

SENECA TOWNSHIP
Regular Monthly Meeting
October 14, 2008

The regular monthly meeting of the Seneca Township Board of Trustees 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.

Township Officials in Attendance: Supervisor Ersel Schuster, Trustees Rosemary Bartman, Susan Mathews, Thomas Dahlfors, and Michael O'Leary, Road Commissioner Robert Helfers, Assessor Donald Andrews, and Clerk Dawn Seemann. Absent Officials: None.

Guests in Attendance: Bob Pope, Mal Bellairs, Rich Bellairs, Ann Henslee, James Kagel, Mary While, Jim While, Gene Shephard, Melva Shephard, Kenneth Goepfert, Virgil Smith, Scott Swanson.

Public Speaking: Jim While questioned who was going to pay for his pine trees which were, in his opinion, needlessly trimmed by Road Commissioner Helfers. He feels they weren't trimmed properly, and in fact looked as though branches were just broken off, destroying the trees. He presented pictures of the trees before they were trimmed showing that there were no branches hanging into the road. He questioned what the point was of cutting his trees that now "look terrible." In addition to the tree trimming, Mr. While informed the board of prior incidences regarding Helfers which he stated included kicking his dog because it was on township property - so they put in an invisible fence, yelling at his kids because they were riding ATVs in the ditch and telling them he could confiscate their machines, as well as flooding his yard due to taking the culvert out when the new driveway was put in. Mr. While stated that this pine tree issue is the "final straw."

- Mal Bellairs stated he lives in Serenity Creek, a senior citizen's development. He wanted to know what was the arrangement with the Krafcisin family which allowed him to take over forty-three acres of land in the wet zone and build a house? They heard he was originally going to take the 43 acres and feed it off into the wet zone, which would allow the residents of Serenity to have a nice view of the land. The residents saw the house & garage being built with no occupancy, now this last summer another building has gone up, and now their petition comes before the township board. Bottom line, he would like the board to tell them what is the arrangement with the Krafcisin family and was there an allowance for another building? They want to know where they stand, where the board stands, and where the Krafcisin's stand?

- Mary While showed the board a flier that they received from Helfers regarding trees and shrubs hanging on the right-of-way. She again reiterated what her husband said about there not being any trees or shrubs hanging on the right-of-way. She added that her kids went up to Helfers telling him to stop, and he wouldn't, but instead almost "ran her son over" as he was standing on the side when Helfers "floored it backwards." The police were called and spoke to Helfers about this.

- Virgil Smith questioned what they should do next to prevent anymore construction & demolition that might be going on regarding some rumors they have heard.

Minutes: Dahlfors motioned to approve the September 9, 2008 regular monthly minutes as presented. Second by O’Leary. Motion passed.

Audit of Current Bills:

Road District – Bartman motioned to approve the Road District bills for payment for the period of September 10, 2008 through October 14, 2008 in the amount of \$14,482.89. Second by Dahlfors. Voting yes: Bartman, Mathews, Dahlfors, O’Leary, Schuster. Voting no: None. Motion passed.

Town Fund – Schuster informed the board of a correction in the original amount of \$75, 737.56, due to a bill to Prairie Company that will be split between the contractor and the town fund for the silt fence that she wasn’t aware was going to be split when the check was written. That bill will be pulled from this month’s payments and the correct amount will be paid when it arrives. The corrected total amount for the Town Fund bills is \$75,078.81.

Mathews motioned to approve the Town Fund bills for payment for the period of September 10, 2008 through October 14, 2008 in the corrected amount of \$75,078.81. Second by Dahlfors. Voting yes: Bartman, Mathews, Dahlfors, O’Leary, Schuster. Voting no: None,

- Dahlfors motioned Schuster to approve payment on the bill from Prairie Company in the amount of \$658.75 when it arrives. Second by Bartman. Voting yes: Bartman, Mathews, Dahlfors, O’Leary, Schuster. Voting no: None. Motion passed.

