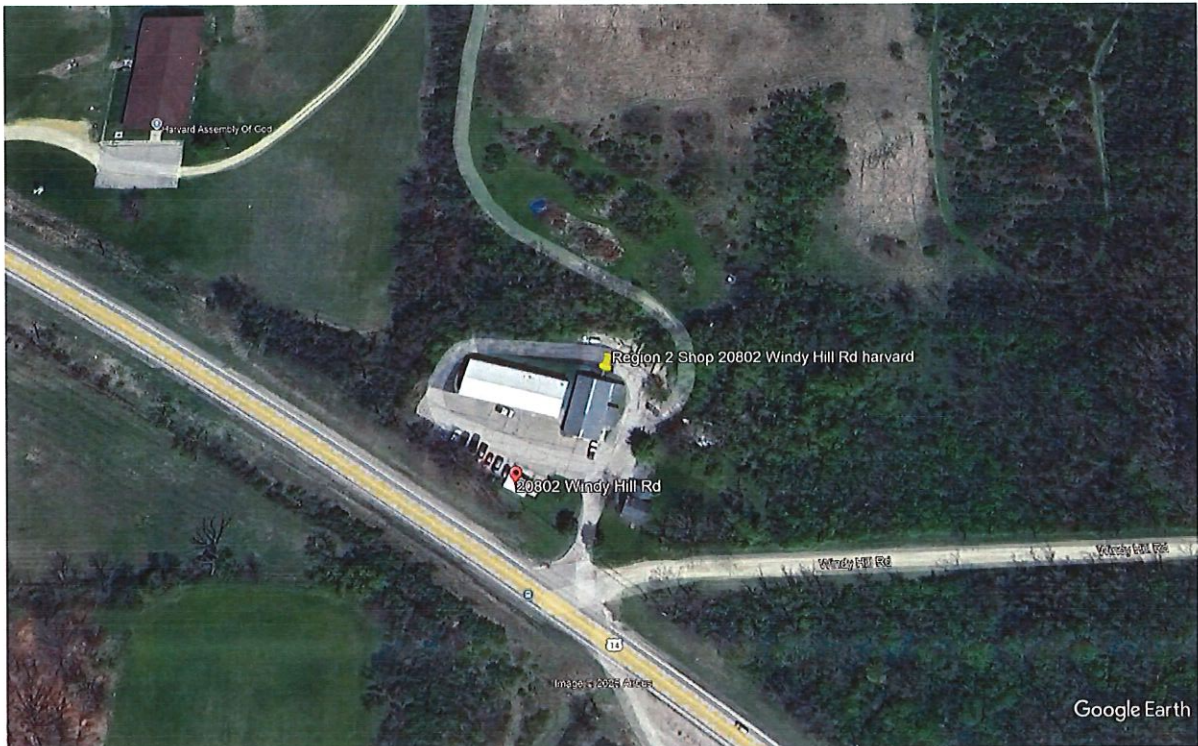
Thomas Woods Campground 3100 Blk Rt 23 Marengo



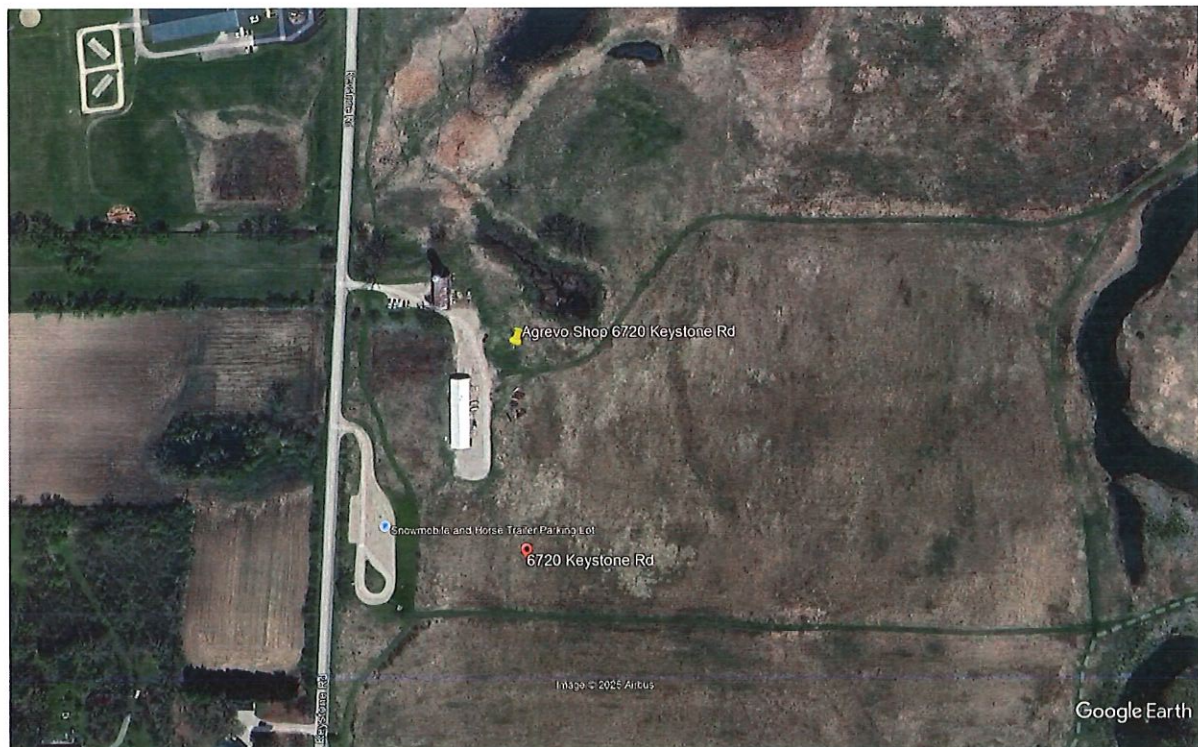
Coral Shop 7311 S Grant Highway Marengo



Region 2 Shop 20802 Windy Hill Rd Harvard



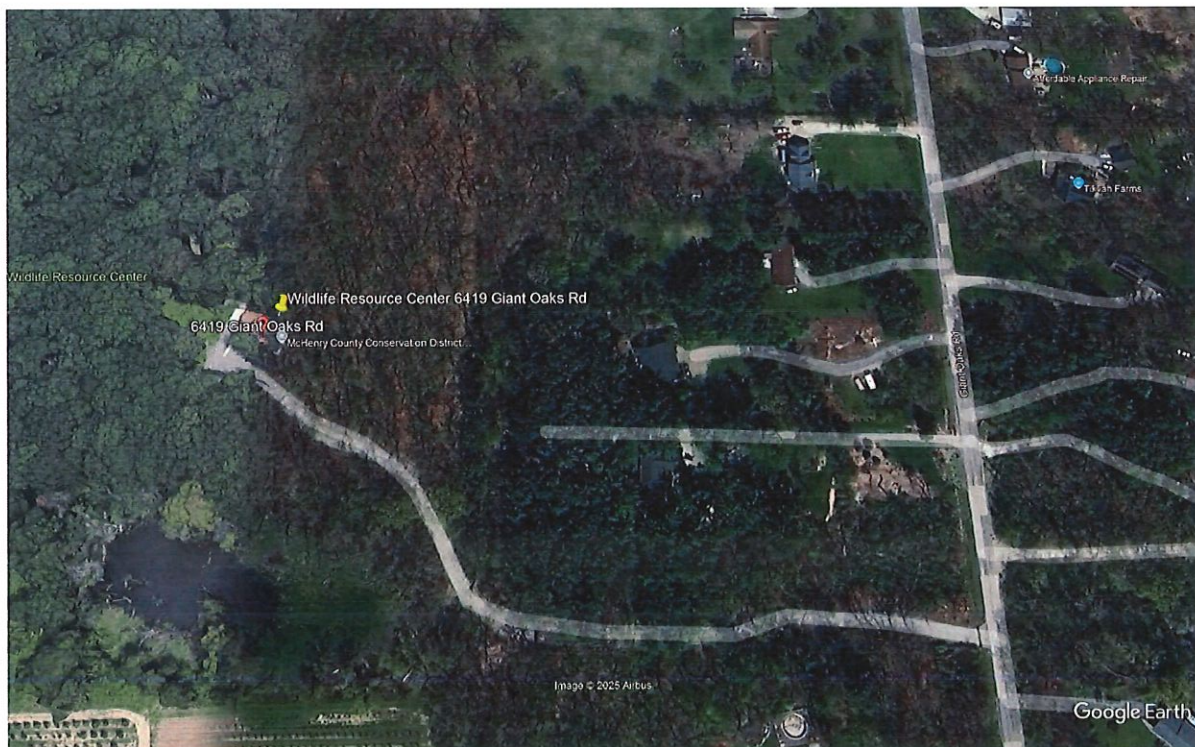
Agrevo Shop, 6720 Keystone Rd Richmond



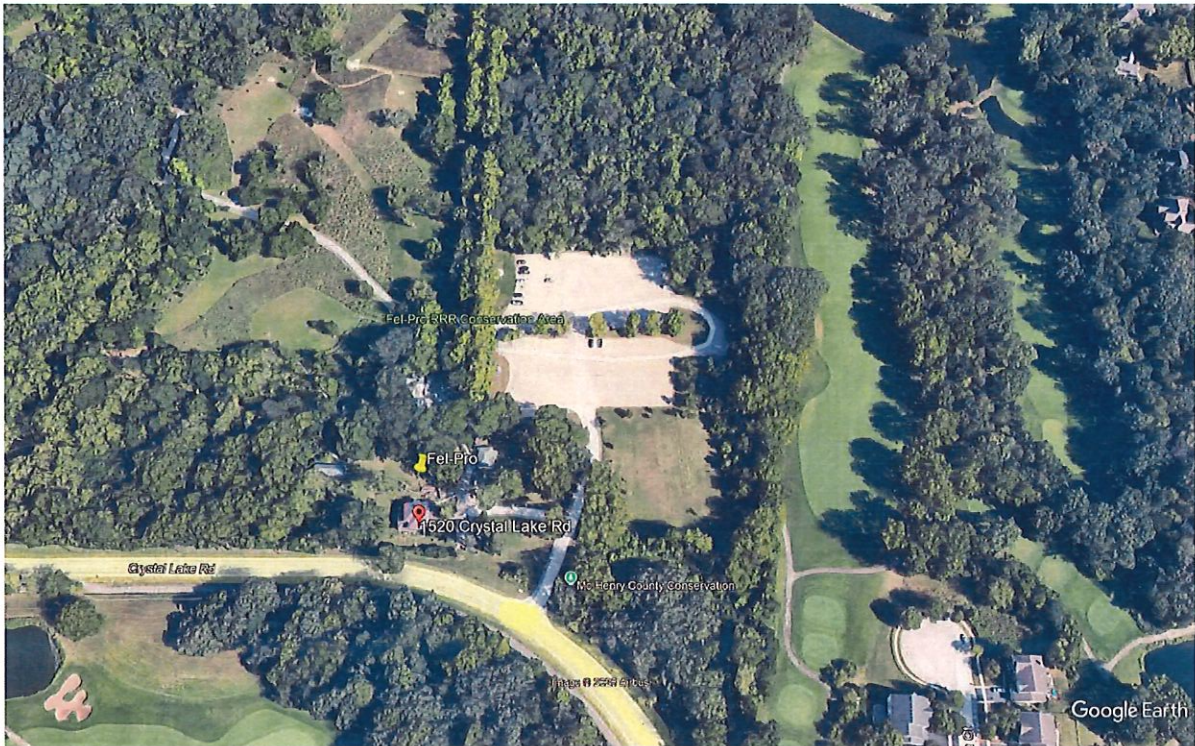
7216 Keystone Rd, Richmond (MUST ENTER OFF OF HARTS ROAD FROM RT 31)



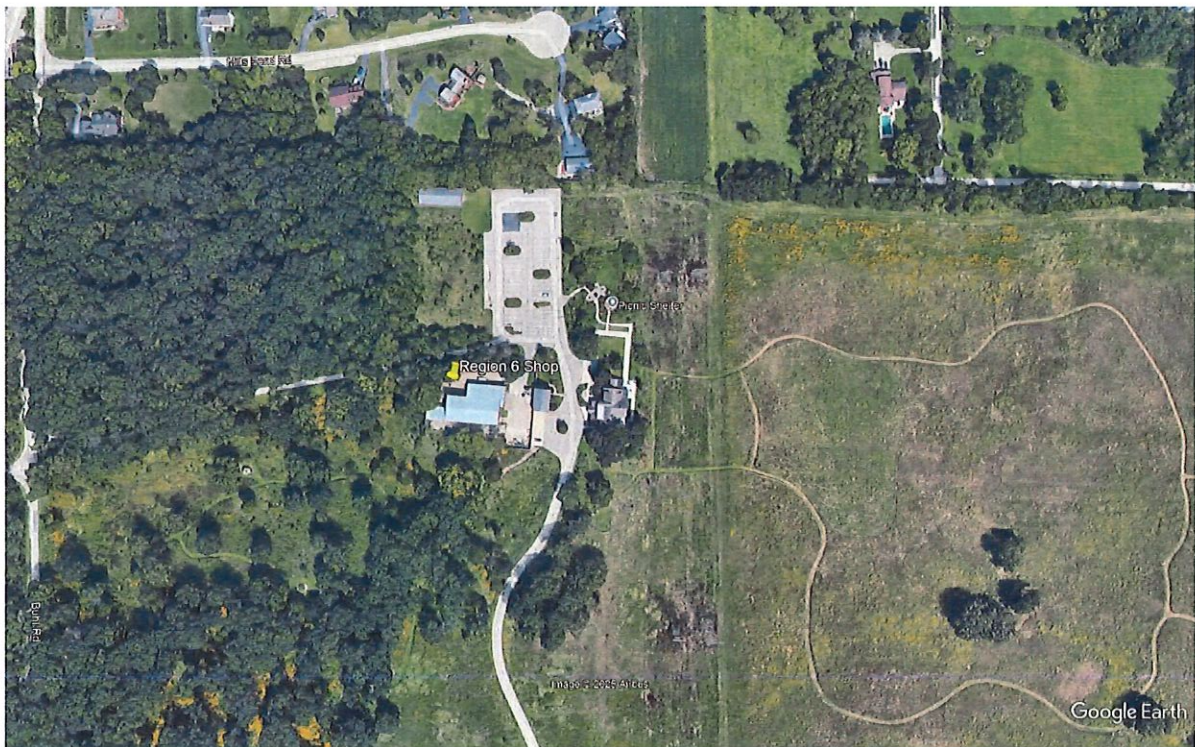
Wildlife Resource Center, 6419 Giant Oaks Rd, Wonder Lake



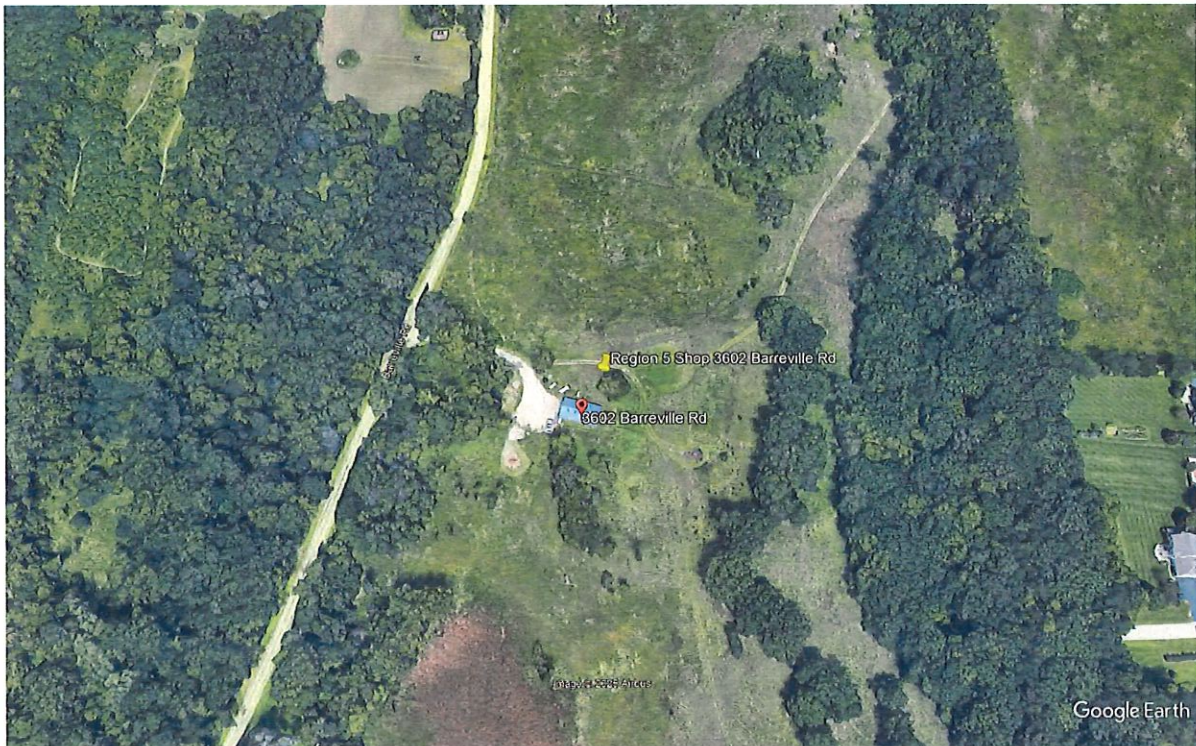
Fel-Pro RRR/ Region 4 Shop 1520 Crystal Lake Rd Cary



