

AGENDA

PLANNING & DEVELOPMENT COMMITTEE

December 1, 2011 at 8:30 a.m.

McHenry County Government Center
County Board Office - Administrative Building
667 Ware Road
Woodstock, Illinois 60098

- 1.0 Call to Order
 - Minute Approval - November 17, 2011
- 2.0 Public Comment
- 3.0 Presentations
- 4.0 Subdivisions
- 5.0 Old Business
 - 5.10 Resolution Adoption of an Amendment to the Bylaws of the McHenry County Community Development Block Grant Commission
- 6.0 New Business
 - 6.05 Resolution Authorizing a Contract for Stormwater Engineering Services with Gewalt Hamilton Associates, Inc., Vernon Hills, Illinois in the Fiscal Year 2012 Budget
 - 6.10 Resolution Adoption of the HOME Investment Partnerships (HOME) Program Community Housing Development Organization (CHDO) Reserve Funding Recommendation and Administration Allocation and Amendment of the Action Plan for the 2011 Program Year
- 7.0 Reports to Committee, as applicable
 - 7.05 Chicago Metropolitan Agency for Planning
 - 7.10 Community Development Block Grant Commission
 - 7.20 Historic Preservation Commission
 - 7.30 Housing Commission
- 8.0 Miscellaneous
- 9.0 Executive Session
- 10.0 Adjournment

PLANNING AND DEVELOPMENT COMMITTEE
McHenry County Government Center – Administration Building
667 Ware Road – Conference Room A
Woodstock, IL 60098

MINUTES OF THURSDAY, NOVEMBER 17, 2011

Chairman Hill called the Planning and Development Committee meeting to order at 8:33 a.m. The following members were present: Tina Hill, Chairman; Mary Donner; Sue Draffkorn; Jim Heisler; Marc Munaretto and Ersel Schuster. Randy Donley was absent. Also in attendance: Peter Austin, County Administrator; Pam Palmer, Auditor; Dennis Sandquist, Matt Hansel, Maryanne Wanaski, Sarah Ciampi and Sean Foley, Planning and Development; Diane Evertsen, Mary McCann, Kathy Bergan Schmidt and Donna Kurtz, County Board; Brian Sager, City of Woodstock Mayor; John Schmitt, Algonquin Village President; Anna Bicanic Moeller, McHenry County Council of Governments Executive Director; Nancy Schietzeit, Environmental Defenders of McHenry County; and interested public.

	Tina Hill, Chairman	
Randy Donley	Mary L. Donner	
Sue Draffkorn	Jim Heisler	
Marc Munaretto	Ersel Schuster	

MINUTE APPROVAL: Mr. Heisler made a motion, seconded by Ms. Donner, to approve the minutes from October 6, 2011, October 20, 2011 and November 3, 2011. The minutes were approved with a unanimous voice vote of all ayes.

PUBLIC COMMENT: None.

PRESENTATIONS: None.

SUBDIVISIONS: None.

OLD BUSINESS:

Resolution Adoption of an Amendment to the Bylaws of the McHenry County Community Development Block Grant Commission: Mr. Munaretto made a motion, seconded by Ms. Donner, to recommend the County Board approve the above resolution as submitted. Chairman Hill mentioned that the Community Development Block Grant (CDBG) Commission that is currently seated met yesterday and reviewed the proposed amendments to the Bylaws. Commission members discussed the amendments and proposed two additional alternative versions for "Section III. Membership". There are now three versions of "Section III. Membership" to choose from: the version attached to the Resolution; the second alternate version; and the third alternate version. Mr. Munaretto questioned if they are proposing to make changes to the business in the agenda that he just made a motion to approve and Chairman Hill answered yes. Mr. Munaretto withdrew his motion and Ms. Donner withdrew her second to the motion. Ms. Wanaski mentioned that during yesterday's meeting, CDBG Commission members had concerns about not being able to vote and still volunteer their time on the Commission. Members felt that the process worked well last year by recusing themselves from certain votes. Two new versions for "Section III. Membership" with redlined changes were reviewed by committee members (second alternate version and third alternate version). The first alternate version requests one representative from each County Board district. Instead of the Commission consisting of 17 members, it is recommended that the Commission consist of a minimum of nine members with a maximum of 12 voting members. The original version still keeps ex-officio members which would consist of two non-voting members from service agencies and one representative from the Housing Authority. Ex-officio members may have a conflict if they are voting on service contracts, but also if they are voting on structural improvements to their buildings. The second alternate version does not include ex-officio members and suggests the Commission consist of a minimum of nine and a maximum of 12 voting members. The original version suggests the Commission consist of a minimum of seven and a maximum of nine voting members. It also suggests that the non-voting membership consist of a minimum of three and a maximum of five members. The largest changes were for the voting and non-voting members, according to Chairman Hill. Some Commission members wanted all members to be voting members. If voting members have a conflict, they will have to recuse themselves. Ms. Draffkorn mentioned that they suggested two members-at-large and Commission members suggest six members, one from each County Board district. Chairman Hill mentioned that previously the County Board member on the CDBG Commission had to be the Chairman of the Commission. This provision remains in the Bylaws because there will only be one County Board member on the Commission and that County Board member will automatically be the Chairman of the Commission. Mr. Munaretto mentioned that they are a county agency endowed with the responsibility by the federal government to distribute these funds and it would be logical to have an elected member of the County Board as Chairman of the CDBG Commission.

