

July 8, 2008

The regular monthly meeting of the Seneca Township Board of Trustee was called to order at 7:00 P.M. by Supervisor Ersel Schuster at the Seneca Township Building located at 16506 Garden Valley Road, Woodstock, Illinois.

Pledge of Allegiance

Township Officials in Attendance: Supervisor Ersel Schuster, Trustees Rosemary Bartman, Susan Mathews, and Thomas Dahlfors, Road Commissioner Robert Helfers, Assessor Donald Andrews, and Clerk Dawn Seemann. Absent Officials: Trustee Michael O'Leary.

Guests in Attendance: Carol Panek, Bob Pope, Rob Rosemann, Daniel C. Tonyan Sr., Scott Swanson, Howard Hensley, Iris Hensley, Ray Fischer, Cassandra McKinney, Keith Leidy, Ron & Jan Rychlik. (Steve Schmeiding was also here, but didn't sign in.)

Bid Opening: Mathews motioned to move the bid openings to the top of the agenda. Second by Bartman. Motion passed.

- Clerk Seemann opened the amended bids for the building project. The results were as follows: Wm. Tonyan & Sons, Inc. – Base bid amount: \$344,000; Alternate #1: \$28,000; Alternate #2: \$1,800; Completion Date: 160 days. Rosemann & Sons, Inc. – Base Bid amount: \$341,213; Alternate #1: \$14,664; Alternate #2 \$2,801; Completion Date: 145 days.

Guest Speaker: Mathews motioned to move the guest speaker up in the agenda to follow the bid opening. Second by Bartman. Motion passed.

- Cassandra McKinney, Water Resource Manager, McHenry County spoke to the board asking that we consider placing an observation well on township property. She stated that the county is working with the U.S. Army Corp of Engineers. They received a grant from Congressman Manzullo to do groundwater studies. The studies will help with such issues as drought and growth concerns. The initial studies will be to determine the quantity of water in specific areas. The county will insure and maintain the wells, and Ms. McKinney will download the information she retrieves once a month and will report to us with her findings. The study is being done throughout McHenry County. There will be a minimum of one test well per township with the funding from the U.S. Army Corp of Engineers. Additional funding will provide additional wells. In time, these wells will help determine a better idea of the true quantity of water in the county, as well as which direction the water is flowing from. These wells will be used as tools for growth & planning for the township. The cost is approximately \$8,000 per hole to install the well. Again, this project is fully funded by the U.S. Army Corp of Engineers and McHenry County Government. As more funding becomes available they plan on testing the quality of the water as well.

Public Speaking: Keith Leidy spoke about a letter he received regarding a change in zoning for a piece of property on Kishwaukee Valley Road that is located next to his property. He stated that he had gone to the zoning meeting and had some questions on the Schmieding petition. He has some confusion as to what is or isn't happening at that site.

Minutes: Dahlfors motioned to approve the June 10, 2008 Regular Monthly Minutes as presented. Second by Bartman. Motion passed.

- Bartman motioned to approve the June 23, 2008 Special Meeting Minutes as presented. Second by Dahlfors. Motion passed.

Audit of Current Bills:

Road District- Dahlfors motioned to approve the Road District bills for payment for the period of June 11, 2008 through July 8, 2008 in the amount of \$5,688.97. Second by Bartman. Voting yes: Bartman, Mathews, Dahlfors, Schuster. Voting no: None. Motion passed.

Town Fund - Dahlfors motioned to approve the Town Fund bills for payment for the period of June 11, 2008 through July 8, 2008 in the amount of \$8,345.66. Second by Bartman. Voting yes: Bartman, Mathews, Dahlfors, Schuster. Voting no: None. Motion passed.

Treasurer's Report: June 1, 2008 through June 30, 2008, as listed below:

Illinois Fund – Bartman motioned to approve the Treasurer's Report for the Illinois Fund for the period of June 1, 2008 through June 30, 2008. Second by Mathews. Motion passed.