Region 6 Shop 2112 Behan Rd Crystal lake



Region 5 Shop 3602 Barreville Rd Crystal Lake



The Hollows Campground 3800 Blk Northwest Highway Crystal Lake





COUNTY OF McHENRY
Procurement & Special Services
2200 N. Seminary Ave., Woodstock IL 60098
E-Mail: purchasing@mchenrycountyil.gov

New/Update Vendor Information Form

This is a fillable PDF form. ALL FIELDS ARE REQUIRED. Enter all information, save it to your device, or print. W-9 must be included to complete the vendor onboarding process

1. INFORMATION TYPE: <input type="checkbox"/> New <input checked="" type="checkbox"/> Change/Update		2. FEDERAL I.D. # OR SOCIAL SECURITY #: 36-440-9449	3. DATE: 05/22/2025
4. BUSINESS NAME & ADDRESS: Falcon Green Resources, Inc. 14212 Washington St. Woodstock, IL 60098		5. REMIT ADDRESS FOR PAYMENTS (if different than Item 4): Falcon Green Resources, Inc. PO Box 70 Woodstock, IL 60098	
6. STATUS OF OWNERSHIP (Please select at least one): Illinois Public Act 102-0265 was approved in August 2021 requiring us to collect Status of Ownership information. <i>This information is collected for reporting purposes only and not vendor selections. Please check any of the following that apply to the ownership of your firm.</i> <input type="checkbox"/> Prefer not to disclose <input type="checkbox"/> Not Applicable <input type="checkbox"/> Minority-Owned <input checked="" type="checkbox"/> Women-Owned <input type="checkbox"/> Veteran-Owned <input checked="" type="checkbox"/> Small Business		8. ARE YOU REGISTERED AT SAM.GOV? If you are registered, please provide your EUI Number. <input type="checkbox"/> Yes, my UEI Number is: <input type="text"/> <input checked="" type="checkbox"/> No or Not Applicable	
7. HOW ARE YOU CERTIFYING? This refers to whether your organization has obtained official certification from your home state as a Minority, Women, Veteran-owned, or Small Business. If you have certificates from your state, please attach them & select "Certificates Attached". If not, select "Self-Certifying". <input checked="" type="checkbox"/> Certificates Attached <input type="checkbox"/> Self-Certifying			
9. PRIMARY CONTACT PERSON (Bids/Quotes/Purchase Orders): Name: Kathryn Powles Official Capacity: President Telephone #: (815) 334-8689 E-Mail: Kathyp@falcongreenresources.com		10. PERSONS AUTHORIZED TO SIGN Bids/Offers/Contracts: Name: Kathryn Powles Official Capacity: President Name: Official Capacity:	
PLEASE PRINT THIS FORM, SIGN IT, AND SEND IT BACK WITH CERTIFICATES OF OWNERSHIP (unless self-certifying).			
11. I hereby certify that the information supplied herein is true and correct.			
Kathryn Powles - President Print or Type Name and Title		 Signature	



COUNTY OF McHENRY
Procurement & Special Services
2200 N. Seminary Ave., Woodstock IL 60098
E-Mail: purchasing@mchenrycountyil.gov

Commodity and Service List

Please select all appropriate categories. Please do not select all.

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | Addressing, Copying, and Duplicating Machine Supplies |
| <input type="checkbox"/> | Agricultural Equipment, Implements, Accessories |
| <input type="checkbox"/> | Air Conditioning, Heating, Ventilating Equipment, Parts |
| <input type="checkbox"/> | Amusement, Decorations, Entertainment, Gifts, Toys |
| <input type="checkbox"/> | Appliances and Equipment, Household Type |
| <input type="checkbox"/> | Architectural Services, Professional |
| <input type="checkbox"/> | Audio Visual Consulting Services |
| <input type="checkbox"/> | Automobiles, School Buses, SUVs, Vans |
| <input type="checkbox"/> | Automotive Accessories Automobiles, Buses, Trailers, Trucks |
| <input type="checkbox"/> | Badges, Awards, Emblems, Name Tags, Plates, Jewelry |
| <input type="checkbox"/> | Barrels, Drums, Kegs, Containers |
| <input type="checkbox"/> | Boats, Motors, Marine Equipment |
| <input type="checkbox"/> | Building Construction Services, New |
| <input type="checkbox"/> | Building Maintenance, Installation, and Repair Services |
| <input type="checkbox"/> | Cafeteria and Kitchen Equipment, Commercial |
| <input type="checkbox"/> | Cafeteria and Restaurant Services |
| <input type="checkbox"/> | Chemical Laboratory Equipment and Supplies |
| <input type="checkbox"/> | Chemicals and Solvents, Commercial (in bulk) |
| <input type="checkbox"/> | Clinical Laboratory Reagents, Tests |
| <input type="checkbox"/> | Clothing: Athletic, Casual, Dress, Uniform, Weather, Work Related |
| <input type="checkbox"/> | Communications and Media Related Services |
| <input type="checkbox"/> | Computer Accessories and Supplies |
| <input type="checkbox"/> | Computer Hardware and Peripherals |
| <input type="checkbox"/> | Computer Software Microcomputers, Systems, Including Cloud-Based |
| <input type="checkbox"/> | Concrete and Metal Products, Culverts, Pilings, Septic Tanks, Accessories |
| <input type="checkbox"/> | Construction Services, General (Incl. Maintenance Repair Services) |
| <input type="checkbox"/> | Consulting Services |
| <input type="checkbox"/> | Coolers, Drinking Water (Water Fountains) |
| <input type="checkbox"/> | Court Reporting Services |
| <input type="checkbox"/> | Data Processing, Computer, Programming, Software Services |
| <input type="checkbox"/> | Decals and Stamps |
| <input type="checkbox"/> | Draperies, Curtains, Upholstery Material |
| <input type="checkbox"/> | Document Shredding Services |
| <input type="checkbox"/> | Drugs and Pharmaceuticals |
| <input type="checkbox"/> | Educational/Training Services |
| <input type="checkbox"/> | Electrical Equipment, Components, Parts, Accessories |
| <input type="checkbox"/> | Elevators, Escalators, Moving Walks (Building Type) |
| <input type="checkbox"/> | Energy Collecting Equipment, Accessories: Solar, Wind |
| <input type="checkbox"/> | Engineering and Architectural Equipment, Surveying Equipment, Drawing |
| <input type="checkbox"/> | Engineering Services, Professional |
| <input type="checkbox"/> | Envelopes, Plain |
| <input checked="" type="checkbox"/> | Environmental and Ecological Services |

- | | |
|--------------------------|---|
| <input type="checkbox"/> | Environmental Protective Equipment (Inside, Outside) |
| <input type="checkbox"/> | Equipment Maintenance Repairs Automobiles |
| <input type="checkbox"/> | Equipment Maintenance Repair General Equipment |
| <input type="checkbox"/> | Fencing |
| <input type="checkbox"/> | Fertilizers and Soil Conditioners |
| <input type="checkbox"/> | Financial Services |
| <input type="checkbox"/> | Fire Protection Equipment and Supplies |
| <input type="checkbox"/> | First Aid and Safety Equipment and Supplies |
| <input type="checkbox"/> | Flags, Flag Poles, Banners, Accessories |
| <input type="checkbox"/> | Floor Covering, Floor Covering Installation, Removal Equipment |
| <input type="checkbox"/> | Floor Maintenance Machines, Parts, Accessories |
| <input type="checkbox"/> | Foods, Frozen |
| <input type="checkbox"/> | Foods, Bakery Products (Fresh) |
| <input type="checkbox"/> | Foods, Dairy Products (Fresh) |
| <input type="checkbox"/> | Foods, Perishable |
| <input type="checkbox"/> | Foods, Staple Grocery, Grocer's Misc. Items |
| <input type="checkbox"/> | Forestry Services |
| <input type="checkbox"/> | Forms, Continuous: Computer Paper, Form Labels, Snap-Out Forms |
| <input type="checkbox"/> | Fuel, Oil, Grease, Lubricants |
| <input type="checkbox"/> | Furniture: Health Care, Hospital and/or Doctor's Office |
| <input type="checkbox"/> | Furniture: Laboratory |
| <input type="checkbox"/> | Furniture: Office |
| <input type="checkbox"/> | Gases, Containers, Equipment, Laboratory, Medical, Welding |
| <input type="checkbox"/> | Hand Tools (Powered and Non-Powered), Accessories |
| <input type="checkbox"/> | Supplies |
| <input type="checkbox"/> | Hardware and Related Items |
| <input type="checkbox"/> | Health Related Services |
| <input type="checkbox"/> | Hospital, Surgical, Medical Related Accessories, and Sundry Items |
| <input type="checkbox"/> | Human Services |
| <input type="checkbox"/> | Insurance and Insurance Services |
| <input type="checkbox"/> | Janitorial Supplies, General |
| <input type="checkbox"/> | Laboratory and Field Equipment and Supplies |
| <input type="checkbox"/> | Laundry, Dry Cleaning Equipment, Accessories, Supplies, Commercial |
| <input type="checkbox"/> | Laundry, Dry Cleaning Services |
| <input type="checkbox"/> | Law Enforcement Services |
| <input type="checkbox"/> | Lawn Maintenance Equipment, Accessories |
| <input type="checkbox"/> | Library and Subscription Services |
| <input type="checkbox"/> | Lumber, Siding, and Related Products |
| <input type="checkbox"/> | Machinery and Hardware, Industrial |
| <input type="checkbox"/> | Management Services |
| <input type="checkbox"/> | Marine, Construction and Related Services, Marine Equipment Maintenance |
| <input type="checkbox"/> | Markers, Plaques, Traffic Control Devices |
| <input type="checkbox"/> | Mass Transportation - Transit Bus |

- | | |
|--------------------------|---|
| <input type="checkbox"/> | Mass Transportation - Transit Bus Accessories, Parts |
| <input type="checkbox"/> | Material Handling, Conveyors, Storage Equipment, Accessories |
| <input type="checkbox"/> | Metal, Paper, Plastic Stencils and Stenciling Devices |
| <input type="checkbox"/> | Moving Services |
| <input type="checkbox"/> | Office Supplies, General |
| <input type="checkbox"/> | Paper For Office and Print Shop Use |
| <input type="checkbox"/> | Pesticides and Chemicals: Agricultural & Industrial |
| <input type="checkbox"/> | Plumbing Equipment, Fixtures, Supplies |
| <input type="checkbox"/> | Police, Prison, Security Access Equipment, Supplies |
| <input type="checkbox"/> | Power Generation Equipment, Accessories, Supplies |
| <input type="checkbox"/> | Printing and Typesetting Services |
| <input type="checkbox"/> | Public Works and Related Services |
| <input type="checkbox"/> | Publications, Audiovisual Materials, Books, Textbooks |
| <input type="checkbox"/> | Pumping Equipment, Accessories |
| <input type="checkbox"/> | Radio Communication Equipment, Accessories, Supplies |
| <input type="checkbox"/> | Real Property; Rental or Lease |
| <input type="checkbox"/> | Rental or Lease of General Equipment |
| <input type="checkbox"/> | Rental or Lease of Clothing |
| <input type="checkbox"/> | Rental or Lease Services of Computers |
| <input type="checkbox"/> | Road and Highway Building Materials |
| <input type="checkbox"/> | Road and Highway Equipment |
| <input type="checkbox"/> | Roadside, Grounds, Recreation, Park Area Services |
| <input type="checkbox"/> | Salt (Sodium Chloride) |
| <input type="checkbox"/> | Sampling, Sample Preparation Services |
| <input type="checkbox"/> | Security, Fire, Safety, and Emergency Services |
| <input type="checkbox"/> | Signs, Sign Materials, Sign Making Equipment, Related Supplies |
| <input type="checkbox"/> | Signs, Sign Materials, Sign Making Equipment, Related Supplies |
| <input type="checkbox"/> | Sporting Goods, Athletic Equipment, Athletic Facility Equipment |
| <input type="checkbox"/> | Spraying Equipment |
| <input type="checkbox"/> | Steam and Hot Water Boilers, Steam Heating Equipment |
| <input type="checkbox"/> | Tanks |
| <input type="checkbox"/> | Telecommunication Equipments, Accessories, Supplies |
| <input type="checkbox"/> | Television Equipment and Accessories |
| <input type="checkbox"/> | Testing and Calibration Services |
| <input type="checkbox"/> | Textiles, Fibers, Household Linens, Piece Goods |
| <input type="checkbox"/> | Tires, Tubes (Incl. Recapped/Retreaded Tires) |
| <input type="checkbox"/> | Transportation Services (Not Otherwise Classified) |
| <input type="checkbox"/> | Travel |
| <input type="checkbox"/> | Trucks |
| <input type="checkbox"/> | Venetian Blinds, Awnings, Shades |
| <input type="checkbox"/> | Veterinary Equipment, Supplies |
| <input type="checkbox"/> | Water and Wastewater Treating Chemicals |
| <input type="checkbox"/> | Water Supply, Groundwater, Sewage Treatment, Related Equipment |
| <input type="checkbox"/> | Welding Equipment and Supplies |
| <input type="checkbox"/> | X-Ray, Radiological Equipment And Supplies |

☒ OTHER / NOT LISTED - Please Describe Below

Waste and Recycling Services



Illinois Department of Transportation

Office of Business & Workforce Diversity
2300 South Dirksen Parkway / Springfield, Illinois 62764

March 27, 2025

CERTIFIED – RETURN RECEIPT REQUESTED

Ms. Kathryn Powles
Falcon Green Resources, Inc.
P.O. Box 70
Woodstock, IL 60098

Dear Ms. Powles

The Illinois Department of Transportation (IDOT) has approved the *Declaration of Eligibility* for Falcon Green Resources, Inc. and determined that the firm continues to meet DBE eligibility standards to perform work towards DBE goals.

To remain certified and in good standing, you must annually submit a *Declaration of Eligibility*. Your firm's next affidavit is due on **January 1, 2026**. IDOT will send an affidavit form 60 days prior to that date.

Should the submitted information change, you are required to notify IDOT's Bureau of Small Business Enterprises within 30 days of the change.

Note: Pursuant to 49 CFR Part 26.83(i), whenever there is a change in circumstances affecting your firm's eligibility status, your firm must provide written notification to IDOT within 30 days of the occurrence of the change. If you fail to make timely notification, it may result in the loss of your firm's certification.

If you have any questions, please contact the Bureau of Small Business Enterprises at (217) 782-5490.

Sincerely,

A handwritten signature in blue ink that reads "Debra Lee".