Ms. Wanaski mentioned that a second change Commission members brought up at the meeting was term limits. The original version allowed for two three-year terms. Commission members decided that they would prefer one four-year term which is reflected in the second alternate version provided to members. Chairman Hill mentioned that the current by-laws allow members to apply for reappointment and their terms can be concurrent. The McHenry County Conservation District's terms are for five years and members are not eligible for reappointment until after they have been off of the board for at least one year. Ms. Wanaski mentioned that a provision could be included in the by-laws that Commission members could re-apply for a position after being off of the Commission for one year. It was the consensus of the committee to incorporate this language in the by-laws. It was suggested that the Commission have an odd number of voting members. After discussion, it was the consensus of the committee that the Commission consist of a minimum of nine, maximum of 11 voting members. Mr. Munaretto summarized that the committee is proposing that the first alternate version provided today will be the language incorporated into the by-laws, with changing the maximum number of voting members to 11. Ms. Wanaski mentioned that staff is conducting research and working towards the waiver from HUD regarding recusals when members have a conflict of interest. Chairman Hill mentioned that there is a waiver process with HUD to recuse members. Mr. Munaretto mentioned that the committee is empowered with the obligation to make the choices that conform to the regulations that they are obligated to adhere to. Mr. Munaretto suggested inserting language in the by-laws stating that anybody who sits on the Commission is prohibited from, to the extent they represent anybody, making any application to the CDBG. This wording will eliminate a potential conflict of interest. It was suggested that a provision be placed in the by-laws that stipulates that members and units of government or the organizations they represent would be barred from competing for CDBG funds. It was the consensus of the committee to add the above language to the CDBG by-laws. It was the consensus of the committee to retain social service agencies as ex-officio members of the Commission. A revised resolution and by-laws will be presented to the committee at the December 1, 2011 P&D meeting.

NEW BUSINESS:

Chairman Hill requested that item No. 6.10 be heard next.

McHenry County Council of Governments (MCCG) request to allow municipalities to enforce their property maintenance codes in specified unincorporated areas: Mr. Sandquist, Mr. Sager, Mr. Schmitt and Ms. Bicancic Moeller joined committee member to discuss the County's assistance in addressing property maintenance issues in specified unincorporated areas. Mr. Sager stated that there are properties adjacent to municipalities which are not necessarily being used in a way that is either within the best interest of the County and under the County's standards, for the property or municipalities. Issues may include the storage or abandonment of vehicles, junk and debris, tall grass, billboards and signs, and inappropriate and incompatible uses for the property. The County is largely rural and agricultural in terms of its zoning. At the September 23, 2011 MCCG Mayors' meeting, which was attended by mayors, staff and chairman Hill, it was determined that this is a challenge and they discussed possible solutions. He mentioned that there are four elements to the suggestion which include the opportunity for individual municipalities to enter into intergovernmental agreements (IGA) with the County. Those individual IGAs would be only relevant to specific portions of property that are immediately adjacent to municipal boundaries. It would only be for parcels that have significant evidence and historic problems as mentioned in the issues outlined. The fourth aspect is if an IGA was to arrive between a municipality and the County on the specific adjacent parcels with evidence problems, then it would be the municipality's responsibility and financial burden to provide the inspection and oversight. It would provide in the IGA that the standards of the immediate adjacent area/property, in terms of regulations, would be applicable. This is an effort to address the multiplicity of needs, the shared interests, provide no burden upon the County in terms of an additional financial outlay which would be assumed by municipalities, and it would be case specific. Some municipalities may be interested in this type of IGA with the County, and some may not. Mr. Sager mentioned that before the County and municipalities could enter into an IGA, the County would have to pass an ordinance allowing such arrangements between them. MCCG is requesting the County to consider such an ordinance and to authorize P&D staff to draft an ordinance for County Board consideration. Mr. Schmitt provided members with photographs of various properties showing abandoned vehicles and buildings in disrepair. The County's ordinance states that one billboard is allowed for each 50' lot. This is a significant problem, especially for appearances. Mr. Munaretto mentioned that there may be language inserted in the UDO which may allow the County to deal with the urbanized areas differently from the rural areas of the County. He suggested that this matter be reviewed by the State's Attorney's Office for an opinion. Ms. Schuster mentioned that she understands the issues, but it comes back

