

## March 13, 2007

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, Thomas Dahlfors, Michael O'Leary, Road Commissioner Robert Helfers, and Clerk Dawn Seemann. Absent Officials: Assessor Donald Andrews.

**Guests in Attendance:** Jennifer Merryman, Dan Merryman, Karen Golembiewski, Michelle Kuhlman, Jonathan Dove, Anne Dove, Robert Henry, Scott Rood, Bob Pope, James Arndt, Steven Ott, Danny Cossich, John Pechin, Sherri Frazier, Lorrie Borders, Valerie Ksiazek, Tim Grey, Vince Ventura.

**Public Speaking:** Schuster explained the public speaking process to our guests. Tim Grey stated that he has a struggle with the Merryman gravel pit petition. Scott Rood asked that the Seneca Township Board of Trustees contact the McHenry County Board members about the gravel pit and the reasons for opposing it. Jonathan Dove thanked the board for their support.

**Approval of Minutes:** Dahlfors made a motion to approve the February 20, 2007 Regular Monthly Minutes as presented. Seconded by Mathews. Motion passed.

- Dahlfors made a motion to approve the February 27, 2007 Special Meeting Minutes as presented. Seconded by Mathews. Motion passed.

### Audit of Current Bills:

**Road District** - Bartman made a motion to approve the Road District bills for payment for the period of February 14, 2007 through March 13, 2007 in the amount of \$15,932.93. Seconded by Dahlfors. Voting yes: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed.

**Town Fund**– O'Leary made a motion to approve the Town Fund bills for payment for the period of February 14, 2007 through March 13, 2007 in the amount of \$23,142.33. Seconded by Mathews. Voting yes: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed.

**Treasurer's Report:** February 1, 2007 through February 28, 2007, as listed below:

**Illinois Fund**– Bartman made a motion to approve the Treasurer's Report for the Illinois Fund for the period of February 1, 2007 through February 28, 2007. Seconded by Mathews. Motion passed.

<b>Illinois Fund</b>	<b>Previous Balance</b>	<b>Trans to Prime</b>	<b>Expenses</b>	<b>Income</b>	<b>Ending Balance</b>
General Assistance	\$23,220.15	0	\$100.00	\$92.41	\$23,212.56
Town Fund	\$104,477.54	0	\$10,958.47	\$420.64	\$93,939.71
Road & Bridge	\$98,053.12	0	\$7,433.07	1,002.91	\$91,622.96
Permanent Hard Road	\$77,309.83	0	0	\$307.68	\$77,617.51
Building & Equipment	\$7,615.73	0	0	\$30.30	\$7,646.03

**Prime Fund** –Bartman made a motion to approve the Treasurer's Report for the Prime Fund for the period of February 1, 2007 through February 28, 2007. Seconded by Dahlfors. Motion passed.

<b>Prime Fund</b>	<b>Previous Balance</b>	<b>Trans Between Funds</b>	<b>Expenses</b>	<b>Income</b>	<b>Ending Balance</b>
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General Assistance	\$71,102.16	0	0	\$285.32	\$71,387.48
Town Fund	\$250,448.45	0	0	\$1,005.03	\$251,453.48
Road & Bridge	\$114,946.19	0	0	\$461.27	\$115,407.46

**General Assistance:** Schuster has nothing to report this month.

**Clerk's Report:** Seemann has information regarding a proposed petition regarding a race track in Coral Township, which she will present later in the meeting.

**Assessor's Report:** Assessor Andrews is absent tonight. No report.

**Road Commissioner's Report:** Helpers informed the board that he posted the roads to 8000# per axel limit. He added that he immediately started getting phone calls from concrete companies who were pouring concrete in various parts of the township.

- Helpers stated that Cargill had won our contract through the state bidding process for our salt supply. Cargill has since depleted all of their salt supply. Helpers was glad he had our salt price frozen. He said it will be interesting to see what the price of salt for next year will be. This year we paid \$38 / ton this year. In a normal winter he uses 400 ton of salt, this year we have used over 600 ton.