Debra Lee
DBE Bureau Chief
Bureau of Small Business Enterprises



Illinois Department of Transportation

Office of Business & Workforce Diversity
2300 South Dirksen Parkway / Springfield, Illinois 62764

February 26, 2025

CERTIFIED – RETURN RECEIPT REQUESTED

Ms. Kathryn Powles
Falcon Green Resources, Inc.
P.O. Box 70
Woodstock, IL 60098

Dear Ms. Powles:

The Bureau of Small Business Enterprises is in receipt of your request for additional categories. As of the date of this letter, your approved categories include:

- Asphalt Paving Mixture and Block Manufacturing
- Solid Waste Collection
- Misc: Recycling, Solid Waste – Non-Toxic
- Misc: Aggregate- Non-Stocking Distributer

Your current categories will be included in the next update of the IL UCP DBE Directory. If you have any questions or require additional information, please contact this office at (217) 782-5490.

Sincerely,

A handwritten signature in blue ink that reads "Debra Lee".

Debra Lee
DBE Bureau Chief
Bureau of Small Business Enterprises

**Request for Taxpayer
Identification Number and Certification**

Go to www.irs.gov/FormW9 for instructions and the latest information.

Give form to the
requester. Do not
send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See Specific Instructions on page 3.	1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.) Falcon Green Resources, Inc.	
	2 Business name/disregarded entity name, if different from above.	
	3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C corporation <input checked="" type="checkbox"/> S corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) _____ Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) _____	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____ (Applies to accounts maintained outside the United States.)
	3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions. <input type="checkbox"/>	
	5 Address (number, street, and apt. or suite no.). See instructions. PO BOX 70 6 City, state, and ZIP code Woodstock, IL 60098 7 List account number(s) here (optional)	Requester's name and address (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number								
			-					
or								
Employer identification number								
3	6	-	4	4	0	9	4	9

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person <i>Katherine Doule</i>	Date <i>May 22, 2025</i>
------------------	---	--------------------------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

MANDATORY RFQ Pricing Page

MCHEMRY COUNTY CONSERVATION DISTRICT Schedule A Pricing

RFQ 0525.07.02

BIDDER: Falcon Green Resources, Inc.

Location	ADDRESS	SIZE	Winter Rates	Summer Rates	\$\$\$
Henrici	14308 HEMMINGSON, HUNTLEY	6 YARD	Per Pull	Per Pull	\$100.00
Henrici	14308 HEMMINGSON, HUNTLEY	6 YARD Recycle	Per Pull	Per Pull	\$100.00
Pleasant Valley Maintenance Shop	13315 PLEASANT VALLEY RD, WOODSTOCK	4 YARD	Per Pull	EOW	\$90.00
Pleasant Valley Maintenance Shop	13315 PLEASANT VALLEY RD, WOODSTOCK	4 yd recycle	Per Pull	EOW	\$90.00
The Hollows	3800 NORTHWEST HWY, CARY	6 YARD	Vacation	Wkly	\$150.00
Reg 5 Ranger Shop	3602 BARRVILLE ROAD, CRYSTAL LAKE	6 YARD	Wkly	Wkly	\$150.00
Region 6 Ranger Shop	2112 BEHAN, CRYSTAL LAKE	6 YARD	Wkly	Wkly	\$150.00
Region 6 Ranger Shop	2112 BEHAN, CRYSTAL LAKE	2 yd recycle	Wkly	Wkly	\$85.00
RR-Fel-Pro Region 4 Ranger Shop	1520 CRYSTAL LAKE, CARY	6 YARD	EOW	Wkly	\$150.00
Wildlife Resource Center	6419 GIANT OAK ROAD, WONDER LAKE	2 YARD	EOW	EOW	\$65.00
Wildlife Resource Center	6419 GIANT OAK ROAD, WONDER LAKE-recycle	1 Recycle tote	EOW	EOW	\$50.00
Region 1 Ranger shop	7216 Keystone Rd Richmond IL-Access off Harts rd	8 YARD	Wkly	Wkly	\$180.00
Region 1 Ranger shop	7216 Keystone Rd Richmond IL-Access off Harts rd	2 yd recycle	Wkly	Wkly	\$85.00
Agrevo	6720 KEYSTONE, RINGWOOD	2 YARD	Monthly	EOW	\$65.00
Agrevo	6720 KEYSTONE, RINGWOOD	2 Yd Recycle	Monthly	EOW	\$65.00
Region 2 shop-Rush Creek	20802 Windy Hill Rd Harvard IL 60033	4 yrd	Wkly	Wkly	\$120.00
Region 2 shop-Rush Creek	20802 Windy Hill Rd Harvard IL 60033	2 yrd recycle	Wkly	Wkly	\$85.00
Thomas Woods Campground	3100 Blk Rt 23 Marengo IL	4yd & Toter	Vacation	Wkly	\$120/\$65
Coral Shop Region 3 Ranger Shop	7311 S Grant Highway	2 yrd	EOW	Wkly	\$85.00
Coral Shop Region 3 Ranger Shop	7311 S Grant Highway	TOTER / RECYCLE	EOW	Wkly	\$65.00

\$1,730.00

1930.00

EOW=Every other week
Per Pull=On Call

FAILURE TO USE THIS FORM WILL DISQUALIFY YOUR BID

***DO NOT PDF FORM-SUBMIT AS EXCEL**

BIDDER NAME: Falcon Green Resources, Inc.							
Location & Yardage Size	Pickup Frequency	Type of Container	Billing Group	Year 1 Base Term 12/1/25-11/30/26 Monthly Charge - Per Pull/Pickup	Year 2 Base Term 12/1/26-11/30/27 Monthly Charge - Per Pull/Pickup	Year 3 (Optional) 12/1/27-11/30/28 Monthly Charge - Per Pull/Pickup	Year 4 (Optional) 12/1/28-11/30/29 Monthly Charge - Per Pull/Pickup
A - 28 Yd Compactor	Per Pull	Recyle	1	\$600.00	\$600.00	618.00	636.54
A - 26 Yd Self-Contained Compactor	Per Pull	Trash	1	\$600.00	\$600.00	618.00	636.54
B - 6 Yd	Weekly	Recyle	1	\$150.00	\$150.00	154.50	159.13
B - 6 Yd	Weekly	Trash	1	\$150.00	\$150.00	154.50	159.13
G - 4 Yd	Weekly	Recyle	1	\$120.00	\$120.00	123.60	127.31
G - 6 Yd	Weekly	Trash	1	\$150.00	\$150.00	154.50	159.13
G - 1.5 Yd	Weekly	Recyle	1	\$65.00	\$65.00	66.95	68.96
G - 2 Yd	Weekly	Trash	1	\$85.00	\$85.00	87.55	90.18
G - 2 Yd	Weekly	Trash	1	\$85.00	\$85.00	87.55	90.18
G - 2 Yd	Bi-Weekly	Trash	1	\$65.00	\$65.00	66.95	68.96
G - 2 Yd	Weekly	Recyle	1	\$85.00	\$85.00	87.55	90.18
G - 4 Yd	Weekly	Trash	1	\$120.00	\$120.00	123.60	127.31
H - 2 Yd	Monthly	Trash	2	\$85.00	\$85.00	87.55	90.18
I - 10 Yd Roll Off	Per Pull	Recyle	3	\$310.00	\$310.00	319.30	328.88
I - 25 Yd Self-Contained Compactor	Per Pull	Trash	3	\$600.00	\$600.00	618.00	636.54
J - 1 Yd	Weekly	Recyle	4	\$65.00	\$65.00	66.95	68.96
J - 20 Yd Roll Off	Per Pull	Trash	4	\$420.00	\$420.00	432.60	445.58
K - 1.5 Yd	Weekly	Recyle	5	\$65.00	\$65.00	66.95	68.96
K - 2 Yd	Weekly	Trash	5	\$85.00	\$85.00	87.55	90.18
TOTAL				\$3,905.00	\$3,905.00	4,022.15	4,142.83
Pickup frequency may be changed based on volume.							

FAILURE TO USE THIS FORM WILL DISQUALIFY YOUR BID

*DO NOT PDF FORM-SUBMIT AS EXCEL

BIDDER NAME: Falcon Green Resources, Inc.						
Location & Yardage Size	Pickup Frequency	Type of Container	Billing Group	Year 1 Base Term 12/1/25-11/30/26 Monthly Charge - Per Pull/Pickup	Year 2 Base Term 12/1/26-11/30/27 Monthly Charge - Per Pull/Pickup	Year 3 (Optional) 12/1/27-11/30/28 Monthly Charge - Per Pull/Pickup
A - 28 Yd Compactor	Per Pull	Recyle	1	\$600.00	\$600.00	618.00
A - 26 Yd Self-Contained Compactor	Per Pull	Trash	1	\$600.00	\$600.00	618.00
B - 6 Yd	Weekly	Recyle	1	\$150.00	\$150.00	154.50
B - 6 Yd	Weekly	Trash	1	\$150.00	\$150.00	154.50
C - 4 Yd	Weekly	Recyle	1	\$120.00	\$120.00	123.60
C - 6 Yd	Weekly	Trash	1	\$150.00	\$150.00	154.50
D - 1.5 Yd	Weekly	Recyle	1	\$65.00	\$65.00	66.95
D - 2 Yd	Weekly	Trash	1	\$85.00	\$85.00	87.55
E - 2Yd	Weekly	Trash	1	\$85.00	\$85.00	87.55
F - 2 Yd	Bi-Weekly	Trash	1	\$65.00	\$65.00	66.95
G - 2 Yd	Weekly	Recyle	1	\$85.00	\$85.00	87.55
G - 4 Yd	Weekly	Trash	1	\$120.00	\$120.00	123.60
H - 2 Yd	Monthly	Trash	2	\$85.00	\$85.00	87.55
I - 10 Yd Roll Off	Per Pull	Recyle	3	\$310.00	\$310.00	319.30
I - 25 Yd Self-Contained Compactor	Per Pull	Trash	3	\$600.00	\$600.00	618.00
J - 1 Yd	Weekly	Recyle	4	\$65.00	\$65.00	66.95
J - 20 Yd Roll Off	Per Pull	Trash	4	\$420.00	\$420.00	432.60
K - 1.5 Yd	Weekly	Recyle	5	\$65.00	\$65.00	66.95
K - 2 Yd	Weekly	Trash	5	\$85.00	\$85.00	87.55
TOTAL				\$3,905.00	\$3,905.00	4,022.15
Pickup frequency may be changed based on volume.						

FAILURE TO USE THIS FORM WILL DISQUALIFY YOUR BID

***DO NOT PDF FORM-SUBMIT AS EXCEL**

[illegible]

Year 4 (Optional) 12/1/28-11/30/29 Monthly Charge - Per Pull/Pickup
636.54
636.54
159.13
159.13
127.31
159.13
68.96
90.18
90.18
68.96
90.18
127.31
90.18
328.88
636.54
68.96
445.58
68.96
90.18
4,142.83

RESOLUTION

Resolution Authorizing a Loan Agreement with the Child Advocacy Center of McHenry County (18)

WHEREAS, the County of McHenry is committed to supporting organizations that serve and protect vulnerable populations within the County; and

WHEREAS, the Child Advocacy Center serves as a vital resource for law enforcement in McHenry County; and

WHEREAS, the Child Advocacy Center of McHenry County, located at 1 S. Virginia Street, Crystal Lake, Illinois, is currently operating out of a facility it seeks to purchase for continued service delivery; and

WHEREAS, the Center was previously awarded funds through the Advance McHenry County Program and now seeks an additional \$160,000 loan from the County to complete the property purchase; and

WHEREAS, the Finance and Audit Committee of the McHenry County Board shall retain oversight and audit authority regarding the use of loan funds by the Center.

NOW, THEREFORE, BE IT RESOLVED that the Chairman is hereby authorized to execute the Loan Agreement with the Child Advocacy Center of McHenry County in the amount of \$160,000 under the terms and conditions as presented; and

BE IT FURTHER RESOLVED, that the Loan Agreement between the County of McHenry and the Child Advocacy Center of McHenry County is attached hereto and made a part hereof by this reference, establishes a contract term of five years at \$32,000, with no prepayment penalty; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Child Advocacy Center of McHenry County and the County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution Authorizing a Loan Agreement with the Child Advocacy Center of
McHenry County (18)

Board / Committee Action Requested:

To approve a resolution authorizing a loan agreement with the Child Advocacy Center of
McHenry County.

Child Advocacy Center of McHenry County Loan Agreement

THIS AGREEMENT (“Agreement”) entered into this 17th day of July, 2025 by and between the Child Advocacy Center of McHenry County with its principal office located at 1 S. Virginia St., Crystal Lake, IL 60014 (hereinafter “Borrower”) and The County of McHenry, a body politic, with its principal office located at 2200 North Seminary Avenue, Woodstock, Illinois 60098 (hereinafter “Lender”):

WITNESSETH:

WHEREAS, Borrower shall use the sum of \$160,000.00 from Lender to combine with dollars previously awarded through the Advance McHenry County Program to purchase the property it is currently operating in at 1 S. Virginia St. Crystal Lake, IL 60014.

THEREFORE, in consideration of the mutual covenants and conditions contained herein the parties hereby agree as follows:

1. RECITALS. All recitals set forth above are incorporated herein and made a part hereof as if fully set forth herein.
2. LOAN AMOUNT. Lender shall loan to Borrower the sum of One Hundred Sixty Thousand and 00/100 Dollars (\$160,000.00) which funds shall be used by Borrower for the purposes set forth in the recitals above. Lender shall not release any loan funds to Borrower until Borrower submits a request for funds to Lender with such supporting documentation as Lender shall require.
3. INTEREST RATE. The annual interest rate on the unpaid loan balance shall be zero (0) percent per annum through the date of maturity
4. TERM. The term of the loan shall be five (5) years, at an annual cost of thirty-two thousand dollars (\$32,000), with no penalty for early repayment.
5. AUDIT OF RECORDS. Borrower shall deal with the Finance and Audit Committee of the McHenry County Board as to all matters affecting this Agreement. Lender shall have at any time, the right to audit records of Borrower relating to this Agreement to verify that all information is accurate and complete.

6. ACCELERATION. Lender may, at its sole option, declare the entire principal of the loan due and payable immediately upon occurrence of any one of the following events:
- a. Borrower's failure to pay any installment of principal on the Installment Note or any other payment due under the terms of any agreement, when the same shall become due and payable.
 - b. The determination that any representation or warranty made by Borrower in any agreement or statement, notice, invoice, schedule, consignment, designation, document, or other instrument delivered to Lender in connection with any agreement was false or misleading in any material respect.
 - c. Borrower's failure to observe or perform any of the covenants or promises contained in this Agreement or the Installment Note.
 - d. The occurrence and continuance of any event which constitutes a default under this Agreement.

IN WITNESS WHEREOF, the County of McHenry has caused this Agreement to be executed by its Chairman of the County Board and Borrower has executed this Agreement on the date and year first written above.