to the UDO so they do not continue to create problems for the future. She would have liked to have known what the State's Attorney's Office's opinion was on this matter before it was presented to the committee today. Mr. Sager mentioned that the September 23rd meeting was a brainstorming session. Sometimes there are entities or groups that set up shop on the parcels and they bring in vans or truck beds and sell items that are non-conforming for both the municipality and the County. This is problematic and in many instances becomes semi-permanent in some of the situations. Mr. Sager mentioned that not every municipality within the larger group of the McHenry County Council of Governments is interested in this particular type of opportunity. They would not necessarily request or pursue an IGA with the County. Mr. Munaretto mentioned that they should be careful and not set standards with ordinances that are not applied uniformly throughout the County, or force some of the rural parcels to have to conform to ordinances that are not adopted by their elected representatives. He wanted to reemphasize that the County will run into this problem all of the time because McHenry County, unlike municipalities, is not homogenous. The County does not look alike throughout the entire 600 square miles of McHenry County, unlike municipalities that are neat and compact and homogenous. Handing over the responsibilities of the County to another unit of government may not be the solution and he feels the solution can be achieved in the UDO if given the proper attention. Mr. Sager mentioned that they were attending today's meeting to address the problems, ask how they can work together to meet the mutual interests and needs they have, and suggest a possible type of approach. He confirmed that the proposal is for adjacent parcels. It was the consensus of the committee to direct staff to obtain an opinion from the State's Attorney's Office.

Model Wind Energy Ordinance: Mr. Sandquist, Mr. Foley, Ms. Evertsen and Ms. Schietzeit, members of the Wind Energy Taskforce, joined committee members to discuss the draft ordinance. Mr. Sandquist mentioned that the Taskforce met 12 times between August, 2010 and July, 2011 to discuss what a model ordinance may look like and what standards the communities in the County, along with the County, could move forward for adoption. Through the process a model Wind Energy Ordinance was prepared. The County has three alternatives available for consideration: (1) continue using the current Zoning Ordinance, Building Codes and state statues; (2) proceed with the immediate adoption of the Model Wind Energy Ordinance as a stand-alone revision of the Zoning Ordinance; or (3) direct Camiros to work this into the UDO as it moves forward. Mr. Munaretto mentioned that the substance of the work completed should be used and he does not feel that having separate ordinances that deal with land uses are in the best interest since they are in a period of time when they are combing everything into one UDO. He suggested that this be given to Camiros to incorporate into the UDO. Mr. Munaretto stated that in his opinion wind energy, as a component of land use, ought to be a conditional use in any zoning districts where permitted. He would not allow it by right anywhere. As a conceptual comment, he does not agree that this is a land use that should be permitted by right anywhere. Ms. Schietzeit mentioned that it seems logical that this ordinance would be folded into the UDO. Mr. Sandquist mentioned that the committee should start receiving working drafts of the UDO in January, 2012 and should have a public hearing draft by November, 2012. It was the consensus of the committee to provide Camiros with the model Wind Energy Ordinance for their review. Mr. Sandquist will provide committee members with an electronic version of the proposed Wind Energy Ordinance. Members will provide Camiros with their personal comments and recommended changes. Members will also provide their personal comments and recommended changes to the draft ordinance to the Wind Energy Taskforce members.

REPORTS TO COMMITTEE:

Community Metropolitan Agency for Planning (CMAP): Chairman Hill mentioned that Dan Shea provides her with copies of agendas and minutes for CMAP meetings. She will provide members with copies of these, along with copies of legislation that CMAP supports and opposes. Ms. Schmidt suggested that copies be provided to the Legislative and Intergovernmental Affairs Committee members as well.

Community Development Block Grant (CDBG) Commission: None.

Historic Preservation Commission: Mr. Foley mentioned that the Commission currently has one commissioner position unfilled. The Commission has interviewed two candidates and will interview the third candidate at the January 4, 2012 meeting. They will bring their recommendations to this committee after all interviews have been completed. The Commission has started the Rural Intensive Survey for certain townships and Gail Brown is the mentor for this project. Mr. Sandquist mentioned that they will be adding three additional landmark plaques on the hallway wall in the Administration Building. The plaques will be for the Barber Cemetery, Trout Valley Stonegate, and Chunn's Burying Ground (Oak Glenn Cemetery).