Treasurer’s Report: September 1, 2008 through September 30, 2008, as listed below:

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

Illinois Fund	Prev. Bal.	Trans/Prime	Expenses	Income	Ending Bal.
General Assistance	\$25,345.51	0	0	\$820.53	\$26,166.04
Town Fund	\$138,845.39	0	\$33,582.91	\$58,645.08	\$163,907.56
Road & Bridge	\$142,958.43	0	\$4,374.89	\$34,444.91	\$173,028.45
Permanent Hard Road	\$149,581.33	0	\$5,216.33	\$42,508.43	\$186,873.43
Building & Equipment	\$45,864.12	0	0	\$10,745.00	\$56,609.12

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

Prime Fund	Prev. Bal.	Trans/Funds	Expenses	Interest Income	Ending Bal.
General Assistance	\$75,835.01	0	0	\$133.54	\$75,968.55
Town Fund	\$267,119.54	0	0	\$470.39	\$267,589.93
Road & Bridge	\$122,597.53	0	0	\$215.89	\$122,813.42

General Assistance Report: Schuster informed the board that she has had several people express interest in assistance. To date, none of these people have qualified to receive assistance.

Clerk’s Report: Seemann informed the board that our audit had been completed and no problems were found.

Road Commissioner's Report: Helfers reported that since the closing of Rt. 176 due to bridge repairs, the township has seen extra traffic on the detours that people are using to get around the designated detours. Because of this he has requested the county to do some traffic counts on the roads that people are using to avoid the detour route. The count results are as follows:

River Road – in 2006 the count was 850 vehicles in a 24 hour period, in 2008 with the detour it is 1825 vehicles in a 24 hour period; Dunham Road – 2006 = 1050/24 hrs. & 2008 = 2776/24hrs.; Perkins Road – 2006 = 500/24 hrs. & 2008 = 1297/24hrs.; Pleasant Valley Road – 2006 = 650/24 hrs. & 2008 = 1426/24 hrs.; and Highbridge Road – 2006 = 500/24hrs. & 2008 = 1143/24 hrs. Helfers is upset about this because the county was given the funds to get new blacktop for the detour, and Seneca Township didn't get a cent. He has since contacted the State of Illinois Building in Schaumburg regarding this issue, but he feels it was to no avail. He is still trying to get some sort of funding to help compensate the township for the repairs that will be needed to the roads once Rt. 176 has been reopened.

- Schuster thought this would be a good issue to list for TOI to propose legislation on.
- With regards to the previous streetlight issue on Deerpass & Collins Roads, Helfers stated that in the 1970s' the Emery Woods subdivision was developed. The homeowner's association at that time paid for a streetlight at the intersection of Timber Lane & Rt. 176. The other day Helfers received a bill for \$672.99 from Com Ed for that street light. He contacted Com Ed and told them that Seneca Township was never responsible for that streetlight and had no input regarding that light at all, and that bill will never be paid by the township. He added it has been approximately 40 months that the bill hasn't been paid. The farm owner who developed that subdivision dies a couple of years ago and evidently nobody has picked up that bill. The cost to have that streetlight is the reason Helfers is against putting up streetlights.

- Helfers received a notice from Meyer Material stating that on January 1, 2009 concrete is going up \$25/yd. Aggregate is also going up, but no figure was listed.

- Ten semi loads of salt has been delivered to the township. Last year we paid \$41/ton. Helfers figured the Road District budget with this year's salt price in at \$60/ton. The actual cost we paid this year was \$131 per ton. Today it is up to \$145/ton. \$30,000 was budgeted for salt, which normally would get us 500 ton. With the price increase to \$131/ton the budget only allowed for 229 ton to be purchased. The state legislators are looking into why Lake, McHenry and Boone counties were left out of the salt bidding.

- Dahlfors asked if it was appropriate to ask Helfers about the tree cutting issue discussed earlier this evening? Helfers stated he doesn't care to reply at this time. Schuster asked if there was any type of explanation? Helfers said the people who are complaining are not sighting the correct facts. He added that he rented the machine and did the whole township – 80 miles of road. He stated the trees were trimmed for safety issues.