The County of McHenry,
a body politic

Child Advocacy Center of McHenry County

By: _____
Michael Buehler, Chairman
McHenry County Board

By: _____
Bev Thomas, Chair
Governing Board of Director
Child Advocacy Center of McHenry County

Attest: _____
Joseph Tirio
McHenry County Clerk

RESOLUTION - SUPERMAJORITY

Resolution Authorizing Acceptance of the Illinois Department of Commerce and Economic Opportunity Grant # 25-681002 and a Corresponding Emergency Appropriation to the Workforce Network FY25 Budget (26)

WHEREAS, the McHenry County Workforce Network has received notice of operational funding levels for the Program Year 2025 (July 1, 2025 - June 30, 2026) in the amount of \$1,980,481 to be used for training and services in the following categories: Adult Services (\$631,009), Dislocated Worker (\$649,423) and Youth/Young Adult (\$502,002); and

WHEREAS, it is now necessary to authorize acceptance of said grant award in the amount of \$1,980,481, with \$825,931 being added by emergency appropriation to the FY25 Workforce Network County Budget in the categories listed below and \$1,154,550 to be allocated in the FY26 Workforce Network Budget; and

WHEREAS, the Public Health & Community Services and Finance & Audit Committees have reviewed this resolution.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois that the Chairman of the Board is hereby authorized to accept the Illinois Department of Commerce & Economic Opportunity Grant #25-681002 in the amount of \$1,980,481 on behalf of Workforce Network and provide assurances for the operation of programs and services following the Workforce Innovation and Opportunity Act funding streams; and

BE IT FURTHER RESOLVED, that an Emergency Appropriation to the Workforce Network FY24 Budget is hereby authorized as follows:

Revenue:	26-2620-292-094300	WN-Federal Flow Thru Grant	\$743,338
	26-2600-292-094300	WN-Federal Flow Thru Grant	\$82,593
		Total Revenues:	\$825,931
Expenditures	26-2620-292-301010	WN-Regular Salaries	\$205,825
	26-2600-292-301000	WN-Regular Salaries	\$55,320
	26-2620-292-310510	WN-FICA	\$38,400
	26-2600-292-310510	WN-FICA	\$11,750
	26-2620-292-311010	WN-IMRF	\$38,400
	26-2600-292-311010	WN-IMRF	\$11,750
	26-2620-292-407115	WN-Vocational Training	\$374,738
	26-2620-292-501000	WN-Office Supplies	\$89,748
		Total Expenditures:	\$825,931

BE IT FURTHER RESOLVED, that the Director of Workforce Network and County Administration shall reconcile FUND 292 for November 30, 2025, to assure that the correct fund carryovers are made as part of the annual County year-end process; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Director of Workforce Network Board, the Director of Workforce Network, the County Auditor, the Chief Financial Officer, the County Administrator, and the Deputy County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution Authorizing Acceptance of the Illinois Department of Commerce and Economic Opportunity Grant # 25-681002 and a Corresponding Emergency Appropriation to the Workforce Network FY25 Budget (26)

Board / Committee Action Requested:

To approve the acceptance of Grant #25-681002 from the Illinois Department of Commerce & Economic Opportunity for funding under the Workforce Innovation and Opportunity Act Title I in the amount of \$1,980,481 of which \$825,931 is being added by emergency appropriation to the McHenry County Workforce Network FY24 budget and the remaining \$1,154,550 will be added to the McHenry County Workforce Network FY26 budget.

Background and Discussion: The Workforce Innovation and Opportunity Act was signed into law on July 22, 2014. The County of McHenry has been the grant recipient of federal workforce funds for over 48 years to ensure the residents and businesses of McHenry County have the resources needed for employment opportunities, training, and economic growth. Workforce Network staff will administer the programs and services authorized under the Act for the County of McHenry.

Impact on Human Resources: None.

Impact on Budget (Revenue: Expenses, Fringe Benefits): The amount of \$825,931 is being added by emergency appropriation to the McHenry County Workforce Network FY24 County Board approved budget and the remaining \$1,154,550 will be added to the FY26 budget.

Impact on Capital Expenditures: None.

Impact on Physical Space: None.

Impact on Other County Departments or Outside Agencies: None.

Conformity to Board Ordinances, Policies and Strategic Plan: Conforms to the Comprehensive Economic Development Strategy, local workforce development plan and the McHenry County Strategic Plan Economic and Workforce Development Goal 4: *Develop and implement strategies to match workforce skills with employer needs.*

RESOLUTION - SUPERMAJORITY

Resolution Authorizing the Purchase of the Milo Range Mobile Situation Awareness Training System and an Emergency Appropriation in the FY25 Budget (32)

WHEREAS, the McHenry County Regional Training Board (MCRTB) has met and determined the need to purchase the MILO Range which provides a realistic and safe environment to train law enforcement and security in use-of-force decision-making tactics, de-escalation, crisis intervention, and firearm use; and

WHEREAS, the MCRTB worked with the Director of Procurement and Special Services and determined that MILO Range, a division of FAAC Inc., was awarded the GSA government agency cooperative contract GS-00F-332CA; and

WHEREAS, the MCRTB and the Sheriff's Office recommend the purchase of the MILO Range mobile situation awareness training system, and \$40,000 for this purchase is provided by the MCRTB members, and the remaining \$4,405.25 will be transferred from the Sheriff's DUI Conviction Fund.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that it hereby authorizes the Director of Procurement and Special Services on behalf of the Sheriff and MCRTB to purchase the MILO Range for a cost of \$44,405.25; and

BE IT FURTHER RESOLVED, this purchase will require an emergency appropriation in the McHenry County Joint Training Facility Fund FY25 budget and a budget line-item transfer in the Sheriff's DUI Conviction Fund FY25 budget; an emergency appropriation and budget line-item transfer are hereby authorized in the following line items FY2025 budget:

JTF Fund - Revenue

094709-33-3300-222	Member Special Project Revenue – JTF Fund	\$ 40,000.00
098000-33-3300-222	Operating Transfer In – JTF Fund	4,405.25

JTF Fund - Expense

604000-33-3300-222	Machinery & Equipment > \$5,000 - JTF Fund	\$ 44,405.25
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DUI Conviction Fund Transfer

509900-32-3200-350	Miscellaneous Commodities - DUI Conviction Fund	\$ (4,405.25)
670000-32-3200-350	Operating Transfer Out - DUI Conviction Fund	\$ 4,405.25

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Sheriff, Director of Procurement and Special Services, Auditor, Chief Financial Officer, and the County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

Sheriff-2025-012

RESOLUTION

SUBJECT: Resolution Authorizing the Purchase of the Milo Range Mobile Situation Awareness Training System and an Emergency Appropriation in the FY25 Budget (32)

Board / Committee Action Requested:

Authorization to purchase the MILO Range for the MCRTF.

Background and Discussion: The McHenry County Regional Training Board has determined the need for the MILO Range simulator to support all member agencies and annual membership agencies. All board members (Algonquin, Cary, McHenry and LITH) have contributed \$10,000 each which has been deposited into 222-33-3200-094709 for this purchase. The Sheriff is contributing out of the DUI conviction fund.

Impact on Human Resources: None

Impact on Budget (Revenue; Expenses, Fringe Benefits):

An emergency appropriation is required in the McHenry County Joint Training Facility fund for the purchase. The revenue offset is \$40,000 MCRTB contribution in revenue line 222-33-3300-094709 and a transfer from the Sheriff's DUI Conviction Fund.

Position Reclassification or Regrade, please address the following:

None

Impact on Capital Expenditures:

Yes

Impact on Physical Space:

No

Impact on Other County Departments or Outside Agencies:

Yes, all member agencies and annual membership agencies will benefit from this training.

Conformity to Board Ordinances, Policies and Strategic Plan:

Yes



**McHenry County
Procurement Executive Summary**

June 2, 2025

Requesting Department: Sheriff’s Department
Procurement Name: MILO Range Mobile Situational Awareness Training System (MSATS)
Recommended Vendors: MILO Virtual/Live, a division of FAAC Inc.
Amount of Award: \$44,405.25

Notification and Response

Bid/RFP Due Date: n/a
Bids/Proposals Received: n/a
Prevailing Wage: Yes _____ Not Applicable X
Proprietary: Yes X No _____

Award Statement

MILO Range, a division of FAAC Inc. is the manufacturer, distributor, and the sole warranty, service, and support provider for all MILO range use-of-force training products. These products provide a realistic and safe environment to train law enforcement, military, and security in use-of-force decision-making tactics, de-escalation, crisis intervention, and firearms use.

MILO Range, a division of FAAC Inc. was awarded the GSA government agency cooperative contract GS-00F-332CA. Based on article 10, S10-101 of the Purchasing Ordinance which authorizes cooperative purchasing agreement participation, the Sheriff’s Department Business Manager and the Director of Procurement & Special Services agree to award this contract to MILO Range, a division of FAAC Inc. of Ann Arbor, MI.

Vendor	Mobile Situational Awareness Training System
MILO Range, a division of FAAC, Inc.	\$44,405.25



MILO Range Mobile Situational Awareness Training System (MSATS)

Mobile Judgment and De-Escalation Simulator

Proposal prepared for:

**McHenry County Sheriff's Office
Attn: Sheriff Rob Tadelman
2200 N Seminary Ave.
Woodstock, IL 60098**



May 29, 2025

MILO Range Mobile Situational Awareness Training System (MSATS)

Thank you for your interest in the interactive MILO Range judgment and de-escalation simulators from FAAC Incorporated. This proposal will provide you with requested system information, specifications, pricing and details for the system and equipment for your training requirement.

As well as a decision-based trainer, our system is designed to assist with many training solution modules for advanced law enforcement training. The modern police officer must be skilled in de-escalation, crisis intervention, implicit bias, and other skill sets to improve police community relations. As such, our MILO Range System has over 900 multi-branching scenarios to hone skills of new police recruits, as well as experienced officers during in-service training.

Modern simulator technology provides a unique opportunity to train on multiple topics that can evolve with the ever-changing challenges faced by law enforcement today. MILO systems provide a controlled and consistent testing platform for multiple agencies and multiple trainees to train on. Video-based scenarios can be encountered with numerous outcomes (or branches) that allow the trainee to exhibit their own judgment and, just as importantly, see the outcome from that decision. Training topics include car stops, domestics, and EDP's, as well as mental health and crisis recognition and intervention.

Scenarios are produced to simulate book-learned applications, allowing the trainee to experience real time decision-making skills and view situations firsthand. Our training videos can simulate a myriad of different real-world situations with various potential outcomes. Scenarios can be objective based, requiring a trainee to provide a response to a particular stimulus. Scenarios can also be geared toward an outcome (one that can be avoided with proper trainee responses or one that funnels the trainee to an unavoidable confrontation).

MILO training simulators have been selected by the most demanding law enforcement, military and public safety agencies and are in daily use around the world. The MILO training system is a comprehensive solution that is designed to allow instructors the ability to assess a trainee's active engagement in immersive, scenario-based exercises with detailed debriefing and after-action review. Each MILO system is designed to increase trainee knowledge, skills, and confidence in a safe, challenging environment that is highly interactive and engaging.

Throughout our 25-year history of providing innovative, interactive simulation training solutions, we have become widely regarded as a low-risk, highly reliable training partner. We have the industry's most dedicated and experienced sales and support team on staff and all MILO customers receive the best technical service in the business, including free software updates, newly released scenarios and new exercises and environments to keep interest high and skills sharp.

On behalf of the entire MILO Team, I sincerely appreciate the consideration of our proposal for this requirement and to have the opportunity to be of service to your agency.

Respectfully Submitted by:

Jesse Wimmer
Senior US Regional Sales Manager- Law Enforcement
MILO Virtual/Live
A Division of FAAC Incorporated
1195 Oak Valley Drive
Ann Arbor, Michigan 48108
M- 303.378.5283
jesse.wimmer@milorange.com



MILO RANGE MOBILE SITUATIONAL AWARENESS TRAINING SIMULATOR (MSATS)				
Item	Description	Qty.	Unit Price	Extended Price
1	MILO MOBILE SITUATIONAL AWARENESS TRAINING SIMULATOR <u>GSA Part # MILO RANGE M-SATS</u> System includes: <ul style="list-style-type: none"> MILO Tablet – Based on MS Windows OS (64-bit) HD Short-throw Projector HD 7'x12' fast-fold Projection Screen 8-device Hit Detection Box with Flashlight Capability All Power and Video Cables, Power Strip Speakers/Digital Audio Sound System Self-Contained Transport Case 950+ Multi-Branching Interactive Scenarios are pre-loaded as well as 65+ skill-builder exercises 	1	\$29,920.25	\$29,920.25
	Dry-Fire Laser Training Weapon <i>Includes one (1) MILO SIRT Glock 17 MOS Training Pistol</i>	Inc.		
	OC Spray Training Device Laser modified OC spray training devices for less-lethal applications. Thumb or trigger activation. <i>Includes (1) laser OC canister</i>	Inc.		
	Low Light Training Program Allows the trainee to use real flashlight in-conjunction with his/her weapon for low light training. This system is non-lane based which allows for multiple users. <i>Includes one (1) MILO handheld flashlight</i>	Inc.		
	Graph-X Targets Allows the user to utilize any of the Graph-X modules for Marksmanship, Shoot-house, Basic Targets and Range Practice includes 65+ interactive CGI skill-builder exercises	Inc.		
	Statistics and Management Allows user to manipulate the database information as to create individual and/or group statistics using relevant filtering criteria	Inc.		
	Baton/Punch/Strike Branching and Scoring Allows the trainer to manually branch the scenario while the trainee uses his actual baton or makes a strike	Inc.		
	Delivery, Insurance and Standard 2-year Full-Coverage Warranty	Inc.		
	FREE Access to MILO Digital Scenario Library New HD Scenarios as available	Inc.		
	System and Peripheral Training – US Sales Only: Up to 6 Students at Client Site for one (1) day of operational training	Inc.		
(A)	MILO RANGE Mobile Situational Awareness Training Simulator (MSATS) Total:			\$29,920.25



Optional Training Items Requested by McHenry County Sheriff's Office

Item	Description	Qty.	Unit Price	Extended Price
2	SIRT Red Training Pistol (Glock 17 MOS) w/ re-setting trigger Includes laser	1	\$625.00	\$625.00
3	SIRT Red Training Pistol (M&P) w/ re-setting trigger Includes laser	2	\$625.00	\$1,250.00
4	MILO Range Rail-mount Flashlight (TLR-1)	1	\$625.00	\$625.00
5	X2 Taser with Cartridges Includes Taser modified for use on the MILO Range.	1	\$2,620.00	\$2,620.00
6	MILO M7 CEW with Cartridges Includes CEW weapon for use on the MILO Range.	1	\$2,620.00	\$2,620.00
7	MILO M10 CEW with Cartridges Includes CEW weapon for use on the MILO Range.	1	\$2,620.00	\$2,620.00
8	SIRT STIC Red Training AR Platform w/ re-setting trigger Includes SIRT G17 MOS	2	\$1,045.00	\$2,090.00
9	Pump Action Shotgun Laser Insert for Slugs and Buckshot Also provides less than lethal application training <i>*Does not include weapon</i>	1	\$835.00	\$835.00
10	MILO Range System Add-On Training Day <u>Only Available in Addition to Existing Training Day(s)</u> The MILO 1-day on-site training class is offered in conjunction with any of the above MILO Range training or install events. Note that this item <u>may not</u> be purchased as a stand-alone training service.	1	\$1,200.00	\$1,200.00
(B) REQUESTED OPTIONAL TRAINING ITEMS TOTAL:			\$14,485.00	

MILO Range MSATS System Sub-Total (A):	\$29,920.25
MILO Range MSATS Requested Options Sub-Total (B):	\$14,485.00
MILO Range MSATS System Total for McHenry County Sheriff's Office (A+B):	\$44,405.25

Suggested Extended Warranty Option for McHenry County Sheriff's Office

Item	Description	Qty.	Unit Price	Extended Price
1A	Extended Bronze Warranty Coverage for Additional Years <ul style="list-style-type: none"> - Based on 5% of initial system cost plus peripherals - Bronze Warranty coverage is for 12 months - Warranty covers <u>all</u> items (excludes batteries and bulbs) - Bronze Warranty can be purchased in 1-Year Increments 	1	\$2,220.26	\$2,220.26 Per Year



FAAC Standard Terms and Conditions of Sale

Quote Validity: 90 Days (All prices quoted in US Dollars)

Grant: 100% upon final acceptance or 30 days post-delivery, whichever comes first.

Government/GSA Funded: Upon completion or Performance based payments if applicable

Payment Terms: NET 30 from date of invoice

Accepted Payment Options: Check, Wire/ACH, Credit Card (3% surcharge will be added. MC/VISA, AMEX Only)

Termination for Convenience: If Buyer's order is canceled for any reason other than for Seller's default, Buyer is liable for all costs incurred at the time of cancellation to include order termination processing costs and restocking fees for any reusable components credited to Buyer's account

US Delivery Lead Time: Standard Production System: 90 DAYS ARO

US Delivery Location: FOB Destination, unless otherwise stated. Partial Shipment and Partial Invoice may occur.

Taxes (Domestic):

a) Prices quoted do not include local, state or federal taxes unless indicated otherwise

b) If this sale is subject to Use Tax, Buyer is liable for the tax and should make payment directly to its taxing authority. However, FAAC will collect Sales Tax for the following states: CA, FL, HI, IA, KY, MA, MI, NY, TN, UT, WA and WV.

c) If applicable, please include a copy of your tax exemption certificate or direct pay permit with your purchase order.

d) FOB Factory will be subject to 6% MI Sales Tax.