Chairman Hill mentioned that Ms. Schuster and she work on the Victory Garden project because it involves both of their committees. It is their understand that there was little support and help the past two years provided to Laurie Selpien who works on the Victory Garden. This past year Ms. Selpien and her daughter did all of the work, except tilling the garden. It was suggested that emails be sent to County employees asking for their help with the 2012 garden. This matter will be brought to the attention of the Historic Preservation Commission to inform them that there is no community support for this project. A suggestion was made to discontinue the Victory Garden. Staff will report back to the committee as to what the Historic Preservation Commission suggests for this project.

Housing Commission: Ms. Draffkorn reported that the Commission is meeting tomorrow.

MISCELLANEOUS: None.

EXECUTIVE SESSION: None.

ADJOURNMENT: Noting no further business, Ms. Draffkorn made a motion, seconded by Mr. Heisler, to adjourn the meeting at 9:51 a.m. The motion carried with a unanimous voice vote.

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RECOMMENDED FOR BOARD/COMMITTEE ACTION/APPROVAL:

mh

RESOLUTION**ADOPTION OF AN AMENDMENT TO THE BYLAWS OF THE
McHENRY COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION**

WHEREAS, McHenry County received notice from the U.S. Department of Housing and Urban Development of population exceeding 200,000 and is therefore eligible as an "Urban Entitlement County" to receive direct annual funding from the US Department of Housing and Urban Development (HUD) under the auspices of the Community Development Block Grant (CDBG) Program; and

WHEREAS, the Community Development Block Grant Commission has been established by the County Board to manage the County's CDBG Grant Programs; and

WHEREAS, with Resolution No. R-9507-2250-170 the County Board approved the adoption of the original bylaws of the Community Development Block Grant Commission on July 18, 1995, and subsequently amended said bylaws with Resolution No. R-9707-10-180 on July 15, 1997, with Resolution No. R-9712-10-299 on December 16, 1997, with Resolution No. R-200204-12-044 on April 16, 2002, with Resolution No. R-200412-10-370 on December 21, 2004, and Resolution No. R-201005-10-122 on May 18, 2010; and

WHEREAS, in an effort to improve said bylaws and eliminate actual or perceived membership conflicts of interest to more fully comply with HUD regulations and McHenry County's adopted ethics' policies and ordinance it is necessary to modify the current structure of the Commission's membership; and

WHEREAS, after due deliberation with the Planning and Development Committee said Committee hereby recommends the approval of an amendment to the bylaws as noted in Attachment A.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois that the bylaws of the Community Development Block Grant Commission originally approved on July 18, 1995 by Resolution No. R-9507-2250-170 and subsequently amended with Resolution No. R-9707-10-180 on July 15, 1997, with Resolution No. R-9712-10-299 on December 16, 1997, with Resolution No. R-200204-12-044 on April 16, 2002, with Resolution No. R- 200412-10-370 on December 21, 2004, and Resolution No. R-201005-10-122 on May 18, 2010, be amended as noted in Attachment A; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby authorized to distribute a certified copy of this Resolution to the Director of the Department of Planning and Development, the Community Development Administrator of the Department of Planning and Development, the County Administrator, the Auditor, and the Treasurer.

DATED at Woodstock, Illinois, this 6th day of December, A.D., 2011.

KENNETH D. KOEHLER, Chairman
McHenry County Board

ATTEST:

KATHERINE C. SCHULTZ, County Clerk

ATTACHMENT A:

BYLAWS McHENRY COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT COMMISSION

I. BACKGROUND

The Community Development Block Grant (CDBG) Program was established by the Federal Housing and Community Development Act of 1974 (Act). Administered nationally by the U.S. Department of Housing and Urban Development (HUD), the Act combined eight categorical programs into a single block grant program. Through this program, funds are available to assist McHenry County communities meet their greatest economic and community development needs, with an emphasis upon helping persons of low-to-moderate income.

In order to ensure that the program meets the intent of the Act, as amended and reauthorized by the National Affordable Housing Act of 1990, Congress has required that entitlement programs meet at least one of the following three national objectives:

1. Benefiting low and moderate income persons;
2. Aiding in the prevention or elimination of slums and blight; and
3. Meeting other community development needs that pose a serious and immediate threat to the health and welfare of the community.

Within the statutory requirements of the Act, McHenry County has the flexibility to design its own program objectives and procedures for program administration and to develop criteria for selection of grant recipients. The County's CDBG program is intended to supplement the efforts of localities in initiating and/or engaging in a community development process.