- O'Leary asked how the salt shed was coming along? Helfers said it should be completed by 9:00 tomorrow morning unless it's raining.

- With regards to blacktop, Helfers said we paid \$51/ton for our blacktopping program this past year. Greenwood Township had a late bidding at the Highway Commissioner's meeting last month. Their bid was \$76/ton. There's no telling what the blacktop will cost next year.

Assessor's Report: Assessor Andrews reported that the taxes were published September 17th. The public has 30 days to appeal. He is not getting any more appeals than usual. The only difference is that the county doesn't want him to make any corrections at all unless it is an error in measuring or technical error by the computer. Otherwise, the Board of Appeals will take care

of it. Andrews clarified that the tax period runs at what the value of the house/property is as of January 1st of each year. He stated his job is to treat everyone the same, and tries to equalize everything.

Planning Commission Report: Information/review/action

A. Commission Activity Report – Committee reviewed/action on pending petitions:

The board was given a report of the reviewed petitions.

B. Zoning petitions for consideration, review and/or action by the town board:

a. Petition #08-58 – Teresa Krafcisin – 14606 W. South St., Woodstock: A1 to A1C: The petitioner is requesting that an accessory building be converted into a residence. The petitioner does have the right to request a CUP. The question is, is it an appropriate designation for a CUP and does it meet the standards that are delineated in the zoning ordinance? Upon conclusion of the discussion of each of the standards for conditional uses, the board found that first and foremost it is an inappropriate use of a conditional use permit. In addition, at a minimum, it doesn't meet #2, 3, 4 & 8 on the standard uses of a CUP guidelines. Dahlfors motioned to deny petition #08-58 based on the criteria discussed. Second by O'Leary. Voting yes to deny this petition: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed to deny this petition. Schuster will draft a letter to the ZBA stating our request for denial of this petition and our reasons for denial.

b. Petition #08-55 – Wilbur & Clifford Kamholtz – 19208 River Road, Marengo – A1 to A2: This was originally an 11 acre parcel and a few years ago they took off a 5 acre parcel. This remaining parcel becomes basically an illegal non-conforming parcel. With this designation if they want to do construction, upgrades, or add-ons, or if the house burns down, they wouldn't be able to rebuild the house or do any construction or repairs. The reason for this petition request is to allow them the cover in case the building burns so they can rebuild it. Based on our planning commission recommendations, Dahlfors motioned to approve Petition #08-55. Second by O'Leary. Voting yes to approve this petition: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed.

c. Merryman Petition: Schuster informed the board that this case is going before Judge McIntyre in early December. It will be a court hearing where testimony will be heard. The petitioner maintains that the county board didn't have any grounds for denying their petition. Schuster asked the board that should the opportunity arise, do they want our attorney to represent us to be able to show our position on it for more support? This issue will be tabled until our November meeting and will be discussed further at that time.

C. Zoning Petition – status: To date, none of these petitions have been listed on the county board agendas. No further information is known at this time.

Old Business: Information/review/action

A. Building Project- update: The construction of the addition is moving right along. The driveway has been started. The contractor had dropped off some floor samples for us to make a decision on tonight. The board decided that Schuster should make the decision when the woodwork is in.

New Business: Information/review/action

A. Legislation – TOI Perspective: Schuster will suggest to TOI to discuss legislation that townships should be included in reimbursement to be able to maintain the roads during construction and detours.

B. City of Woodstock – development & watershed issues – Robert Pope: Mr. Pope spoke about his concerns with water runoff due to the City of Woodstock's building of subdivisions. His main concern regarded Dakota Ridge Phase 3 and the additional water runoff that will take place. He stated Phase 3 will be adding two roads and twenty-one more houses. He feels this will make an impact on the watershed into our neighborhoods. He's asking the township board to see if there is anything we could do to let the City of Woodstock know that what they do has a huge impact on our township. Mathews motioned Schuster to draft a letter to the City of Woodstock expressing our concerns about the water discharge and the unintended consequences to residents downstream using Phase 3 of Dakota Ridge as an example for any future building. Second by Dahlfors. Motion passed.