Warranty: 24 Months from date of Training (if Training is required) or Date of Equipment Delivery, unless otherwise stated in the purchasing contract or order.

GSA Pricing: If eligible, this proposal may contain both GSA and Open Market items. GSA items are identified with a GSA part number and are designated "GSA Item" in the Unit Price column. All other items are to be considered Open Market. Open Market items are allowed under circumstances set forth in FAR 8.402(f).

Cage Code: 3J401

Tax ID: 38-2690218

DUNS: 175204163

GSA Schedule: PSS/00CORP; Contract # GS-00F-332CA

FAAC requires buying agencies to submit a Purchase Order as a binding agreement for the items proposed herein. Purchase Orders must reference FAAC's proposal. Please address all orders to:

FAAC Incorporated

C/o Contracts Department

1229 Oak Valley Drive

Ann Arbor, MI 48108

(877) 322-2387 / Fax: (734) 761-5368

Email: jesse.wimmer@milorange.com

Please address all sales inquiries to:

Sales Representative: Jesse Wimmer- Regional Sales Manager

Sales Representative Phone: (303) 378-5283 or jesse.wimmer@milorange.com

RESOLUTION - SUPERMAJORITY

Resolution Authorizing McHenry County and the Sheriff to enter into an Intergovernmental Agreement with Illinois DCFS (Oct 1, 2025–June 30, 2028) and to add a McHenry County Deputy Position Funded by the Agreement Effective Dec 1, 2025 (32)

WHEREAS, the McHenry County Sheriff's Office is in a unique position to help support CPS as they perform their duties related to home visits, safety assessments, safety and wellbeing checks, and other responsibilities that require the Child Protection Division (CPD) of the Department of Children and Family Services (DCFS) to visit a client's home; and

WHEREAS, the McHenry County Sheriff's Office has worked with the DCFS to create a special unit comprised of a Deputy Sheriff and a Child Protection Specialists (CPS) staff to enhance safety and protocols and measures for CPS when conducting home visits; and

WHEREAS, this agreement provides funding for a McHenry Sheriff's Deputy position according to exhibit A (attached) which shall be created in the FY26 budget to begin on December 1, 2025. The Sheriff's Office will provide a Deputy Sheriff from October 1, 2025, until the position is created; and

WHEREAS, the McHenry County Sheriff desires to enter into this agreement that shall begin on October 1, 2025, through June 30, 2028, and requests County Board approval.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that it hereby approves the attached intergovernmental agreement between the County of McHenry and DCFS, said agreement is attached hereto and hereby made a part of hereof; and

BE IT FURTHER RESOLVED, the Director of Human Resources will create a new roster position on December 1, 2025, for a Sheriff's Deputy, and DCFS agrees to reimburse the County of McHenry for the assignment of one (1) Sheriff's Deputy for each year of the contract for salary and benefits as well as equipment costs at a rate of:

Year 1: \$150,629.40

Year 2: \$206,596.02

Year 3: \$210,496.24

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Sheriff, Auditor, Chief Financial Officer, Director of Human Resources, and County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

Sheriff-2025-013

RESOLUTION

SUBJECT: Resolution Authorizing McHenry County and the Sheriff to enter into an Intergovernmental Agreement with Illinois DCFS (Oct 1, 2025–June 30, 2028) and to add a McHenry County Deputy Position Funded by the Agreement Effective Dec 1, 2025 (32)

Board / Committee Action Requested:

Enter into an intergovernmental agreement with DCFS and approve a new Deputy position for FY26 as part of this collaboration.

Background and Discussion: The Sheriff and DCFS have been working together to enhance safety on CPS home visits. DCFS has agreed to reimburse the Sheriff for the assignment of one (1) Deputy Sheriff, five (5) days a week from 9am-5Pm to accompany and assist CPS as needed in McHenry County.

Impact on Human Resources: Yes, this resolution requests the creation of a new Deputy Sheriff position in the Sheriff's Office beginning in FY26. The Sheriff will absorb cost of Deputy Sheriff in current FY25.

Impact on Budget (Revenue; Expenses, Fringe Benefits):

- DCFS is reimbursing the Sheriff's Office according to Exhibit A for each year of the contract which offsets the total cost of a Sheriff's Deputy:
Year 1: \$150,629.40
Year 2: \$206,596.02
Year 3: \$210,496.24
- This is not in the Sheriffs current budget therefore requiring a budget adjustment in FY25 for revenue.
 -
- The revenue and expenses outlined in the agreement and exhibit will continue through June 30th, 2028.

Position Reclassification or Regrade, please address the following:

NA

Impact on Capital Expenditures: None

Impact on Physical Space: None

Impact on Other County Departments or Outside Agencies: Yes, this is beneficial to DCFS

Conformity to Board Ordinances, Policies and Strategic Plan: Yes

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE COUNTY OF McHENRY
ON BEHALF OF THE McHENRY SHERIFF'S OFFICE
AND THE ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

This Intergovernmental Agreement ("IGA") is entered into by and between the County of McHenry ("County") on behalf of the Sheriff of McHenry County ("Sheriff's Office") and the Illinois Department of Children and Family Services ("DCFS") (individually, a "Party" and collectively, the "Parties"), pursuant to authority granted by the Illinois Constitution of 1970, Article VII, Section 10 and the Intergovernmental Cooperation Act, 5 ILCS 220/1 *et seq.*

I. RECITALS

WHEREAS, DCFS has the primary responsibility of protecting children through the investigation of suspected abuse or neglect by parents and other caregivers in a position of trust or authority over the child; and

WHEREAS, the Child Protection Division (CPD) is a specialized component within DCFS tasked with the crucial role of investigations into the alleged abuse or neglect of a child; and

WHEREAS, DCFS Child Protection Specialists (CPS) are required to implement the duties and responsibilities of CPD by assessing immediate safety of children and initiating appropriate levels of protection needed, observing family situations relating to allegations of abuse and neglect, interviewing alleged victims and perpetrators, and placing children in protective custody if necessary; and

WHEREAS, the McHenry County Sheriff's Office is in a unique position to help support CPS as they perform their duties related to home visits, safety assessments, safety and wellbeing checks, taking youth into protective custody, and other responsibilities that require visiting a client's home; and

WHEREAS, DCFS desires to collaborate with the McHenry County Sheriff's Office to enhance safety protocols and measures for CPS when they conduct required home visits, safety assessments, safety and well-being checks, taking youth into protective custody, and other responsibilities which requires visiting a client's home; and

WHEREAS, a strong collaboration between DCFS and the McHenry County Sheriff's Office to enhance safety protocols and measures will help support CPS in performing their job duties and responsibilities; and

WHEREAS, DCFS and the McHenry County Sheriff's Office have created a specialized unit comprised of a Deputy Sheriff to accompany and assist CPS during home visits, safety assessments, safety and well-being checks, taking youth into protective custody, and other responsibilities which requires CPS to visit a client's home.

NOW, THEREFORE, in consideration of the promises, covenants, terms, and conditions set forth in this IGA, the Parties agree as follows:

II. INCORPORATION OF RECITALS

The recitals set forth above are incorporated herein as though fully set forth.

III. ROLES AND RESPONSIBILITIES

A. *DCFS Responsibilities*

- i. CPS will identify, with direction from the Child Protection Specialist Supervisor, Area Administrator, or Regional Administrator, instances in which a Deputy Sheriff is needed to accompany and assist CPS to a home visit, safety assessment, safety, and well-being check, taking youth into protective custody, or other responsibilities which requires CPS to visit a client's home.
- ii. CPS will make reasonable efforts to identify and assess any known safety risks prior to conducting any home visit, safety assessment, safety, and well-being check, taking youth into protective custody, or other responsibilities which requires CPS to visit to a client's home.
- iii. CPS will fully brief the assigned Deputy Sheriff on all pertinent and non-confidential information, including any identified risks associated with the home visit, safety assessment, safety and well-being check, or other responsibilities which requires CPS to visit a client's home.
- iv. As directed by the Deputy Sheriff, CPS will adhere to any safety measures identified by the Deputy Sheriff in response to the known risks associated with the home visit, safety assessment, safety and well-being check, or other responsibilities which requires CPS to visit a client's home.
- v. If the Deputy Sheriff is dissatisfied with the performance of DCFS pursuant to this IGA, DCFS and the Sheriff's Office shall find a mutually agreeable solution.

B. *McHenry County Sheriff's Office's Responsibilities*

- i. Provided DCFS performs under Section V, the McHenry County Sheriff's Office shall make all reasonable efforts to assign one (1) Deputy Sheriff and one (1) squad car to the Woodstock Field Office CPD to accompany and assist CPS as needed in McHenry County.
- ii. Contingent on operational capacity, as determined in McHenry County Sheriff's Office sole discretion, the Deputy Sheriff shall be available five (5) days a week from 9 a.m. to 5 p.m. to McHenry CPD.
- iii. In the event that the assigned Deputy Sheriff has taken benefit time or leave, McHenry County Sheriff's Office shall assign an appropriate individual for coverage purposes and to assume the duties and responsibilities of the assigned Deputy Sheriff.

- iv. As permitted by other duties, as determined in McHenry County Sheriff's Office sole discretion, the assigned Deputy Sheriff shall assist the Woodstock Field Office CPD in executing child protection warrants issued by the Circuit Court of McHenry County to help locate and return missing youth in care to DCFS.
 - v. The McHenry County Sheriff's Office shall provide vehicles, fuel, computers, and routine supplies for the general operations as deemed necessary by the McHenry County Sheriff's Office.
 - vi. The McHenry County Sheriff's Office shall provide command staff for the Deputy Sheriff detailed to the Woodstock Field Office CPD.
 - vii. Command and control of any and all personnel employed by McHenry County or the McHenry County Sheriff's Office and assigned to the Woodstock Field Office CPD shall be through the chain-of-command of the McHenry County Sheriff's Office according to the McHenry County Sheriff's Office's General Orders, rules, and regulations.
 - viii. The McHenry County Sheriff's Office personnel assigned to the Woodstock Field Office CPD shall report, document, and record their activities, including the number of home visits with which the Deputy Sheriff provided assistance to the Woodstock Field Office CPD, according to the McHenry County Sheriff's Office's General Orders, rules, and regulations. All reports and records generated by the Deputy Sheriff shall be maintained by the McHenry County Sheriff's Office and shall be provided to DCFS on a monthly basis or more frequently as requested.
 - ix. The assigned Deputy Sheriff's shall fully brief CPS on all pertinent and non-confidential information known or available to the McHenry County Sheriff's Office, including any identified risks associated with the home evaluation, home visit, or other responsibilities requiring CPS to visit a client's home.
 - x. If DCFS is dissatisfied with the performance of a Deputy Sheriff, DCFS may request that the McHenry County Sheriff's Office reassign a new Deputy Sheriff to the Woodstock Field Office CPD. The McHenry County Sheriff's Office shall comply with DCFS' request for reassignment unless operational capacity or an applicable collective bargaining agreement prevents the McHenry County Sheriff's Office from such reassignment. If operational capacity or an applicable collective bargaining agreement prevents the Sheriff from such reassignment, the McHenry County Sheriff's Office and DCFS shall find a mutually agreeable solution.
- C. Nothing in this IGA shall be interpreted to supersede any of the respective policies, general orders, protocols, or collective bargaining agreements of DCFS, McHenry County, or the McHenry County Sheriff's Office.
- xi. **TERM AND TERMINATION**
The Term of this IGA shall begin on October 1, 2025, and shall continue for three (3) years through and until June 30, 2028. Any Party may terminate this IGA at any time upon thirty (30) days written notice.

V. REIMBURSEMENT

- A. DCFS agrees to reimburse the McH e n r y County Sheriff's Office at the rate of \$ 150,629.40 in year one, \$205,596.02 in year two, and \$210,496.24 in year three in exchange for the McHenry County Sheriff's Office assignment of one (1) Deputy Sheriff to the Woodstock Field Office CPD pursuant to this IGA. Said payment shall be used by the McHenry County Sheriff's Office to pay the salary and benefits to such McHenry County Sheriff's police officer as well as equipment costs.
- B. DCFS agrees to reimburse the McHenry County Sheriff's Office for reasonable costs as set out in Exhibit A.
- C. The McHenry County Sheriff's Office shall send an invoice to DCFS in accordance with paragraph V.A and V.B. Invoices shall be prorated and issued on a monthly basis on the 15th of each month.
- D. DCFS shall process payment to the McHenry County Sheriff's Office within ninety (90) days of receipt of invoice, payable to the McHenry County Sheriff's Office

VI. DISPUTE RESOLUTION

In the event of a dispute between DCFS and the McHenry County Sheriff's Office concerning this IGA, each Party shall designate a representative who shall meet to resolve the dispute. If the designated representatives fail to resolve the dispute, then the McHenry County Sheriff and DCFS' General Counsel shall be responsible for promptly resolving the dispute in good faith and in a cooperative manner.

VII. NOTICE

Unless otherwise specified, any notice, demand, or request required hereunder shall be given in writing at the addresses set forth below, by any of the following means: (a) personal service during regular business hours; (b) facsimile transmission during regular business hours; (c) overnight courier; or (d) first class mail properly addressed with postage prepaid and deposited in the U.S. mail. Any notice, demand, or request served personally or by facsimile transmission as aforesaid shall be effective upon receipt. Any notice, demand, or request served by overnight courier shall be deemed received on the business day immediately following deposit with the overnight courier. Any notice, demand, or request served by U.S. mail shall be deemed received two (2) business days following deposit in the mail. Notices shall be served at the following addresses or at such other place as the Parties may from time to time designate in writing by notice given hereunder.

To: McHenry County Sheriff's Office
2200 N. Seminary Ave.
Woodstock, IL. 60098

DCFS
Attn: Director's Office
60 East Van Buren
Suite 1339
Chicago, IL 60605

VIII. MISCELLANEOUS

- A. The Parties shall at all times observe and comply with all applicable federal, state, and local laws, statutes, ordinances, rules, regulations, codes, and executive orders, now existing or hereinafter in effect, which may in any manner affect the performance of this IGA.
- B. When confidential information is exchanged, the following rules shall apply: (i) the confidential nature of the information shall be preserved; (ii) the information furnished shall be used only for the purposes for which it was made available; (iii) assurance must be given that the proper steps shall be taken to safeguard the information; and (iv) access to such information shall be limited to personnel who require the information to perform their duties or for whom access is permitted by statute or regulation.
- C. Tax Identification Certification. McHenry County Sheriff's Office certifies that: 36-6006623 is McHenry County Sheriff's Office's correct federal employer identification number (FEIN). If McHenry County Sheriff's Office has not received a payment from the State of Illinois in the last two years, McHenry County Sheriff's Office must submit a W-9 tax form with this Agreement.
- D. DCFS shall provide notice, in writing, to the McHenry County Sheriff's Office of any such funding failure and its election to terminate or suspend this IGA as soon as practicable. Any suspension or termination pursuant to this Section shall be effective upon the McHenry County Sheriff's Office, ninety (90) days following receipt of said notice.
- E. This IGA may be executed in any number of counterparts, each of which shall be deemed an original and all of which, taken together, shall constitute a single, integrated instrument.
- F. This IGA shall be governed by and construed in accordance with the laws of the State of Illinois, without regard to conflict of law principles. Any claim against DCFS arising out of this IGA must be filed exclusively with the Illinois Court of Claims. 705 ILCS 505/1 *et seq.*
- G. This IGA constitutes the entire agreement between the Parties with respect to the subject matter hereof and supersedes any prior agreements, negotiations, and discussions. This IGA may not be modified or amended in any manner without the prior written consent of the Parties. No term of this IGA may be waived or discharged orally or by any course of dealing, but only by an instrument in writing signed by the Parties.
- H. If any term of this IGA or any application thereof is held invalid or unenforceable, the remainder of this IGA shall be construed as if such invalid part were never included herein and this IGA shall be and remain valid and enforceable to the fullest extent permitted by law.
- I. This IGA shall not be legally binding if entered into in violation of the provisions of the Public Officer Prohibited Activities Act, 50 ILCS 105/0.01 *et seq.*
- J. McHenry County shall be responsible for the acts of its agents, officers, or employees in the performance of this IGA.