**Planning Commission: - Information/review/action**

A. **Commission Activity Report** - The planning commission reviewed a couple of petitions.

B. **Petitions to be considered for action and/or review by the town board:**

a. **Petition #07-** (unknown at the time of this meeting) **Enbridge Energy Limited – 4204 Franklinville Rd. Union, IL- CUP** – Cliff Adams of Enbridge Energy talked about

who/what Enbridge Energy LTD is. He explained that the company is a pipeline company. Enbridge has been transporting oil for more than sixty (60) years. It delivers oil from western Canada, and is the primary transporter of crude oil from Canada to the United States. To meet the growing demand that is put on crude oil in this area, Enbridge needs to increase the flow of the existing pipeline. To do this they need to put intermediate pumping stations along the current route. The subject property for which they are planning a pumping station is located just east of Franklinville Road and is approximately one mile north of Route 176. Enbridge has purchased approximately 21 acres. Com Ed is to the north and agriculture is surrounding the rest of the property. He used drawings to detail how and where the pumping station facility will work and be placed. The reason for the need for a CUP (conditional use permit) is because under the McHenry County Zoning Ordinance an oil pumping station is classified as a utility facility, non-exempt and requires a CUP. The site has to be adjacent to the pipeline and adjacent to the Com Ed corridor because it requires high voltage for these pumps. Mr. Adams explained the equipment that is involved and the power they require.

- Several issues including, but not limited to, noise level, landscaping, ground water contamination, nearest response team, security, and how the electric demand will affect surrounding neighbors were discussed.

- Upon completion of the discussion, the board was satisfied with the answers that they received and Enbridge Energy's compliance with suggested conditions to the CUP by the board. Dahlfors made a motion to approve the CUP for Enbridge Energy LTD based on the recommendations of the Seneca Township Planning Commission and the additions of the conditions that 1) the pumps be contained if it became a noise issue for neighbors; and 2) sufficient landscaping is used all the way around the property to prevent the view of the site – including around the Gee Road side. Seconded by Bartman. Voting yes: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed. Schuster will draft a letter to the McHenry County Zoning Board of Appeals with our recommendations.

- C. **Petition #07-08 – Merryman Aggregate LLC – South Street – CUP – Schuster** explained that this petition has been continued by the McHenry County ZBA due to the multitude of questions. She added that at this point there is not much more the board could do until the continuation has ended.
- Michelle Kuhlman spoke to the board on behalf of her neighborhood against the Merryman Aggregate. She handed out information to the board that she obtained regarding the health hazards and concerns caused by the amount of diesel trucks that might be used by Merryman Aggregate. Air quality and the possible decrease in home values were also discussed. Upon completion, Ms. Kuhlman urged the board to continue to go against the mining operation.
  - Schuster asked for suggestions to this issue. Ms. Kuhlman suggested putting up buildings to contain the dust, but basically just stay away from it. Mr. Rood talked about the schools rerouting their bus routes which will add to the diesel & soot in the air. Mr. Grey stated that he lived by a gravel pit and said the only thing to do is “move because it’s terrible.”
  - After much discussion, Schuster asked the board if they stand with our previous letter to deny Petition #07-08 Merryman Aggregate LLC and go on with the process? The board unanimously agreed to stand by our original decision to deny the petition.
- D. **Petition #07-11 – Vilchis-Nunez-Vilchis / 18904 Kishwaukee Valley Rd. Marengo, IL – CUP –** Neighbors request the right to speak to petition #07-11: Schuster explained to the board that our Planning Commission recommended denial of this petition due to the reasons that 1) it is not compatible with the residential and agricultural usage of the surrounding area; 2) additional traffic; 3) noise; 4) adequate sanitary facilities are not addressed; 5) garbage; 6) safety.
- Vince Ventura, who resides next door to the property in question, stated that this issue has been a problem for four years. He elaborated by stating that the people use his property as a “urinal and trash bin.” Mr. Ventura added that they play soccer from sun up to sun down and are a constant disturbance. He stated that he lives about ¼ mile away and the windows in his house rattle. They pump water out of his pond to water their fields, and they cut his fences to retrieve their soccer balls.
  - Tim Grey stated that what the township board has done so far has “helped a lot.”
  - Following discussion of this issue, Bartman recommended denial of Petition #07-11 based on the Planning Commission concerns, and directed Schuster to draft a letter to the ZBA. Seconded by Mathews. Voting yes to deny the petition: Bartman, Mathews, Dahlfors, O’Leary, Schuster. Voting no: None. Motion passed.
  - Schuster will notify the ZBA about what is still going on with that issue, including the lack of enforcement, and the fact that they have no permit but are still having soccer games. She will also include copies of letters that were sent to the different department heads. Schuster recommended to the neighbors to call the sheriff, health department and zoning department.
- E. **Update on Petitions Pending County Board Action:**
- a. **Petition #06-58 – Alan & Lynn Muir A1 to A1C – Heliport site** – Schuster stated that this petition is not on the agenda. There is no update to report.
  - b. **Coral Township Zoning Issue** (This item is not on the agenda) Clerk Seemann informed the board about a proposed CUP for a horse track in Coral Township.