C. Setting Salaries for fiscal year 2009-2013: Following much discussion, the boards decision for the salaries for fiscal year 2009-2013 are as follows:

1. Supervisor – the current salary of \$19,000 per year will be capped at \$19,000 for the next 4 years;
2. Road Commissioner – the current salary of \$56,000 will be capped at \$56,000 for the next 4 years;
3. Assessor – the current salary of \$19,000 will remain the same for 2009 & 2010, with a \$2000 increase to \$21,000 in 2011, and a \$2000 increase to \$23,000 in 2013;
4. Clerk – the current salary of \$6900 will be raised to \$7000 and capped for the next 4 years.
5. Trustees – the current per diem of \$100 will remain the same for the next 4 years.

- Schuster made the recommendation of splitting the Road Commissioner's salary equally between the Road District and the Town Fund. At this point it is all being paid out of the Town Fund. Dahlfors asked why the salary was never divided between the two funds before? She stated that there wasn't any discussion about it. She explained the reasoning behind the suggestion being that the township is picking up a lot of expenses with the building addition and we'll have to put away money for future renovating of the road district garage. She stated that was part of the reason that she felt it was a possibility of having the salary split. Dahlfors asked Helpers when he feels we'll have to ask for more tax money? Schuster felt it should have been done about two years ago. Dahlfors feels this is a good time to do this in order to help support the Town Fund because we are going to have to ask for more money anyway due to the high rise in the cost of materials needed to maintain the roads, etc. Schuster added that we have already talked about the road district needing more money. We saw it coming. Schuster asked Helpers if he was going to "shoot for a black border"? Helpers said, "I am not." Schuster feels this would be a logical time to split the salary so it could be incorporated into the levy. Helpers told her, "It's not your choice." Helpers feels the next Road Commissioner for Seneca Township should worry about this decision. Schuster then stated that this is a suggestion she is making at this time because eventually we're going to have to go to a black border. She feels we should "just do it and get it over with." She doesn't want to see this township go into debt.

Upon conclusion of further discussion, Dahlfors motioned to approve the salaries as proposed for fiscal year 2009-2013, including the salary split between the Town Fund and the Road District. Second by O'Leary. Schuster asked if there were any questions, comments or corrections. Hearing none, the voting took place. Voting yes: Bartman, Mathews, Dahlfors, O'Leary, Schuster. Voting no: None. Motion passed.

D. McHenry County of Council of Governments (McCog) – At a prior meeting, Schuster informed the board that McCog was working to structure their dues so that the townships could participate in this council of governments. Since then, they have come up with a schedule which was based on the equalized assessed valuation. For Seneca Township the dues would be \$153.93 for annual dues instead of the previous \$500/year. The benefits for us to join would be that it's bringing all the villages, the county, municipalities, and townships together to discuss issues that are happening in the communities, and we will have voting rights. One of the most recent issues taken into consideration is that the legislators are going to work to try to avoid the problem that was created this year with the bidding process with the salt. It also keeps us in touch with the rest of the community and what is going on. If we have issues they could "go to bat for us too." Dahlfors motioned to pay the annual dues to join McCog. Second by Mathews. Voting yes: Dahlfors, Mathews, Schuster. Voting no: Bartman, O'Leary. Motion passed.

Other: Information/review/action

- Schuster gave the board a schedule from McCog as to when to bring specific recycling items in.
- Schuster asked the board if she should send out another newsletter at this time? The board felt it was not necessary and could wait until a later date.

Motion to go into Executive Session: At 9:50 p.m. Mathews motioned to go into executive session to discuss potential litigation. Second by Bartman. Motion passed.

Motion to go back into Open Session: At 10:14 p.m. Bartman motioned to go back into open session. Second by O'Leary. Motion passed.

Motion to Adjourn: At 10:15 p.m. O'Leary motioned to adjourn tonight's regular monthly meeting. Second by Dahlfors. Motion passed.

Respectfully Submitted,

Dawn M. Seemann
Township Clerk