- K. DCFS shall be responsible for the acts of its agents, officers, or employees in the performance of this IGA.
- L. No officer, member, official, employee, or agent of DCFS or McHenry County shall be individually or personally liable in connection with this IGA. Each Party shall be responsible for maintaining its own insurance or self-insurance program with respect to liabilities to its employees or to third Parties that may reasonably result from the performance of its lawful functions, including those functions that are contemplated by this IGA. Each Party shall bear the cost of its own defense. This IGA shall not be construed as seeking to either enlarge or diminish any obligation or duty owed by one Party with respect to third Parties or to increase the liability of any Party beyond that which is imposed by law.
- M. This IGA may be renewed for additional periods by mutual consent of the Parties, expressed in writing and signed by the Parties.

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IN WITNESS WHEREOF, the Parties have caused their duly authorized representatives to execute this Intergovernmental Agreement on the dates set forth below.

ILLINOIS DEPARTMENT OF CHILDREN AND FAMILY SERVICES EXECUTION: The undersigned, on behalf of the Illinois Department of Children and Family Services, hereby accepts the foregoing Intergovernmental Agreement:

Heidi E. Mueller
Director
Illinois Department of Children and Family Services

Dated: _____

McHENRY COUNTY EXECUTION: The undersigned, on behalf of McHenry County of Woodstock, Illinois, a body politic and corporate of the State of Illinois, hereby accepts the foregoing Intergovernmental Agreement:

Sheriff
McHenry County Illinois

Dated: _____

ACKNOWLEDGED:

McHenry County Board Chair

McHenry County Sheriff's Department

Exhibit A

4- Year Totals

Second year deputy		Year 1	Year 2	Year 3	Year 4
Salary:		\$120,037.87	\$123,639.00	\$127,348.17	
FICA/Benefits:		\$28,837	\$28,837	\$28,837	
Workers Comp.		\$562	\$562	\$562	
Unemployment Ins.					
IMRF SLEP Contr.		\$29,721.38	\$30,613.02	\$31,531.41	
Medicare & SS		\$7,982	\$8,222	\$8,469	
Totals:		\$187,140.17	\$191,873.02	\$196,747.24	
Equipment:		\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	
Clothing/Vest		\$560	\$576	\$594	
Ammunition		\$264	\$272	\$280	
Totals:		\$ 2,024.00	\$ 2,048.00	\$ 2,074.00	
Vehicle/Squad:		\$9,000	\$9,000	\$9,000	
Vehicle	upfitting	\$875	\$875	\$875	
Fuel		\$900	\$900	\$900	
Oil Changes +maintenance	10%	\$900	\$900	\$900	
Totals:		\$11,675	\$11,675	\$11,675	
TOTALS:		\$200,839.17	\$205,596.02	\$210,496.24	
Monthly Reimburse		\$16,736.60	\$17,133.00	\$17,541.35	

McHenry County Sheriff's Department

Exhibit A

3- Year Totals

Second year deputy	FY26	FY27	FY28	FY29
Salary:	\$90,028.35	\$123,639.00	\$127,348.17	
FICA/Benefits:	\$21,627.72	\$28,837	\$28,837	
Workers Comp.	\$421.47	\$562	\$562	
Unemployment Ins.				
IMRF SLEP Contr.	\$22,291.02	\$30,613.02	\$31,531.41	
Medicare & SS	\$5,986.53	\$8,222	\$8,469	
	\$140,355.09	\$191,873.02	\$196,747.24	
Equipment:	\$ 900.00	\$ 1,200.00	\$ 1,200.00	
Clothing/Vest	\$ 420.03	\$576	\$594	
Ammunition	\$ 198.00	\$272	\$280	
	\$ 1,518.03	\$ 2,048.00	\$ 2,074.00	
Vehicle/Squad:	\$ 6,750.00	\$9,000	\$9,000	
Vehicle	\$ 656.28	\$875	\$875	
Fuel	\$ 675.00	\$900	\$900	
Oil Changes +maintenance	\$ 675.00	\$900	\$900	
Totals:	\$8,756.28	\$11,675	\$11,675	
TOTALS:	\$150,629.40	\$205,596.02	\$210,496.24	
Monthly Reimburse	\$16,736.60	\$17,133.00	\$17,541.35	

RESOLUTION - SUPERMAJORITY

Resolution Authorizing an Adjustment to the Public Defender's Annual Salary and an Emergency Appropriation in the Public Defender's FY25 Budget (44)

WHEREAS, the annual salary of the State's Attorney was raised 6.1% effective July 1, 2025; and

WHEREAS, 55 ILCS 5/3-4007 provides that the Public Defender's salary must be at 90% of the State's Attorney's annual compensation of \$219,325.62 upon approval of a submitted resolution; and

WHEREAS, it is necessary for this County Board to adjust the Public Defender's annual salary by 6.1%, increasing the Public Defender's salary to \$197,393.06 effective July 1, 2025 in light of the raise to the annual salary of the State's Attorney; and

WHEREAS, an emergency appropriation in the amount of \$4,656 in the Fiscal Year 2025 budget is requested to cover the salary adjustment of the Public Defender for the 2025 Budget; and

WHEREAS, the Finance & Audit Committee has reviewed said adjustment.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois that the Public Defender's annual salary shall be adjusted 6.1% retroactive to July 1, 2025 in accordance with 55 ILCS 5/3-4007, bringing the Public Defender's annual salary to \$197,393.06; and

BE IT FURTHER RESOLVED, an emergency appropriation of \$4,656 to 301010-44-4400-100 (Public Defender - Regular Salary) and an offset budget entry to 094550-44-4400-100 (Public Defender - State Government Salary Reimbursement) is also hereby authorized to cover the salary adjustment of the Public Defender retroactive to July 1, 2025 through the remaining 2025 fiscal year; and

BE IT FURTHER RESOLVED, that the Human Resources Director is hereby authorized to process the payroll advice sheet and update the Public Defender's Department Roster to reflect the increase in salary; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby requested to distribute a certified copy of this resolution to the Public Defender, the Treasurer, the Auditor, the Human Resources Director, the Chief Financial Officer, and the County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution Authorizing an Adjustment to the Public Defender's Annual Salary and an Emergency Appropriation in the Public Defender's FY25 Budget (44)

Board / Committee Action Requested:

To approve a resolution authorizing an adjustment to the Public Defender's annual salary and an Emergency Appropriation in the Public Defender's FY25 budget.

Notice of Annual Salary Reimbursement COLA for State's Attorneys and Public Defenders



01/01

MCHENRY COUNTY TREASURER
2200 N SEMINARY AVE
WOODSTOCK IL 60098-2637

June 16, 2025



Letter ID: L0177452968

Fiscal Year: 2026

Effective Date: 7/1/2025

A Cost of Living Adjustment (COLA) increase has been granted for fiscal year 2026 for the position of state's attorney and assistant state's attorney. Below is a summary of the base salary and reimbursement amounts.

Base Salary	6.1% COLA	Salary
\$206,715.95	\$12,609.67	\$219,325.62

A summary of the reimbursable amount is below. Per 55 ILCS 5/4-2001, the State of Illinois shall furnish 66 2/3% of the total annual compensation to be paid to each state's attorney in Illinois based on the salary in effect on December 31, 1988, and 100% of the increases in salary taking effect after December 31, 1988. For this reason the reimbursable amounts below may be less than the actual salary paid as provided above.

State's Attorney Salary Reimbursement

	Total Reimbursement	Monthly Reimbursement
1. State's Attorney Salary:	\$197,494.62	\$16,457.88
2. ASA - Mental Health Institution:	\$0.00	\$0.00
3. ASA - Higher Education Facility:	\$0.00	\$0.00
Total	\$197,494.62	\$16,457.88

Public Defender Salary Reimbursement

Our records indicate that your county has a full-time public defender. Per Illinois State statute (55 ILCS 5/3-4007), you are required to maintain a salary of at least 90% of the county's state's attorney annual salary. Your new public defender's salary should be \$197,393.06. Your new monthly public defender's reimbursement amount will be \$10,965.18. We will require a Form PTAX-451, Salary Adjustment for Supervisor of Assessments, Public Defender, or Sheriff, to be completed and filled with us for the public defender's salary increase, along with the authorizing documentation as outlined on the form.

Please provide a copy of this letter to your state's attorney. You may contact us with any questions you may have using the contact information below.

PROPERTY TAX DIVISION
ILLINOIS DEPARTMENT OF REVENUE
PO BOX 19033
SPRINGFIELD, IL 62784-9033

217 785-1356

rev.propertytax@illinois.gov

RESOLUTION

Resolution Authorizing a Contract with HSO Enterprise Solutions for a 5-Year Managed Services Agreement at a Cost not to Exceed \$465,188 (90)

WHEREAS, Resolution R-201709-90-219 was adopted by the McHenry County Board on September 19, 2017, to establish a budget for the new Microsoft Dynamics 365 Financial System; and

WHEREAS, Resolution R-202007-12-160 was adopted for Managed Services Agreement with HSO Enterprise Solutions (formerly AKA Enterprises) for support of the financial system and is set to expire on July 26, 2025; and

WHEREAS, HSO Enterprise Solutions is the County's proprietary Microsoft Dynamics 365 partner and requires their expertise on mandatory system upgrades, issue resolution, and use of available functions and system capabilities; and

WHEREAS, the Managed Services Agreement with HSO Enterprise Solutions will not exceed \$465,188 over the 5-year contract for system maintenance, training, and support.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that it hereby authorizes the Director of Procurement and Special Services to execute the necessary documentation to enter a five year Managed Services Agreement with HSO Enterprise Solutions at a cost not to exceeded \$465,188, with the resultant contract to be reviewed by the State's Attorney's Office; and

BE IT FURTHER RESOLVED, that the FY25 costs are included in the FY25 approved budget, and future costs will be added to the budget requests in 432125-40-90-9000-100 (computer maintenance agreement – non departmental – general fund); and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this resolution to the Director of Procurement and Special Services, the Director of Information Technology, the Chief Financial Officer, and the County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution Authorizing a Contract with HSO Enterprise Solutions for a 5-Year Managed Services Agreement at a Cost not to Exceed \$465,188 (90)

Board / Committee Action Requested:

To authorize a contract with HSO Enterprise Solutions for Managed Services of Microsoft Dynamics Financial Program.

Background and Discussion: The County relies on HSO for support of the financial system. They have been a good partner and have helped the County with mandatory upgrades and issues with Microsoft, but also on using the system to gain efficiency and access the full functionality.

Impact on Human Resources: None

Impact on Budget (Revenue; Expenses, Fringe Benefits):

The FY25 cost has been included in the approved budget and will be added to subsequent budget requests.

Impact on Capital Expenditures: None

Impact on Physical Space: None

Impact on Other County Departments or Outside Agencies: None

Conformity to Board Ordinances, Policies and Strategic Plan: yes

RESOLUTION

Resolution authorizing McHenry County to spend over \$30,000 with Petroleum Traders, FT Wayne IN, to provide fuel for the Sheriff (32)

WHEREAS, the McHenry County Sheriff annually budgets for fuel to operate and maintain the County's vehicles and equipment through the year; and

WHEREAS, per McHenry County Purchasing Ordinance and structure, the Sheriff is required to bring forth a resolution for any purchases over \$30,000; and

WHEREAS, fuel is considered a market-competitive procurement that does not require a bid.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that it hereby authorizes McHenry County to spend over \$30,000 with Petroleum Traders to operate County vehicles; and

BE IT FURTHER RESOLVED, by this County Board that fuel has been accounted for in the Sheriff's FY25 budget under 100-32-3210-5160 (Garage-Fuel, Oil and Grease); and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Sheriff, County Auditor, Director of Procurement and Special Services, Chief Financial Officer, and County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution authorizing McHenry County to spend over \$30,000 with Petroleum Traders, FT Wayne IN, to provide fuel for the Sheriff (32)

Board / Committee Action Requested:

Authorization to spend over \$30,000 in FY25 with Petroleum Traders.

Background and Discussion:

The County Board approved this expenditure in the Sheriff's FY25 budget but there is some interpretation challenge on whether this does or does not require a resolution since it is an s expense that does not require a bid, but the Sheriff's Office is providing one anyway.

- 3) **Purchases Over \$30,000.** Purchases, except for purchases of Professional Services (the purchasing structure of which is set forth in Article 4), where the total cost exceeds \$30,000 require formal sealed Bids after specifications have been created by the requesting department. **Such purchases require a Resolution** brought forth by the Liaison Committee and the Finance & Audit Committee for Board approval.

Impact on Human Resources: None

Impact on Budget (Revenue; Expenses, Fringe Benefits):

This expense has already been approved in the Sheriff's FY25 budget.

Position Reclassification or Regrade, please address the following:

None

Impact on Capital Expenditures:

None

Impact on Physical Space:

None

Impact on Other County Departments or Outside Agencies:

None

Conformity to Board Ordinances, Policies and Strategic Plan:

Yes

RESOLUTION

Resolution Requesting Approval of the McHenry County 2025-2029 Consolidated Plan for Community Development (10)

WHEREAS, McHenry County, with a threshold population in excess of 200,000 is an “Urban Entitlement County” and therefore receives direct annual funding from the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs and other special grants from time to time; and

WHEREAS, these grants are programs utilized to assist the low-income residents of McHenry County by aiding in obtaining and maintaining safe housing and other needed infrastructure projects, and

WHEREAS, as an Entitlement County, in order to maintain compliance with said grant programs, McHenry County is required to submit a Consolidated Plan that guides grant programming for five annual action plans through measurable goals and objectives; and

WHEREAS, the Community Development Division of the Planning and Development Department did engage the services of a consultant who assisted with consulting townships and municipalities during the planning stages of the Consolidated Plan; and

WHEREAS, a public hearing was held on July 15th at 10:00 AM to solicit additional commentary on the draft Consolidated Plan pursuant to the community’s approved Citizen Participation Plan; and

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that the Department of Planning and Development is hereby directed to submit the 2025-2029 Consolidated Plan to HUD for review and compliance purposes; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the County Administrator, the Director of Planning and Development, and the Community Development Administrator

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

RESOLUTION

SUBJECT: Resolution Requesting Approval of the McHenry County 2025-2029 Consolidated Plan for Community Development (10)

Board / Committee Action Requested:

That the McHenry County Board approves and authorizes the Chairman of the Board to approve the five-year Consolidated Plan per U.S. Department of Housing and Urban Development requirements in order to receive CDBG and HOME entitlement funding.

Background and Discussion:

This is Community Development's five-year plan on how to allocate entitlement funding over the next five years.

Impact on Human Resources:

N/A

Impact on Budget (Revenue; Expenses, Fringe Benefits):

Community Development receives around 1,300,000.00 in CDBG funding and 550,000.00 in HOME funding annually from the U.S. Department of Housing and Urban Development.

Position Reclassification or Regrade, please address the following:

N/A

Impact on Capital Expenditures:

N/A

Impact on Physical Space:

N/A

Impact on Other County Departments or Outside Agencies:

N/A

Conformity to Board Ordinances, Policies and Strategic Plan:

This is Community Development's five-year plan on how to allocate entitlement funding with subsequent Annual Action Plans that will be submitted each year following this Consolidated Plan.

ORDINANCE

Revision to Article II of the Public Health Ordinance (51)

WHEREAS, the current Public Health Ordinance establishes the minimum standards for residential swimming pool barriers, for all residential swimming pools located in McHenry County; and

WHEREAS, every municipality in McHenry County has adopted regulations for the oversight of residential swimming pool barriers within their jurisdiction; and

WHEREAS, the proposed revision will limit the applicability of the Public Health Ordinance to swimming pool barriers for residential swimming pools, located in unincorporated areas, and which continue to be eligible for previously granted pool barrier variances or exemptions; and

WHEREAS, the Board of Health and Public Health and Community Services and Planning, Environment and Development Committees of the County Board have reviewed and recommended the proposed revisions to the Public Health Ordinance.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that it hereby authorizes the adoption of Article II of the McHenry County Public Health Ordinance attached as Exhibit A; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Public Health Administrator, the Director of Planning & Development, the State's Attorney, and the County Administrator.