To complement these three federally-mandated national objectives, the County has established the following specific objectives for its Community Development Block Grant Program:

1. Improvement of public infrastructure and elimination of conditions which are detrimental to health, safety and public welfare;
2. Conservation of the County's housing stock in order to provide a decent home and a suitable living environment for persons of low and moderate income;
3. Strengthening of community economic development by creating jobs, stimulating private investment and expanding the tax base; and,
4. Support of the full range of public services required to make McHenry County a suitable living environment for its low and moderate income residents.

The McHenry County Community Development Block Grant Commission (Commission) has been established by the County Board to manage the County's CDBG/~~HOME~~ grant program. The Department of Planning and Development will provide staff support to the Commission.

It is intended that the Commission ~~will~~ establish policies and procedures for program management, review sub-grantee applications and recommend projects for grant funding to the County Board. The County Board ~~will~~ **shall be the responsible entity that** makes the final determination regarding the use **and allocation** of CDBG/~~HOME~~ grant funds. ~~The County Board,~~

~~through its Chairman, is delegating the responsibility for operating and maintaining this program in compliance with federal law and all related rules and regulation to the Commission.~~

II. PURPOSE

It shall be the purpose of the McHenry County Community Development Block Grant Commission to act as representative body of elected officials and citizens to ascertain facts, ~~prepare~~ **recommend** plans and programs, coordinate activities, set priorities for funding and undertake such other activities that may be necessary and appropriate to accomplish the purpose(s) of the Act, as approved by the McHenry County Board.

III. MEMBERSHIP

The Commission shall consist of ~~seventeen (17)~~ **a minimum of nine (9), maximum of eleven (11)** members **comprised of the following:**

~~The Chairman of the County Board shall appoint six (6) County Board Members (one from each County Board District) and one (1) citizen who shall represent a human service agency within McHenry County~~

1. **One member of the McHenry County Board,**
2. **At least one (1) at large delegate from each of the County Board districts based upon place of residence, which include representation from among the following professions, associations or organizations: banking industry, McHenry County Association of Realtors, McHenry County Homebuilder Association, McHenry County Bar Association, carpenters, electricians, plumbers, building inspectors, architects, engineers,**
3. **Representation from township supervisors, township road commissioners and/or a representative from a municipality within McHenry County limited to a mayor, trustee or manager,**
4. **Members that represent service agencies that serve McHenry County, and**
5. **A representative from the McHenry County Housing Authority.**

It is known that any Commission member as outlined above, maybe affiliated with an entity that potentially could seek grant funding. As such, any entity for which an affiliation of said member(s) exists will be barred from competing for and/or receiving CDBG allocations. For the purposes of these bylaws, affiliation is defined as a paid and/or non-paid employee/volunteer, staff and/or board member. An affiliation may also be further defined and determined by McHenry County as applicable.

All members shall be residents of and/or, employed in McHenry County, and/or serve as an elected or appointed official serving McHenry County, and shall be actively engaged in business in, or concerned with the welfare of the people in McHenry County.

~~The Chairman of the McHenry County Board shall also appoint six (6) citizen at large representatives, with one representative being appointed from each of the six County Board districts based upon their place of residence. Recommendations for appointment of the six citizens at large shall be made by the Community Development Block Grant Commission based upon application and interviews.~~

~~The McHenry County Township Supervisor's Association shall appoint one (1) Township Supervisor.~~

~~The McHenry County Township Road Commissioner's Association shall appoint one (1) Township Road Commissioner.~~

~~The McHenry County Economic Development Corporation (EDC) Board of Directors shall appoint one (1) Board Member.~~

~~The McHenry County Housing Authority Board of Commissioners shall appoint one (1) Commissioner.~~

~~The Chairman of the Board shall serve as an ex-officio Member of the Commission and any of its Subcommittees.~~

- A. **APPOINTMENT:** Preliminary membership of the Commission shall be appointed by the Chairman of the County Board in consultation with the Planning and Development Committee subject to the consent and confirmation by resolution of the full County Board. Future membership of the Commission shall be determined by recommendation of the P&D Committee again with the advise and consent of the McHenry County Board.
- B. **TERMS:** ~~Each Commission Member shall be appointed for a two-year term. The initial term shall commence on October 19, 1995 and end on December 31, 1997. As of January 1, 1998 County Board Members, Township Supervisor, and Township Road Commissioner Members shall be appointed to a one-year term in order to achieve a staggering of terms. Municipal Representatives and Representative Citizens of McHenry County shall be appointed to a two-year term. As of January 1, 1999 County Board Members, Township Supervisor, and Township Road Commissioner Members shall be appointed to a two-year term.~~

The terms, reappointment, and removal of Commission members shall be as follows:

Commissioners shall serve one (1) term of four (4) years. If available, former Commissioners may re-apply for an open position after a one-year hiatus. Commission terms are to be staggered with the goal of having the terms of no more than one-third of the membership expiring in any given year. Terms of the Commissioners may be adjusted at the time of preliminary appointment in order to achieve staggered termination dates.