### **Old Business: Information/review/action**

- A. **Building Project– update–** – Schuster picked up the first draft of the proposed building project for the board to review and discuss. A vestibule by the west door was one of the suggested revisions made by the board. The bid from a second Civil Engineer Firm was received. The board reviewed / compared both bids.
- Mathews made a motion to employ the engineering firm Civil Engineering – Land Surveying as the engineering contractor. Seconded by Dahlfors. Voting yes: Bartman, Mathews, Dahlfors, O’Leary, Schuster. Voting no: None. Motion passed.
  - Mathews made a motion to proceed with the plans as provided, but also to include a vestibule or double entry on the west side; landscaping; 36” doors; move the storage closet door to the corner by the hall & open inward; and put a door between the hall & office. Seconded by Dahlfors. Voting

yes: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed. Schuster will draft a letter to the architect regarding the above.

- B. **Review of the TOI training seminar** –Nothing more to review.

**New Business: Information/review/action**

- A. **Legislation** – Nothing to discuss this month.  
B. **Agenda for the April 10, 2007 Annual Town Meeting** – Dahlfors made a motion to approve the April 10, 2007 Annual Town Meeting Agenda including the 1984 International Dump Truck and 025 Stihl chain saw that Commissioner Helfers wants to liquidate. Seconded by Mathews. Motion passed.

**Other:Information/review/action**

- Schuster has information available for review from the city of Marengo regarding a water treatment facility plan.

**Public Speaking:** Robert Henry questioned why his name was mentioned in the January minutes regarding a building permit? Schuster replied that Assessor Andrews had mentioned the permit and the board wasn't sure what it was about. Mr. Henry stated that the county made him get a permit for restoration. He added that there is no occupancy permit yet, and asked that we pass that information on the Assessor Andrews.

- Mr. Henry also asked if there was an update on the heliport issue? He stated that he has seen a helicopter land at a residence on South Street east of Rose Farm Rd. He has also witnessed it taking off and flying low several times.

- Valerie Ksiazek, Sherri Frazier & Lorrie Borders, from Coral Township, spoke about the proposed horse racing facility behind their homes. They spoke of their concerns and what they have been doing to try to prevent the CUP from passing. They were at tonight's meeting to make us aware of this issue that is going on in their township and hoped we could work with them and they could work with us regarding zoning issues. Ms. Ksiazek added that their group of concerned citizens have hired an attorney.

**Motion to Adjourn:** At 9:50 p.m. Dahlfors made a motion to adjourn tonight's regular monthly meeting. Seconded by Bartman. Motion passed.

Respectfully Submitted,

Dawn Seemann  
Township Clerk