DATED at Woodstock, Illinois, this 15th day of July, A.D., 2025.

Michael Buehler, Chairman
McHenry County Board

ATTEST:

Joseph J. Tirio, County Clerk

ORDINANCE

SUBJECT: Revision to Article II of the Public Health Ordinance (51)

Board / Committee Action Requested: To approve the revision to Article II of the Public Health Ordinance.

Background and Discussion: Since the early 1990's the McHenry County Public Health Ordinance established the minimum standards for pool barriers for residential swimming pools in all of McHenry County to prevent the drowning of small children. Staff confirmed that every municipality in the county has adopted regulations regarding residential swimming pool barriers. Approximately ½ of the municipalities have adopted the International Building Code which allows residential swimming pool barrier options that are not allowed in the Public Health Ordinance.

With the proposed revision, the Public Health Ordinance will no longer apply to swimming pool barriers for residential swimming pools located within municipal limits.

Department of Health staff will continue to monitor the pool barriers for residential swimming pools that are located in unincorporated areas, and which continue to be eligible for a variance or exemption.

Department of Planning & Development staff will ensure barrier compliance for any existing residential swimming pool, located in an unincorporated area, which no longer meets the exemption or variance criteria.

The Ordinance revision also includes a correction to reference any penalties related to open burning to the General Provisions in Article I.

Impact on Human Resources: None

Impact on Budget (Revenue; Expenses, Fringe Benefits): None

Impact on Capital Expenditures: None

Impact on Physical Space: None

Impact on Other County Departments or Outside Agencies: Municipalities will assume the responsibility of monitoring a small number of existing swimming pools that were granted an exemption or variance for the pool barrier.

Conformity to Board Ordinances, Policies and Strategic Plan: n/a

**PUBLIC HEALTH ORDINANCE FOR
McHENRY COUNTY ILLINOIS**

McHENRY COUNTY DEPARTMENT OF HEALTH

**ARTICLE II
PUBLIC HEALTH NUISANCE**

Approved: ~~November 15~~ _____, 202~~2~~5
Effective Date: ~~December 1,~~ _____ 202~~2~~5

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**PUBLIC HEALTH ORDINANCE FOR
McHENRY COUNTY ILLINOIS
McHENRY COUNTY DEPARTMENT OF HEALTH**

ARTICLE II – PUBLIC HEALTH NUISANCE

DEFINITIONS: See § 8.04.010 of Article I.

INTENT AND PURPOSE: See § 8.04.020 of Article I.

§ 8.04.080 REQUIREMENTS

The following are declared public health nuisances prejudicial to the public health:

- A.** To cause or suffer the carcass of any animal or any offal or filth to be collected, deposited or to remain in any place to the prejudice of others. Livestock waste disposed on agriculturally zoned land in compliance with State and local laws, ordinances, or regulations is exempt. Animal carcasses shall be properly disposed of within twenty-four (24) hours of a death of an animal.
- B.** Allowing accumulations of litter; human, animal, industrial, noxious or offensive waste; Provided, that, acceptable storage of livestock manure on a farm is permitted when this storage is in compliance with State and local laws, ordinances, and regulations.
- C.** Maintaining garbage containers, which are not vermin and rodent proof.
- D.** Allowing any infestation in a structure or on a property of pests or vermin that may be involved in transmission of communicable diseases or failing to remove conditions in a structure or on a property that may permit such infestation.
- E.** Failing to eradicate all noxious weeds within 150 feet of any property line.
- F.** Allowing occupancy of a building that is an exposed public hazard as a source of filth or in a condition prejudicial to the health and safety of the public.
- G.** Failing to remove or seal unoccupied buildings that are an exposed public hazard, as a source of filth or in a condition prejudicial to the health and safety of the public in such a manner as to prevent entry.
- H.** Failing to remove vehicles, refrigerators, freezers, stoves, and similar equipment, which have been abandoned to the potential peril of persons from the property.
- I.** Offering used mattresses, swimsuits, wigs, and other personal items for sale to the public unless these items are sanitized as approved by the Health Authority.
- J.** Failure of a personal care provider to sanitize multi-use personal care tools or equipment including but not limited to combs, hairbrushes, nail clippers, foot spa basins, etc. using an EPA approved sanitizer or disinfectant, per the label directions, after each use, between separate individuals.
- K.** Failing to provide a potable water supply sufficient in quantity and pressure to adequately serve all plumbing fixtures therein, in any building in which people live, work or assemble.
- L.** Operating a tanning facility without a valid permit issued by the Illinois Department of Public Health contrary to the provisions of the Illinois Tanning Facility Permit Act or the Illinois

Department of Public Health Tanning Facilities Code.

- M.** Operating a tattoo and/or body piercing establishment without a valid registration issued by the Illinois Department of Public Health contrary to the provisions of the Illinois Tattoo and Body Piercing Establishment Registration Act or the Illinois Department of Public Health Body Art Code.

§ 8.04.090 OPEN BURNING OF LANDSCAPE WASTE

- A. INTENT AND PURPOSE:** Whereas, open burning creates a risk of losses due to fire and impairs air quality, regulation of open burning is necessary to protect the public health, safety, and welfare.

B. REQUIREMENTS

1. Exemptions

- a. Subsections B.2.a. and B.2.b.; B.3. c.1-3.; and B.4.b. shall not apply to prescribed burns associated with ecologic restoration or natural landscape management, any burning of landscape waste for purposes of habitat reclamation, or firefighter training.
- b. Subsections B.2.a. and B.2.b.; B.3.c.1-3.; and B.4.b. shall not apply to the burning of brush for purposes of cooking, heating or recreational fires in domestic fire places or self-contained outdoor wood-burning devices.
- c. Subsections B.2.a. and B.2.b.; B.3.c.1-3.; and B.4.b. shall not apply to the open burning of brush for purposes of recreational fires.
- d. B.2.a. and B.2.b.; B.3.c.1-3.; and B.4.b. shall not apply to the open burning of brush for purposes of ceremonial fires or bonfires provided that notice of any ceremonial fire or bonfire has been given to the fire protection district or fire department serving the area where the fire is to take place and a permit has been obtained from the McHenry County Department of Health. Permit applications shall be submitted to the Department at least 2 business days prior to the date of the ceremonial fire or bonfire. Failure to obtain a permit from the McHenry County Department of Health prior to conducting a ceremonial fire utilizing brush shall be deemed a violation of this article. Failure to notify the applicable fire protection district or fire department and obtain permission prior to conducting a ceremonial fire utilizing brush shall be deemed a violation of this article.
- e. Subsection B.3.c.(1) shall not apply where the fire is located five hundred feet (500') or greater from a habitable structure.

2. Prohibition

- a. Open burning of landscape waste shall not take place within one hundred feet (100') feet of a habitable structure.
- b. Open burning of landscape waste shall not take place less than fifty feet (50') from any structure that is not habitable.
- c. The burning of manure, garbage, litter or any materials other than landscape waste and/or brush is prohibited on any property in McHenry County.
- d. The Chairman of the County Board shall have the authority to prohibit all open burning of landscape waste in the event of emergencies that require shifting of staff priorities or conditions that may represent significant potential for fire safety issues.

3. Restrictions

- a. Any open burning in the County of McHenry shall be in accordance with the restrictions enumerated below:

- b. The open burning of landscape waste shall only occur on the property upon which the landscape waste was generated. The burning of any materials other than landscape waste is prohibited.
- c. The following restrictions upon the open burning of landscape waste on the property upon which it was generated shall prevail:
 - (1) Burning is permitted only on weekends, between dawn and dusk, during the months of October, November, April and May.
 - (2) Burning is not permitted when the wind is in excess of ten (10) miles per hour.
 - (3) Burning is not permitted of any material other than dry landscape waste and/or brush.
 - (4) Burning is not permitted on public or private roads, alleys, sidewalks or easements.
 - (5) Burning is not permitted when it is a visibility hazard on roadways, railroad tracks or airfields.

4. Conditions and Limitations of Open Burning

- a. All open burning must be supervised by an individual at least 18 years of age until the fire is extinguished.
- b. A fire extinguisher or garden hose or water source shall be available at the burning site.
- c. It is the responsibility of the individual conducting the burning and the owner of the property to comply with all conditions upon burning as noted above during any burning.
- d. It shall be unlawful for any person to cause or allow any open or uncontrolled burning of landscape waste and/or other materials in violation of the above regulations and restrictions.
- e. Any ceremonial fire (bonfire) or recreational fire must be supervised by an individual at least 18 years of age or older.
- f. The Chairman of the County Board shall have the authority to waive all or part of the requirements of this Ordinance in the event of emergencies resulting from natural phenomenon or civil strife.

5. Enforcement, Violations and Penalties

- a. McHenry County Department of Health shall be primarily responsible for the enforcement of this Ordinance. Any enforcement officer of the McHenry County Department of Health, law enforcement agency, fire department or fire protection district is hereby authorized to enforce the provisions of this article.
 - b. Any person who violates any provision of this article shall be punished by a fine of a minimum of one hundred dollars (\$100) for a first time offense and a maximum fine of up to one thousand dollars (\$1000) for offenses subsequent to the first offense. Any person who violates any provision of § 8.04.090 shall be subject to the penalty and injunctive relief set forth in § 8.04.050 of Article I. The burning of any toxic material and any prior convictions under this article shall be considered factors in aggravation for purposes of the assessment of any fines.
6. This Ordinance does not supersede any requirements of a government entity that may be more restrictive.

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§ 8.04.100 BARRIERS FOR RESIDENTIAL SWIMMING POOLS, SPAS AND HOT TUBS

A. INTENT AND PURPOSE:

1. The provisions of this document shall control the design of barriers for residential swimming pools, spas and hot tubs. These design controls are intended to provide protection against potential drowning and near drowning to children under the age of five (5) by restricting access to swimming pools, spas and hot tubs.
2. ~~This Section applies to all residential swimming pools, spas and hot tubs in McHenry County unless a more stringent local Ordinance exists. Applicability:~~
 - a. All residential swimming pools, spas and hot tubs, located in unincorporated McHenry County, that meet the requirements of § 8.04.100 B15 or § 8.04.100 B16 as of (effective date) are subject to this Section. All other residential swimming pools, spas and hot tubs located in unincorporated McHenry County are subject to the applicable barrier regulation adopted by the McHenry County Board and enforced by the McHenry County Department of Planning & Development.
 - b. Residential swimming pools, spas and hot tubs located inside the boundaries of a municipality within McHenry County are subject to the relevant municipal pool barrier regulation.

B. REQUIREMENTS

1. **Usage:** In no case shall a swimming pool, hot tub or spa be put into use until it is in compliance with the following requirements and any applicable building code.
2. **Outdoor swimming pool:** An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa, shall be provided with a barrier which shall comply with the following:
 3. **Barrier:** The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be four (4) inches measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four (4) inches.
4. **Natural Barrier:** The barrier requirements are waived for the portion of the pool/spa/hot tub facing the natural barrier. On all other sides of the property, the barrier must extend to the legal (where established) or normal water level.
5. **Openings in barrier:** Openings in the barrier shall not allow passage of a four (4) inch diameter sphere.
6. **Solid barriers:** Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
7. **Barrier horizontal and vertical members less than 45 inches:** Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, spacing between the vertical members shall not exceed 1 ¾ inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts

shall not exceed 1 ¾ inches in width.

8. **Barrier horizontal and vertical members 45 inches or more:** Where the barrier is composed of horizontal and vertical members of 45 inches or more, spacing between vertical members shall not exceed four (4) inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ inches in width.
9. **Mesh size for chain link:** Maximum mesh size for chain link fences shall be a 1 ¼ inch square unless the fence is provided with slats fastened at the top or bottom which reduce the openings to no more than 1 ¾ inches.
10. **Barrier diagonal members:** Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall be no more than 1 ¾ inches.
11. **Access gates:** Access gates shall comply with the requirements of subsections B.1 through B.10 above, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outwards away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate,
 - a. the release mechanism shall be located on the pool side of the gate at least three (3) inches below the top of the gate and
 - b. the gate and barrier shall have no opening greater than ½ inch within 18 inches of the release mechanism.
12. **An aboveground pool structure used as a barrier:**
 - a. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps then:
 - (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or
 - (2) the ladder or steps shall be surrounded by a barrier which meets the requirements of B.1. through B.11. above.
 - b. When the ladder or steps are secured, locked, or removed, any opening created shall not allow the passage of a 4-inch diameter sphere.
13. **Moat used to obtain clearance:** Where a moat is used to obtain the 48 inch clearance from ground surface to top of pool, it shall also be 48 inches from the outside rim of the moat to the top of the barrier (or rim of the pool).
14. **Prohibited locations:** Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.
15. **Exemptions:**
 - a. A spa or hot tub with a solid lockable safety cover which complies with ASTM F1346-91 (Replaces ES 13-89) listed below shall be exempt from the provisions of this document. Swimming pools with safety covers shall not be exempt. ASTM F1346-91 (Replaces ES 13-89). Emergency performance Specification for Safety covers and labeling requirements for covers for Spas and Hot Tubs.
 - b. Swimming pools/spas/ hot tubs located greater than 500 feet from neighboring residence and that have been in existence prior to January 1, 1992 shall be exempt from all requirements of § 8.04.100, until such time that a neighboring residence is located within 500 feet of the existing swimming pool.
 - c. The mesh size for chain link barriers in existence prior to October 18, 1994, that are no

larger than 2 ¼ inches square, providing an opening of no more than 3 1/5 inches shall be exempt from subsection B.9. above.

- d. Swimming pools/spas/hot tubs that have been in existence prior to January 1, 1992 and for which there exists an occupancy certificate issued by the County after August 21, 1990. This exemption shall only apply to pools, spas, and hot tubs that have been issued an occupancy certificate under the 1990 BOCA and that continue to be in compliance with the provisions of the 1990 BOCA National Building Code.

16. Variances:

- a. **Intent:** it is the intent of **§ 8.04.100** of the McHenry County Public Health Ordinance that all swimming pools, spas and hot tubs have an effective barrier to discourage access of youngsters (less than 5 years of age). However, it is recognized that unique circumstances may exist that would preclude immediate compliance with all parts of **§ 8.04.100** for swimming pools/spas/hot tubs in existence prior to January 1, 1992.
- b. **Standards for a Variance:** Variations from the regulations of this ordinance may be granted in each of the following instances:
 - (1) For the swimming pools/spas/hot tubs built prior to January 1, 1992, and that require measurement specifications as set forth in this Ordinance, may be granted a variance provided that the “as built” configuration does not deviate by more than 15% of the measurement specifications. The Petitioner shall be exempt from the notice requirements of subsection B.16.c. below.
 - (2)
 - (a) Furthermore, a Variance may be granted where evidence is presented and demonstrates:
 - i. The swimming pools/spas/hot tubs have been built prior to January 1. 1992.
 - ii. The swimming pools/spas/ hot tubs are located 200 feet to 500 feet from a neighboring residence or less than fifty feet from a natural barrier.
 - iii. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located
 - (b) The Petitioner shall provide notice as set forth in B.16.c. below.
- c. **Notice:** The Petitioner shall notify by means of certified mail-return receipt requested, all of the most recent real estate taxpayers of record of all property abutting the property designated in the petition for a variation. If said property designated in the Petition is bounded by a public road or street, alley or any other public way, such notice shall be sent to all of the most recent real estate taxpayers abutting the public road or street, alley or any other public way directly across the Petitioner’s property. All such notices shall be mailed not more than thirty (30) days nor less than fifteen (15) days in advance of filing the petition for variance. The Petitioner shall file a sworn affidavit containing a copy of the notice, the names and addresses of all taxpayers entitled to notice and those who received notice.
- d. **Issuance and Time Period:** The Department shall review the variation petition based on the Standards for a Variance. The Department shall, within 10 days from the date of filing the petition, approve or disapprove the petition, notifying the petitioner to that effect in

writing. A variance shall be valid for five (5) years.

- e. **Recording:** Where a petition is approved for a variance, within 10 days of said approval, the Petitioner shall file a record with the McHenry County Recorder's Office a notice of variance which shall prescribe the following information:

- (a) Grantee(s) name – Owner(s)
- (b) Grantee(s) Address
- (c) Legal Description of the Property
- (d) Property Index Number
- (e) A statement of Variance and its Duration
- (f) Name and Address of Preparer

- f. **Appeals:** Appeals may be made in accordance with Article I of the McHenry County Public Health Ordinance.