Illinois Fund	Previous Balance	Trans to Prime	Expenses	Income	Ending Balance
General Assistance	\$24,270.44	0	\$0	\$968.53	\$25,238.97
Town Fund	\$84,816.23	0	\$15,571.31	\$69,775.31	\$139,020.23
Road & Bridge	\$104,369.20	0	\$2,762.60	\$37,463.06	\$139,069.66
Permanent Hard Road	\$92,953.16	0	\$196.35	\$50,525.32	\$143,282.13
Building & Equipment	\$33,754.18	0	0	\$12,771.85	\$46,526.03

Prime Fund – motioned to approve the Treasurer's Report for the Prime Fund for the period of June 1, 2008 through June 30, 2008. Second by Dahlfors. Motion passed.

Prime Fund	Previous Balance	Trans Between Funds	Expenses	Income	Ending Balance
General Assistance	\$75,415.63	0	0	\$140.97	\$75,556.60
Town Fund	\$265,642.30	0	0	\$496.55	\$266,138.85
Road & Bridge	\$121,919.54	0	0	\$227.89	\$122,147.43

GA Report: Schuster reported that she had one case come through, but they did not qualify for assistance. She added that she has received several calls this month.

Clerk's Report: Seemann asked the board to consider purchasing another fireproof filing cabinet for her records. The existing cabinets are filled to their max.

Road Commissioner's Report: Helfers reported that he has had many complaints about the traffic since Route 176 has been closed. He contacted Bradley Cousin, who is in charge of the road counts at the county, to get a traffic count on the roads most used since the detour has been set in place. The projected finish time for the bridge repair on Route 176 is November 2008. Helfers added that the county had received about four miles of brand new road for the detour paid for by the state, and we received nothing so he will be contacting the state for possible funding to help repair the township roads after the Route 176 project has been completed.

- Helfers received a letter from the Governor, as did all of the highway commissioners, asking for us to employ some young people to work with the Road Commissioner and the state will pay them \$10 per hour. Helfers is concerned that due to their age they can't drive the trucks and there really isn't much they can do, so he sent the letter back stating he wasn't interested.

- The inmates from the McHenry County Jail have been picking up the trash along the township right-of-ways, and in Helfers' opinion they are doing a nice job.

- Carol Panek asked Helfers what she needs to do to get a stop sign on a particular street? Helfers told her she needed to go to the township for the request and they will then conduct a survey to see if the sign is warranted, which usually takes about 8 months. He added that it is hard to get a stop sign. She mainly wanted one to slow cars down due to the speeding she had noticed.

- Jan Rychlik asked Helfers who enforces the weight limit notices on the roads? Helfers stated that it's the county sheriff's job, and added that he himself actually caught a truck today that was 30,000 lbs over the posted weight that was avoiding the bypass. He called the sheriff and stated it took the sheriff three hours to get out there and do the paperwork.

- Schuster asked Helpers if he had heard anything about the request for a light on Collins Road? He stated he a call from Attorney McKenna who told him to tell his client "no."

Assessor's Report: Assessor Andrews stated that due to health reasons, since the first of the year he has only been working part-time. He is now feeling better and is able to start getting caught up on the paperwork. He said he is just about ready to start doing the measuring on new homes and permits.
- The tax records are to be turned in by August 8th. He feels he should be able to turn them in early.