1. Vacancies shall be filled if needed to maintain the minimum number of Commissioners required herein. Commissioners appointed to fill a vacancy shall be appointed for the unexpired term of his or her predecessor in the office. If the remaining expired term is greater than eighteen months, then this shall be considered the newly appointed Commissioner's first term.
2. A Commissioner may be removed if he or she fails to attend Commission meetings on three (3) or more occasions in any twelve (12) consecutive calendar month period, or if he or she is found to undermine the purposes of the Commission via a majority vote of the total Commission and said termination is approved by the County Board.

- C. **COMPENSATION:** No member of the Commission shall be entitled to receive any compensation for services rendered in such office. However, each officer shall be entitled to reimbursement for any expenses reasonably incurred in performing such services other than in connection with his attendance at meetings of the Commission or any committee.

- C. **VACANCIES:** When a position on the Commission becomes vacant, the vacancy shall be filled in a timely fashion in the same manner of appointment and by a person of the qualification as prescribed in Section III above.
- D. **ABSENCES:** A Commissioner may be removed if he or she fails to attend Commission meetings on three (3) or more occasions in any twelve (12) consecutive calendar month period, or if he or she is found to undermine the purposes of the Commission via a majority vote of the total Commission and approval of the Chairman of the County Board. The subsequent vacancy shall be filled in accordance with Section III Membership, Item B. vacancies as stated herein.

IV. OFFICERS

There shall be a Chairman, Vice-Chairman, and Secretary of the Commission. The Chairman shall be a County board Member and shall be designated as Chairman by the Chairman of the McHenry County Board at the time of appointment. The Vice-Chairman and the Secretary shall be elected by the Commission Members from among the Commission Membership.

A. **DUTIES:**

- 1. **CHAIRMAN:** Shall preside at all Commission meetings; appoint Subcommittees with the advice and consent of the Commission; sign all Resolution and document requiring to be executed on behalf of the Commission; and perform such other duties as prescribed by the Commission.
- 2. **VICE-CHAIRMAN:** Shall serve, perform all duties and exercise all powers of the Chairman in the absence of or given the inability of the Chairman to act. The Vice-Chairman shall assist the Chairman as requested.
- 3. **SECRETARY:** Shall provide notices for all regularly scheduled meetings of the Commission and its Subcommittees at least seven (7) days prior to any such meeting; provide an agenda and related documents for each such meeting at least seven (7) days in advance for general distribution; prepare minutes of all meetings of the Commission and its Subcommittees; and maintain all records of the Commission's operations. The County Board Office shall provide clerical support to the Commission and its Secretary.

B. **TERMS:** Officers shall serve from the date of their appointment/election for a term of two (2) years.

C. **SUCCESSION:** Officers may serve two year terms in succession.

A. OFFICERS: The Officers of the Commission shall be a Chairman, a Vice-Chairman, and other such officer positions as established by the Chairman of the Commission. Officers whose authority and duties are not outlined in these bylaws shall have authority at the discretion of the Chairman.

B. TERM AND APPOINTMENT: The Chairman of the Commission shall be a member of the County Board appointed by the Chairman of the McHenry County Board and shall serve for a

term of two (2) years from the date of their appointment. The appointed Chairman shall be subject to reappointment by the Chairman of the McHenry County Board for one additional term successive. Other officers of the Commission shall be elected by the members of the Commission and shall serve for a term of two (2) years with a maximum of two (2) terms successive or otherwise. Vacancies may be filled or new offices created and filled at any meeting of the Commission by a majority vote of the membership present. The Vice-Chairman shall be determined by a majority vote of the Commission.

- C. REMOVAL:** Any officer elected by the members of the Commission may be removed by a majority vote of the members of the Commission whenever in their judgment as prescribed in Section III.B.2 the best interests of the Commission would be served thereby, subject to approval from the Chairman of the McHenry County Board and the Chairman of the Block Grant Commission.
- D. CHAIRMAN:** The Chairman shall be in charge of the business and affairs of the Commission; he or she shall see that the resolutions and directives of the Commission are carried into effect except in those instances in which that responsibility is assigned to staff; and, in general, he or she shall discharge all duties incident to the office of Chairman and such other duties as may be prescribed by the Commission. The Chairman shall preside at all meetings of the Commission except in those instances in which the authority to execute is expressly delegated to another officer or agent of the Commission or a different mode of executive is expressly prescribed by the Commission or these bylaws.
- E. VICE-CHAIRMAN:** The Vice-Chairman shall perform the functions of the Chairman when the Chairman is not present at regular or special meetings of the Commission and otherwise perform the functions of the Chairman when the Chairman is unavailable or incapable of performing those functions.