~~17. **Enforcement:** The Planning and Development Department and any duly authorized member or representative thereof shall enforce all of the provisions of § 8.04.100 et seq. notwithstanding, those enforcement provisions set forth in Article I of the Public Health Ordinance.~~

17. Swimming pools, spas and hot tubs located in unincorporated McHenry County that no longer meet the requirements of § 8.04.100 B15 or § 8.04.100 B16 shall be provided with a barrier that complies with the current requirements for swimming pool, spa and hot tub barriers, as enforced by the McHenry County Department of Planning & Development.

**PUBLIC HEALTH ORDINANCE FOR
McHENRY COUNTY ILLINOIS**

McHENRY COUNTY DEPARTMENT OF HEALTH

**ARTICLE II
PUBLIC HEALTH NUISANCE**

Approved: _____, 2025
Effective Date: _____ 2025

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**PUBLIC HEALTH ORDINANCE FOR
McHENRY COUNTY ILLINOIS
McHENRY COUNTY DEPARTMENT OF HEALTH**

ARTICLE II – PUBLIC HEALTH NUISANCE

DEFINITIONS: See § 8.04.010 of Article I.

INTENT AND PURPOSE: See § 8.04.020 of Article I.

§ 8.04.080 REQUIREMENTS

The following are declared public health nuisances prejudicial to the public health:

- A.** To cause or suffer the carcass of any animal or any offal or filth to be collected, deposited or to remain in any place to the prejudice of others. Livestock waste disposed on agriculturally zoned land in compliance with State and local laws, ordinances, or regulations is exempt. Animal carcasses shall be properly disposed of within twenty-four (24) hours of a death of an animal.
- B.** Allowing accumulations of litter; human, animal, industrial, noxious or offensive waste; Provided, that, acceptable storage of livestock manure on a farm is permitted when this storage is in compliance with State and local laws, ordinances, and regulations.
- C.** Maintaining garbage containers, which are not vermin and rodent proof.
- D.** Allowing any infestation in a structure or on a property of pests or vermin that may be involved in transmission of communicable diseases or failing to remove conditions in a structure or on a property that may permit such infestation.
- E.** Failing to eradicate all noxious weeds within 150 feet of any property line.
- F.** Allowing occupancy of a building that is an exposed public hazard as a source of filth or in a condition prejudicial to the health and safety of the public.
- G.** Failing to remove or seal unoccupied buildings that are an exposed public hazard, as a source of filth or in a condition prejudicial to the health and safety of the public in such a manner as to prevent entry.
- H.** Failing to remove vehicles, refrigerators, freezers, stoves, and similar equipment, which have been abandoned to the potential peril of persons from the property.
- I.** Offering used mattresses, swimsuits, wigs, and other personal items for sale to the public unless these items are sanitized as approved by the Health Authority.
- J.** Failure of a personal care provider to sanitize multi-use personal care tools or equipment including but not limited to combs, hairbrushes, nail clippers, foot spa basins, etc. using an EPA approved sanitizer or disinfectant, per the label directions, after each use, between separate individuals.
- K.** Failing to provide a potable water supply sufficient in quantity and pressure to adequately serve all plumbing fixtures therein, in any building in which people live, work or assemble.
- L.** Operating a tanning facility without a valid permit issued by the Illinois Department of Public Health contrary to the provisions of the Illinois Tanning Facility Permit Act or the Illinois

- M.** Operating a tattoo and/or body piercing establishment without a valid registration issued by the Illinois Department of Public Health contrary to the provisions of the Illinois Tattoo and Body Piercing Establishment Registration Act or the Illinois Department of Public Health Body Art Code.

§ 8.04.090 OPEN BURNING OF LANDSCAPE WASTE

- A. INTENT AND PURPOSE:** Whereas, open burning creates a risk of losses due to fire and impairs air quality, regulation of open burning is necessary to protect the public health, safety, and welfare.

B. REQUIREMENTS

1. Exemptions

- a. Subsections B.2.a. and B.2.b.; B.3. c.1-3.; and B.4.b. shall not apply to prescribed burns associated with ecologic restoration or natural landscape management, any burning of landscape waste for purposes of habitat reclamation, or firefighter training.
- b. Subsections B.2.a. and B.2.b.; B.3.c.1-3.; and B.4.b. shall not apply to the burning of brush for purposes of cooking, heating or recreational fires in domestic fire places or self-contained outdoor wood-burning devices.
- c. Subsections B.2.a. and B.2.b.; B.3.c.1-3.; and B.4.b. shall not apply to the open burning of brush for purposes of recreational fires.
- d. B.2.a. and B.2.b.; B.3.c.1-3.; and B.4.b. shall not apply to the open burning of brush for purposes of ceremonial fires or bonfires provided that notice of any ceremonial fire or bonfire has been given to the fire protection district or fire department serving the area where the fire is to take place and a permit has been obtained from the McHenry County Department of Health. Permit applications shall be submitted to the Department at least 2 business days prior to the date of the ceremonial fire or bonfire. Failure to obtain a permit from the McHenry County Department of Health prior to conducting a ceremonial fire utilizing brush shall be deemed a violation of this article. Failure to notify the applicable fire protection district or fire department and obtain permission prior to conducting a ceremonial fire utilizing brush shall be deemed a violation of this article.
- e. Subsection B.3.c.(1) shall not apply where the fire is located five hundred feet (500') or greater from a habitable structure.

2. Prohibition

- a. Open burning of landscape waste shall not take place within one hundred feet (100') feet of a habitable structure.
- b. Open burning of landscape waste shall not take place less than fifty feet (50') from any structure that is not habitable.
- c. The burning of manure, garbage, litter or any materials other than landscape waste and/or brush is prohibited on any property in McHenry County.
- d. The Chairman of the County Board shall have the authority to prohibit all open burning of landscape waste in the event of emergencies that require shifting of staff priorities or conditions that may represent significant potential for fire safety issues.

3. Restrictions

- a. Any open burning in the County of McHenry shall be in accordance with the restrictions enumerated below:

- b. The open burning of landscape waste shall only occur on the property upon which the landscape waste was generated. The burning of any materials other than landscape waste is prohibited.
- c. The following restrictions upon the open burning of landscape waste on the property upon which it was generated shall prevail:
 - (1) Burning is permitted only on weekends, between dawn and dusk, during the months of October, November, April and May.
 - (2) Burning is not permitted when the wind is in excess of ten (10) miles per hour.
 - (3) Burning is not permitted of any material other than dry landscape waste and/or brush.
 - (4) Burning is not permitted on public or private roads, alleys, sidewalks or easements.
 - (5) Burning is not permitted when it is a visibility hazard on roadways, railroad tracks or airfields.

4. Conditions and Limitations of Open Burning

- a. All open burning must be supervised by an individual at least 18 years of age until the fire is extinguished.
- b. A fire extinguisher or garden hose or water source shall be available at the burning site.
- c. It is the responsibility of the individual conducting the burning and the owner of the property to comply with all conditions upon burning as noted above during any burning.
- d. It shall be unlawful for any person to cause or allow any open or uncontrolled burning of landscape waste and/or other materials in violation of the above regulations and restrictions.
- e. Any ceremonial fire (bonfire) or recreational fire must be supervised by an individual at least 18 years of age or older.
- f. The Chairman of the County Board shall have the authority to waive all or part of the requirements of this Ordinance in the event of emergencies resulting from natural phenomenon or civil strife.

5. Enforcement, Violations and Penalties

- a. McHenry County Department of Health shall be primarily responsible for the enforcement of this Ordinance. Any enforcement officer of the McHenry County Department of Health, law enforcement agency, fire department or fire protection district is hereby authorized to enforce the provisions of this article.
 - b. Any person who violates any provision of [§ 8.04.090](#) shall be subject to the penalty and injunctive relief set forth in § 8.04.050 of Article I. The burning of any toxic material and any prior convictions under this article shall be considered factors in aggravation for purposes of the assessment of any fines.
6. This Ordinance does not supersede any requirements of a government entity that may be more restrictive.

§ 8.04.100 BARRIERS FOR RESIDENTIAL SWIMMING POOLS, SPAS AND HOT TUBS

A . INTENT AND PURPOSE:

- 1. The provisions of this document shall control the design of barriers for residential swimming

pools, spas and hot tubs. These design controls are intended to provide protection against potential drowning and near drowning to children under the age of five (5) by restricting access to swimming pools, spas and hot tubs.

2. Applicability:

- a. All residential swimming pools, spas and hot tubs, located in unincorporated McHenry County, that meet the requirements of § 8.04.100 B15 or § 8.04.100 B16 as of (effective date) are subject to this Section. All other residential swimming pools, spas and hot tubs located in unincorporated McHenry County are subject to the applicable barrier regulation adopted by the McHenry County Board and enforced by the McHenry County Department of Planning & Development.
- b. Residential swimming pools, spas and hot tubs located inside the boundaries of a municipality within McHenry County are subject to the relevant municipal pool barrier regulation.

B. REQUIREMENTS

1. **Usage:** In no case shall a swimming pool, hot tub or spa be put into use until it is in compliance with the following requirements and any applicable building code.
2. **Outdoor swimming pool:** An outdoor swimming pool, including an in-ground, aboveground or on-ground pool, hot tub or spa, shall be provided with a barrier which shall comply with the following:
3. **Barrier:** The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be four (4) inches measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade, such as an aboveground pool, the barrier may be at ground level, such as the pool structure, or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be four (4) inches.
4. **Natural Barrier:** The barrier requirements are waived for the portion of the pool/spa/hot tub facing the natural barrier. On all other sides of the property, the barrier must extend to the legal (where established) or normal water level.
5. **Openings in barrier:** Openings in the barrier shall not allow passage of a four (4) inch diameter sphere.
6. **Solid barriers:** Solid barriers which do not have openings, such as a masonry or stone wall, shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.
7. **Barrier horizontal and vertical members less than 45 inches:** Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, spacing between the vertical members shall not exceed 1 ¾ inches in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 ¾ inches in width.
8. **Barrier horizontal and vertical members 45 inches or more:** Where the barrier is composed of horizontal and vertical members of 45 inches or more, spacing between vertical members shall not exceed four (4) inches. Where there are decorative cutouts within vertical members, spacing

within the cutouts shall not exceed 1 ¾ inches in width.

9. **Mesh size for chain link:** Maximum mesh size for chain link fences shall be a 1 ¼ inch square unless the fence is provided with slats fastened at the top or bottom which reduce the openings to no more than 1 ¾ inches.
10. **Barrier diagonal members:** Where the barrier is composed of diagonal members, such as a lattice fence, the maximum opening formed by the diagonal members shall be no more than 1 ¾ inches.
11. **Access gates:** Access gates shall comply with the requirements of subsections B.1 through B.10 above, and shall be equipped to accommodate a locking device. Pedestrian access gates shall open outwards away from the pool and shall be self-closing and have a self-latching device. Gates other than pedestrian access gates shall have a self-latching device. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate,
 - a. the release mechanism shall be located on the pool side of the gate at least three (3) inches below the top of the gate and
 - b. the gate and barrier shall have no opening greater than ½ inch within 18 inches of the release mechanism.
12. **An aboveground pool structure used as a barrier:**
 - a. Where an aboveground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure, and the means of access is a ladder or steps then:
 - (1) the ladder or steps shall be capable of being secured, locked or removed to prevent access or
 - (2) the ladder or steps shall be surrounded by a barrier which meets the requirements of B.1. through B.11. above.
 - b. When the ladder or steps are secured, locked, or removed, any opening created shall not allow the passage of a 4-inch diameter sphere.
13. **Moat used to obtain clearance:** Where a moat is used to obtain the 48 inch clearance from ground surface to top of pool, it shall also be 48 inches from the outside rim of the moat to the top of the barrier (or rim of the pool).
14. **Prohibited locations:** Barriers shall be located so as to prohibit permanent structures, equipment or similar objects from being used to climb the barriers.
15. **Exemptions:**
 - a. A spa or hot tub with a solid lockable safety cover which complies with ASTM F1346-91 (Replaces ES 13-89) listed below shall be exempt from the provisions of this document. Swimming pools with safety covers shall not be exempt. ASTM F1346-91 (Replaces ES 13-89). Emergency performance Specification for Safety covers and labeling requirements for covers for Spas and Hot Tubs.
 - b. Swimming pools/spas/ hot tubs located greater than 500 feet from neighboring residence and that have been in existence prior to January 1, 1992 shall be exempt from all requirements of § 8.04.100, until such time that a neighboring residence is located within 500 feet of the existing swimming pool.
 - c. The mesh size for chain link barriers in existence prior to October 18, 1994, that are no larger than 2 ¼ inches square, providing an opening of no more than 3 1/5 inches shall be exempt from subsection B.9. above.
 - d. Swimming pools/spas/hot tubs that have been in existence prior to January 1, 1992 and for which there exists an occupancy certificate issued by the County after August 21, 1990.

This exemption shall only apply to pools, spas, and hot tubs that have been issued an occupancy certificate under the 1990 BOCA and that continue to be in compliance with the provisions of the 1990 BOCA National Building Code.

16. Variances:

- a. **Intent:** it is the intent of **§ 8.04.100** of the McHenry County Public Health Ordinance that all swimming pools, spas and hot tubs have an effective barrier to discourage access of youngsters (less than 5 years of age). However, it is recognized that unique circumstances may exist that would preclude immediate compliance with all parts of **§ 8.04.100** for swimming pools/spas/hot tubs in existence prior to January 1, 1992.
- b. **Standards for a Variance:** Variations from the regulations of this ordinance may be granted in each of the following instances:
 - (1) For the swimming pools/spas/hot tubs built prior to January 1, 1992, and that require measurement specifications as set forth in this Ordinance, may be granted a variance provided that the “as built” configuration does not deviate by more than 15% of the measurement specifications. The Petitioner shall be exempt from the notice requirements of subsection B.16.c. below.
 - (2)
 - (a) Furthermore, a Variance may be granted where evidence is presented and demonstrates:
 - i. The swimming pools/spas/hot tubs have been built prior to January 1, 1992.
 - ii. The swimming pools/spas/ hot tubs are located 200 feet to 500 feet from a neighboring residence or less than fifty feet from a natural barrier.
 - iii. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located
 - (b) The Petitioner shall provide notice as set forth in B.16.c. below.
- c. **Notice:** The Petitioner shall notify by means of certified mail-return receipt requested, all of the most recent real estate taxpayers of record of all property abutting the property designated in the petition for a variation. If said property designated in the Petition is bounded by a public road or street, alley or any other public way, such notice shall be sent to all of the most recent real estate taxpayers abutting the public road or street, alley or any other public way directly across the Petitioner’s property. All such notices shall be mailed not more than thirty (30) days nor less than fifteen (15) days in advance of filing the petition for variance. The Petitioner shall file a sworn affidavit containing a copy of the notice, the names and addresses of all taxpayers entitled to notice and those who received notice.
- d. **Issuance and Time Period:** The Department shall review the variation petition based on the Standards for a Variance. The Department shall, within 10 days from the date of filing the petition, approve or disapprove the petition, notifying the petitioner to that effect in writing. A variance shall be valid for five (5) years.
- e. **Recording:** Where a petition is approved for a variance, within 10 days of said approval, the Petitioner shall file a record with the McHenry County Recorder’s Office a notice of variance

which shall prescribe the following information:

- (a) Grantee(s) name – Owner(s)
- (b) Grantee(s) Address
- (c) Legal Description of the Property
- (d) Property Index Number
- (e) A statement of Variance and its Duration
- (f) Name and Address of Preparer

- f. **Appeals:** Appeals may be made in accordance with Article I of the McHenry County Public Health Ordinance.

17. Swimming pools, spas and hot tubs located in unincorporated McHenry County that no longer meet the requirements of § 8.04.100 B15 or § 8.04.100 B16 shall be provided with a barrier that complies with the current requirements for swimming pool, spa and hot tub barriers, as enforced by the McHenry County Department of Planning & Development.