Planning Commission: - Information/review/action

- A. **Commission Activity Report – Committee reviewed/action on pending petitions:** The board has copies of the planning commission report for review.
- B. **Township Land Use Plan – Questionnaire Recap –** Noting to report this month.
- C. **Petitions to be considered for action and/or review by the town board:**
 - a. **Petition #08-32; Petitioner: Vasilios D. Talidis A1 to A2 –** The ZBA unanimously passed this petition. The county board meeting is July 15th. Schuster will send a letter to the county board stating that we have no objections.
 - b. **Petition #08-31; Petitioners: 1940 LLC/contract purchaser A.P. Schueler Jr. – A1 to E5:** Schuster informed the board that the ZBA had a 4/3 vote with no recommendation. It will be on the county board agenda on July 15th. Several objections were given at the ZBA meeting. Schuster sent the letter to the county asking for a ¾ vote.
- Dahlfors motioned to direct Schuster to draft a letter stating our position on this petition and send it directly to the county board members informing them of our objections along with the information from the zoning meeting. Second by Mathews. Motion passed.
 - c. **Petition #08-13; John & Kristine Benoit – 1 to A1C – Commercial Kennel:** Schuster informed the board that the ZBA voted 6-0 against this petition. It will be on the county board agenda on July 15th. Schuster will be sending a copy of the letter we sent to the ZBA to each of the county board members stating our objections. Per our board members request, she will add to the letter Mr. Benoit's comment from last month's meeting regarding the fact that if his petition doesn't pass he plans to still operate the kennel privately without the approval of the county.
 - d. **Petition #08-21; Shinichi Kawayoke – A2-A2C – indoor/outdoor storage of commercial equipment and a wholesale/retail business (limited):** This petition will be voted on by the ZBA on July 22nd. Schuster will send a letter to each ZBA member stating our objections per the board's recommendation. Schuster will also attend the meeting and speak about the traffic issues regarding this petition.
 - e. **Petition #08-38; Susan M. Singleton; Request for a variance:** Helpers questioned where the proposed building will be located? Schuster stated the property is on top of the hill on Sullivan road and the building will be in front of the house to the east. Dahlfors questioned if the building is proposed for personal use due to the fact that included in the proposed building are two bowling alleys and a swimming pool? Schuster didn't have that answer at this point. Schuster stated that this particular petition is strictly for a variation and not for the building so it will be going before a hearing officer instead of the ZBA on July 9th. Our planning commission voted to approve the petition for the variance.
- Dahlfors motioned to direct Schuster to draft a letter stating that we have no problems or objections to the variance, but that we do have questions on the long-term use due to the size and use of the proposed building. Also, add the fact that the petitioner did not attend any meetings to present any information to our planning commission or town board as to what the purpose was going to be of the structure. Knowing the size of the operation, and the fact that a health club is not appropriate in Ag-zoned districts, we are concerned. Second by Mathews. Motion passed.
- Bartman motioned to approve the variance with the points we're concerned about – 1) the purpose of the building; 2) the petitioner did not present; 3) the compatibility. Second by Dahlfors. Motion passed.
 - f. **Petition #08-30; Steven & Susan Schmeiding; Request for a variance –** This petition is for a change in zoning from E5 to A2 and a CUP for indoor/outdoor storage of

commercial equipment. The zoning on that property and the surrounding properties has been verified as requested at last month's meeting. The request is only for 5 acres east to the pipeline. Schuster informed the board that during the hearing regarding this petition, the petitioner started out by saying he did not run a business there, and by the time they were done with the hearing he had two businesses and he was storing a big truck for a company that he works for, and he "conveniently" forgot to tell the ZBA about that huge truck. He claims he cannot get all the equipment into the building so he needs some outside storage. Included among his equipment is commercial snowplowing equipment.

- Much discussion took place, including comments from Keith Leidy, neighbor next to the property in the petition, who stated reasons for why the petition should not be approved, including his concern for the affect it will have on surrounding property values. Mr. Schmieding also spoke to the board explaining his reasons for the petition. Schuster questions whether the CUP request fits with the surrounding area.

- Upon conclusion of the discussion, which contained many mixed thoughts regarding this issue, Mathews motioned to approve the zoning change with the CUP with the condition that all the equipment be stored indoor. Second by Bartman. Voting yes: Bartman, Mathews, Dahlfors. Voting no: Schuster. Motion passed with a vote of 3-1 in favor. The petition will be voted on at the ZBA voting meeting scheduled for 7/22/08. Schuster will draft a letter to the ZBA with the recommendation to approve the petition with the condition that all equipment be stored indoor.

D. Update - Misc. zoning matters:

- a. **Merryman Petition** - Schuster informed the board that the court date for this petition has been moved to the middle of July 2008.

