



**McHenry County**  
**Board of Health - Regulation, Ordinance,**  
**Promotion & Planning Committee - Public**  
**Meeting**  
**MINUTES**

September 6, 2022, 6:30 PM  
Administration Building Lobby  
667 Ware Rd., Woodstock, IL 60098

Members Present: Cindy Gaffney, Joseph Clarke, Kyle Marcussen, Kristen Maguire

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

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**1. CALL TO ORDER**

K. Marcussen called meeting to order at 6:35 pm.

**2. PUBLIC PARTICIPATION**

None

**3. APPROVAL OF MINUTES**

3.1 July 12, 2022

**Mover:** Kristen Maguire

**Second:** Joseph Clarke

Approved by Voice

3.2 July 26, 2022

**Mover:** Kristen Maguire

**Second:** Joseph Clarke

Approved by Voice

**4. NEW AND UNFINISHED BUSINESS**

4.1 Proposed Ordinance Changes

4.1.a Summary of Public Comments and Responses

## PROPOSED ORDINANCE CHANGES

Ms. Adamson explained that Ms. Nomm developed the presentation, summarized all the comments received from the public, and worked with Ms. Howell and Ms. Karras to make the recommended ordinance changes.

Ms. Nomm explained that every effort has been made to reach out to people so they're aware of what is being proposed and being given the opportunity to comment. Outreach included press releases, four (4) meetings at various locations, notifications to stakeholders and posting the proposed changes to the Department's website. Regulated communities, municipalities, townships, chambers and the farm bureau were notified. The States' Attorney's Office (SAO), the Department of Planning & Development (P&D) and the Illinois Department of Public Health (IDPH) were also notified.

Ms. Nomm said she is hopeful that the committee will review and approve the recommended changes being proposed based on the comments received. She noted staff is still waiting on comments from the SAO and IDPH.

Based on the Committee's recommendations, staff will bring the Ordinances back to the full Board on September 19, 2022 for approval. The Ordinance will then move through the County process and be brought to the County Board for final approval in November.

Ms. Nomm said 87 comments were received, and staff has incorporated over 20 comments into the recommended changes. Some of the comments will be further discussed with the regulated community for consideration in the next ordinance revision. Nomm then provided an overview of the comments and staff responses to those comments.

Ms. Nomm also provided information regarding pool barrier requirements that Planning & Development is proposing. Nomm discussed the history of implementation of the current pool barrier standards in the early 1990's, and described the variances that are currently allowed for existing pools. As written, the current barrier requirements in the Public Health Ordinance set the minimum standard for pool barriers throughout the county. Nomm indicated that the Board of Health will need to provide direction to staff regarding the existing pool barrier standards in the Public Health Ordinance that may not be up to date with current pool barrier standards enforced by local building departments.

The two options discussed were:

1. Staff continues to work with P&D and municipalities to update the Public Health Ordinance to a new minimum standard and continues to issue pool barrier variances and exemptions to existing pools based on the existing criteria; or
2. Rely on building authorities to regulate the pool barriers within their own jurisdictions and consider sunseting the variances and exemptions issued by the Health Department for existing pools.

Ms. Nomm said that after discussions with P&D and Environmental Health staff, option B is recommended by staff. It would need to be contingent on ensuring each municipality has a program in place. Nomm added that Planning & Development is working with all the municipalities to try and establish more universal building codes in the future. This could allow departments to share inspection staff and provide consistency. Further discussions will be taking place.

**5. EXECUTIVE SESSION (IF NEEDED)**

Mr. Clarke moved to adjourn the regular meeting at 7:05 p.m. to enter into Executive Session to discuss legal opinion for SAO under attorney-client privilege, second by Dr. Maguire. The motion passed unanimously with a voice vote.

Mr. Clarke moved to go out of Executive Session at 7:40 p.m., second by Dr. Maguire. The motion passed unanimously with a roll call vote.

Mr. Clarke moved to go into Regular Session at 7:40 pm, second by Dr. Maguire. The motion passed unanimously with a roll call vote.

Action: Mr. Clarke moved to approve the proposed changes in Articles 1, 2, 3, 4, 5, and 6 with the understanding we do not have comments from SAO and IDPH to the full Board of Health, second by Dr. Maguire. The motion passed unanimously with a Voice vote.

**6. ADJOURNMENT**

Motion made by J. Clarke, second by K. Maguire to adjourn meeting at 7:41 pm. Motion passed unanimously with a voice vote.