V. MEETINGS

All meetings of the Commission and its Subcommittees shall be open to the public and shall be conducted in accordance with the *Illinois Open Meetings Act* as may be amended from time to time. The Commission shall maintain its principal office in care of the McHenry County Department of Planning & Development, 2200 Seminary, Woodstock, Illinois 60098. Other offices within McHenry County may be designated from time to time by the Commission.

- ~~A. **ORGANIZATIONAL MEETING:** The first meeting of the Commission shall be an organizational meeting and shall be held within thirty (30) days of approval of these By-Laws by the County Board.~~
- ~~B. **REGULAR MEETINGS:** There shall be regularly scheduled meetings of the Commission. The Commission shall set the schedule of meetings. Said schedule shall take cognizance of the time required to meet the U.S. Department of Housing and Urban Development application requirements or the requirements of any agency of the State of Illinois.~~
- ~~C. **SPECIAL OR EMERGENCY MEETINGS:** The Chairman may call special or emergency meetings of the Commission on his/her own initiative or at the request of one-third of the Commission Members (6). Notice of special meetings shall be given at least~~

~~two business days prior to such meetings to each Commission Member. Notice of emergency meetings shall be given with as much notice as possible to the Commission Members. The notice shall include the time, date and location of the special or emergency meeting. Business conducted at a special or emergency meeting shall be limited to those items specified in the agenda for said meeting(s).~~

E. **PLACE:** All meetings of the Commission shall be held in the McHenry County ~~Government Center, unless otherwise designated by the Commission.~~

A. **REGULAR MEETINGS:** There shall be a minimum of three (3) regular meetings of the Commission per calendar year. Regular meetings will be set each year by an annual calendar schedule. The Chairman of the Commission will enforce the Commission calendar and comply with necessary provisions to properly notice members of the Commission and the general public in accordance with the *Illinois Open Meetings Act*.

B. **SPECIAL MEETINGS:** Special meetings of the Commission may be called, pursuant to the *Illinois Open Meetings Act* as amended, by the Chairman or no less than one-third of the total members of the Commission, and subsequent notice is to be at minimum forty-eight (48) hours prior to the established meeting date for Commissioners and the general public. The location of the meeting is per the party of request and shall follow meeting guidelines as contained above.

C. **NOTICE:** Notice of all meetings of the Commission shall be given in accordance with the *Illinois Open Meetings Act* by written notice delivered personally or sent by mail, fax or email to each member at his or her address as shown by the records of the Commission and stated preferred method of contact. If mailed, such notice shall be deemed to be delivered when deposited in the United States mail in a sealed envelope so addressed, with postage thereon prepaid. If sent by electronic copy, such notice shall be deemed to be delivered as of the date of the transmission.

D. **ORDER OF BUSINESS:** The Commission shall generally observe the following order of business at all meetings of the Commission and its Subcommittees:

1. Call to Order
2. Roll Call of Members
3. Approval of Minutes
4. Public Participation
5. Old Business
6. New Business
7. Reports to the Commission
8. Members Comments, Miscellaneous Business and Announcements
9. Adjournment

VI. ~~SUBCOMMITTEES~~ AD-HOC COMMITTEES/TASK FORCE MEMBERSHIP

~~The Chairman may appoint, with the consent of the Commission, Subcommittees deemed appropriate.~~

The Commission may create one or more ad-hoc committees or task forces and authorize it to accomplish a specific purpose. Each ad-hoc committee or task force shall act at the sole discretion of the Commission via instruction of the Chairman and shall report all actions and activities to the Commission. All ad-hoc committees and task forces shall be chaired by a member of the Commission, but non-commission members may serve on the body.

VII. QUORUM

~~A quorum shall consist of a majority of the Commission members (9). A quorum shall be required for the conduct of business by the Commission. A quorum of any Subcommittee subsequently appointed shall be a majority of members of the Subcommittee.~~

A majority of the total voting membership shall constitute a quorum at any meeting of the Commission. If a quorum is not present, the majority of the total members present shall adjourn the meeting to another date and time.