Old Business: Information/review/action

A. Building Project - Decision on Building Bids: Discussion took place regarding the bids opened earlier during tonight's meeting.

- Dahlfors motioned to direct Schuster to get the attorney involved and begin to review/develop contractual component with the lowest responsible bidder, Rosemann & Sons, Inc., for the building addition. Second by Bartman. Voting yes: Bartman, Dahlfors. Voting no: Mathews, Schuster. Motion failed.

- Dahlfors motioned to direct Schuster to get the attorney involved and begin to review/develop contractual component with the lowest responsible bidder, Rosemann & Sons, Inc., for the building addition, with a short term loan being a possibility. Second by Schuster. Voting yes: Dahlfors, Schuster. Voting no: Mathews, Bartman. Motion failed.

- Dahlfors motioned to postpone the building decision until all the trustees are present. Second by Mathews. Motion passed.

- There will be a possible special meeting on July 14, 2008 at 7:00 p.m. to discuss and make a decision on the building project. Trustees will contact Seemann to let her know if they could attend that meeting, if so, she will notice the special meeting in the newspaper.

New Business: Information/review/action

A. Prevailing Wage Ordinance: – Due to the fact that at the June meeting the board failed to pass the Prevailing Wage Ordinance, Schuster contacted our attorney, the State's Attorney, and TOI regarding this situation. They all recommended that we pass the ordinance. The board felt they should not be forced to change their vote in order to pass the ordinance. At this point, no further decision was made regarding the ordinance. This issue will be put on the special meeting agenda to be further discussed.

B. Legislation – TOI Perspective: Nothing to discuss this month.

C. Audit Committee – We still are in need of three people to audit our books. The audit must be done before October.

- D. **Pandemic Flu/Emergency Services Committee – update:** Schuster completed the letter with our Pandemic Flu/Emergency Services Plan and gave each board member a copy. She will submit a copy of this letter to the McHenry County Health Department. An example of the cost for the brochures is \$1300.00 for 1500 brochures. Let Schuster know if you feel we should purchase them.

Other:

- McHenry County Committee of Government (McCog) has invited the township supervisors to sit with the group on this Friday to discuss issues going on around our township. The discussion topic is “How could we better partner and be aware of each other.” In addition, McCog is trying to figure out a better membership dues schedule to join the group. They realize the current \$500/yr is too expensive. Schuster is glad they are finally trying to get the smaller entities together.

- Schuster informed the board that Marengo Township is donating \$25,000 toward Pace Bus Services, the City of Marengo is donating \$8,000, and the Township of Riley is donating \$3,000. This is all being done with the county, who is trying to duplicate Pace. The cost is tremendous to operate this type of service. Schuster questions how they can operate this in McHenry County when Chicago is struggling to keep their’s going. She added that we are already paying for the Pace Bus service in taxes. Schuster feels there is no way Seneca Township could afford to have the Pace Bus and stated that a taxi service could contract with the township on an as needed basis for General Assistance clients. Mathews stated that this issue should be mentioned in the next newsletter.

Public Speaking: Jan Rychlik voiced her concerns regarding spot zoning. She questioned why we would even consider it. She is upset that our board motioned to recommend approval for the zoning change from E5 to A2 for the Schmeiding Petition. Keith Leidy feels our board was “weak” tonight by “caving in to the guy.”

Motion to go into Executive Session: At 10:25 p.m. Dahlfors motioned to go into executive session to discuss land acquisition and approve prior executive session minutes. Second by Mathews. Voting yes: Bartman, Mathews, Dahlfors, Schuster. Voting no: None. Motion passed.

Motion to go back into Open Session: At 10:35 Mathews motioned to go back into open session. Second by Bartman. Motion passed.

Motion to Adjourn: At 10:37 p.m. Dahlfors motioned to adjourn tonight’s regular monthly meeting. Second by Bartman. Motion passed.

Respectfully Submitted, (with the help of Mike O’Leary)

Dawn Seemann
Township Clerk

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