

May 13, 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, Thomas Dahlfors, and Michael O'Leary, Road Commissioner Robert Helfers, and Clerk Dawn Seemann. Absent Officials: Assessor Donald Andrews.

Guests in Attendance: John Boyd, Jane Collins, Robert Pope, Ed Dolatowski, Jim Phillips, Brett Gieseke.

Public Speaking: James Phillips voiced his concerns regarding Petition #08-31: petitioners: 1940 LLC/contract purchaser A.P. Schueler Jr. – reclassification A1 – E5. His concern was mainly based on possible water runoff that would affect his property should 10 houses be built on the petitioner's piece of property adjacent to his property. He feels there should be no less than 5 acres minimum to build a house on.

Minutes: Dahlfors motioned to approve the April 8, 2008 Regular Monthly Minutes as presented. Second by Mathews. Motion passed.

- O'Leary motioned to approve the April 29, 2008 Extra Meeting Minutes as presented. Second by Mathews. Motion passed.

Audit of Current Bills:

Road District – Dahlfors motioned to approve the Road District bills for payment for the period of April 9, 2008 through May 13, 2008 in the amount of \$19,502.53. Second by Bartman. Voting yes: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed.

Town Fund - Dahlfors motioned to approve the Town Fund bills for payment for the period of April 9, 2008 through April 30, 2008 in the amount of \$14,816.42. Second by Mathews. Voting yes: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed.

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

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

Illinois Fund	Previous Balance	Trans to Prime	Expenses	Income	Ending Balance
General Assistance	\$25,183.32	0	\$1,090.00	\$42.85	\$24,136.17
Town Fund	\$95,384.65	0	\$5,530.11	\$1,060.78	\$90,915.32
Road & Bridge	\$109,679.74	0	\$5,299.43	\$1,725.87	\$106,106.18
Permanent Hard Road	\$95,093.78	0	0	\$165.35	\$95,259.13
Building & Equipment	\$32,375.85	0	0	\$55.09	\$32,430.94

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

Prime Fund	Previous Balance	Trans Between Funds	Expenses	Income	Ending Balance
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General Assistance	\$75,116.87	0	0	\$150.56	\$75,267.43
Town Fund	\$264,589.94	0	0	\$530.34	\$265,120.28
Road & Bridge	\$121,436.56	0	0	\$243.40	\$121,679.96

GA Report: Schuster stated there are no pending applications. However, an organization out of Chicago is still looking for funded programs to refer people to in McHenry County.

Clerk's Report: Seemann informed the board that she will not be at the next meeting due to being in New York with the Marengo High School Band.

Road Commissioner's Report: Helpers reported that the work on Rt. 176 will begin on June 1st. He was informed that approximately 500 semi loads full of dirt will be needed to raise Rt. 176 five feet. The trucks plan on using our township roads to get the dirt to the designated area. Helpers said our roads are posted at 8000 lbs per axel and he will have law enforcement out there to make sure those trucks do not use our roads.

- Helpers noticed that a coring company had bored a 5" hole through the asphalt for soil samples on Steig Rd.

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

Planning Commission: - Information/review/action

- A. **Commission Activity Report** –The board received a report from the Planning Commission regarding the petitions they reviewed and voted on.
- B. **Township Land Use Plan – Questionnaire Recap:** Copies of the results from the recent survey regarding the residents' input for the township's land use plan were given to the board. The board is pleased at the number of surveys that were completed and returned.
- C. **Petitions to be considered for action and/or review by the town board:**
 - a. **Petition #08-31 : petitioners: 1940 LLC/contract purchaser A.P. Schueler Jr. – reclassification A1 – E5:** Mr. John Boyd, who represented the law firm of Zanck, Coen & Wright. P.C., spoke briefly about the property that A.P. Schueler is looking to purchase and build approximately 10 homes on. He discussed the possibility that of the 98 acres being purchase, 70 acres may be being deeded or donated to the McHenry County Conservation District or Land Conservancy. He also talked about the petitioner's plans for the remaining acreage. Questions and answers between the board, guests in attendance, and Mr. Boyd were exchanged. Such things as how the river would be affected, parking, easements, flooding, soil, water run-off, and subdivision issues were a few topics of concern.
 - Upon completion of discussion regarding this petition, Mathews motioned to deny this petition request based on the McHenry County Planning & Development and Seneca Township's Planning Commission reasons, which include but are not limited to 1) very harmful to that area; 2) ecologically sensitive area; 3) homes will add more pollution to the river. Second by Dahlfors, who added that there are still so many further questions. Bartman stated that the lots are in flood planes. O'Leary feels the lots are too small. Mathews feels a subdivision with any size lots does not belong there.
 - Schuster asked the board if they wanted to request the county to invoke the ¾ vote in order for this petition to pass. The consensus to have the ¾ vote was unanimous.
 - The board voted unanimously to deny Petition #08-31. Schuster will draft a letter to the county board stating our recommendation and reasons for the denial.
 - b. **Petition #08-12; John & Kristine Benoit – A1 to A1C – Commercial Kennel:** The petitioner is asking for a CUP to operate a kennel on the property. The property is located ¼ mile east of McCue Road on Rt. 176.

- Dahlfors motioned to deny this petition request based on multiple reasons, which include, but are not limited to: 1) the surrounding houses are way too close to the petitioner's property where the kennel is proposed, which will have a significant impact on the neighbors quality of life; 2) will diminish property values; 3) No noise buffers; 4) doesn't fit with the existing area. Second by Bartman. The board voted unanimously to deny petition #08-12. Schuster will draft a letter to the ZBA.

- c. **Petition #08-21; Shinichi Kawayoke – A2 to A2C – indoor/outdoor storage of commercial equipment and a wholesale/retail business (limited).** - This property is located on the corner of Rt. 176 and Millstream Rd. and consists of 1.6 acres zoned A2. - Bartman voted to deny this petition based on reasons which include but are not limited to: 1) no room for parking; 2) no room for commercial storage; 3) only one way in or out – not a safe place for a business; 4) not a farming business – the Koi are not farmed there, they are imported from Japan. Second by Dahlfors. The board unanimously voted to deny petition #08-21. Schuster will draft a letter to the ZBA.

- d. **Petition #80-01; #80-02; #80-03; #80-04 – Melvin & Donald Purdon petitions:** The McHenry County ZBA voted to approve this petition. It is possible it will be on the county board agenda on the 21st of May.

D. Update – Misc. zoning matters:

- a. **Merryman Petition** – The court date was moved to May 30, 2008. They are waiting for results from another petition in the Appellate courts before ruling on this petition.

E. McHenry County 2030 Land Use Planning:

- a. **Resolution – Township position on development:** Schuster presented and read aloud a proposed resolution stating the township residents' position on development for the county based on the survey results.

- Bartman motioned to table this until the next meeting. Second by O'Leary. Motion failed with a roll call vote of 2 in favor, 3 against.

Dahlfors motioned to approve the resolution. Second by Mathews. Motion passed with a roll call vote of 3-2 in favor. Schuster will send our approved Resolution to the Regional Planning Commission.

Old Business: Information/review/action

- A. **Building Project – Decision on Building Bids:** The low bid was \$341,213 given by Rosemann & Sons. Schuster had spoke with our attorney and informed the board of the attorney's recommendations. In addition, the two bids that were received without a bid bond cannot be considered. By law they must have a bid bond. Following discussion, Dahlfors motioned stating, "Having identified Rosemann & Sons as the lowest bidder, we, the township board of trustees direct and authorize Supervisor Schuster and Trustee O'Leary to enter into negotiations with this contractor; Further, that the board directs Supervisor Schuster to engage the township attorney and the architects in these negotiations as needed." Second by Bartman. Voting yes: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed.

New Business: Information/review/action

- A. **Legislation – TOI Perspective** – Nothing to discuss this month.
B. **Pandemic Flu/Emergency Services Committee – Update** Nothing new to discuss this month.

Other:

- TOIPAC sent a letter asking for personal donations.

- Schuster asked the board if they would like a new Laws & Duties manual? They all agreed that one copy of the manual should be sufficient. Schuster will order one copy.

Motion to go into Executive Session: At 10:06 p.m. Schuster motioned to go into executive session to discuss land acquisition. Second by O'Leary. Motion passed.

Motion to go back into Open Session: At 10:38 p.m. O'Leary motioned to go back into open session. Second by Mathews. Motion passed.

- Dahlfors motioned to direct Schuster to initiate the real estate contract for the purchase of property contiguous to the township building. Second by Bartman. Voting yes: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed.

- Dahlfors motioned to direct Schuster to issue \$1,000 earnest money for the real estate. Second by O'Leary. Voting yes: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed.

Motion to Adjourn: At 10:45 p.m. O'Leary motioned to adjourn tonight's regular monthly meeting. Second by Bartman. Motion passed.

Respectfully Submitted,

Dawn Seemann
Township Clerk