VIII. VOTING REQUIREMENTS

Each designated **voting** Commission Member is entitled to one (1) vote on all matters coming before the Commission and requiring a vote of the Commission. The vote must be cast by the Member, who must be in attendance at a duly appointed, legally called meeting of the Commission. No proxy votes or absentee voting shall be permitted.

The concurrence of a majority of the total ~~Commission Members (9)~~ **voting-member bloc** is necessary for the passage of any motion incurring a financial obligation or approving the allocation of grant funds to subrecipients. All other actions of the Commission shall require a majority of the Commission Members present (**voting or ex-officio**), provided there is a quorum present.

~~A vote on a motion to reconsideration may be made at any time prior to the adjournment of the meeting at which the original motion was voted upon. A motion for reconsideration must be made by a Commission Member who voted on the prevailing side of the original motion.~~

IX. RULES OF ORDER

The Chairman shall preside at all Commission meetings, shall preserve decorum and shall conduct said meetings in an orderly fashion. The Chairman may speak to points of order and shall decide all questions of procedure. The Chairman shall vote in case of a tie and may vote on any matter before the Commission. ~~Questions of procedure for meetings of the Commission not covered by these Bylaws, shall be governed by the latest edition of Roberts Rules of Order, Revised.~~ In case of any disturbance or disorderly conduct, the Chairman shall have the power to remove the cause of same or suspend the meetings.

The Commission shall follow Robert's Rules of Order in the conduct of each meeting and comply with the requirements of the *Illinois Open Meetings Act* as amended.

X. DISQUALIFICATION/CONFLICT-OF-INTEREST PROVISIONS

~~No Commission Member who has an individual financial or other material interest in any matter coming before the Commission shall participate in the deliberations or the decisions in such matters. Furthermore, Members who recognize that they may have such an interest shall so state during the public deliberations of the Commission.~~

No Commission member who has a direct financial interest, or is an employee or representative in any capacity of an entity having an interest in any matter coming before the Commission shall participate in the deliberation or the decision in such matters. In the event a member believes that he or she has a conflict of interest on any matter before the Commission, prior to any discussion of the issue, indicate to the Commission that a conflict exists and inform the Commission that he or she will be abstaining from any discussion and vote on the matter. However, a member may be allowed to answer questions or present factual information if requested by the Chairman of the Commission.

In order to serve on the CDBG Commission, voting-bloc Members agree to abide by the provisions of 24 CFR 92.356, 24 CFR 85.36 and 24 CFR Part 84.42 with respect to conflicts of interest, and covenants and certifies that he or she presently has no financial interest and shall not acquire any financial interest direct or indirect, or any such benefit, which would conflict in any manner or degree with the performance of services required per their term of office as a voting-bloc Member. In addition to not being allowed to have a financial interest as stated above, voting-bloc Members shall not be employed or retained by any subrecipient organization. These conflicts of interest provisions apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of a McHenry County subrecipient organization. Lastly, voting-bloc Members as outlined herein may not acquire a financial interest or any such benefit due to family or business ties to a member, an employee, agent, consultant, officer, or elected official or appointed official of the Participating Jurisdiction known as the County of McHenry, Illinois.

XI. RESCISSION

No action of the Commission shall be rescinded at any special meeting of the Commission unless there shall be present at such special meeting at least as many **voting-bloc** Members as were present at the meeting at which such action was originally approved.

XII. DURATION

~~The Commission shall continue to exist until all CDBG/HOME funds have been expended, returned to the funding agency, or otherwise accounted for the satisfaction of the funding agency.~~

XIII. AMENDMENT

~~These By-Laws may be amended by Resolution of the McHenry County board by simple majority of those voting at a regular or special meeting thereof.~~

These bylaws are subject to review and approval of the McHenry County Board. The power to amend or repeal these bylaws or adopt new bylaws may be exercised by no less than a majority of the current membership of the Commission or at the request and discretion of the McHenry County Board and final approval by and of a Resolution of the McHenry County Board by simple majority of those voting at a regular or special meeting thereof.

XIV. SEVERABILITY

If any provision of these By-Laws is found to be invalid for any reason, such invalidation shall not affect other provisions of the By-Laws which can be given effect without the invalid provisions, and to this end, to provisions of these By-Laws are to be severable.

XV. LEGAL COUNSEL

~~The Commission shall seek appropriate legal advice if, and/or when, it is needed, from the McHenry County State's Attorney.~~

The Commission shall seek appropriate legal advice if and/or when, it is needed from the McHenry County State's Attorney. Members of the Commission and subsequent staff and contracted parties shall be indemnified against expenses, judgments, fines and settlement amounts incurred with any action or suit whether civil, criminal, administrative, or investigative, for the reason that he or she is affiliated with the Commission and acted in a good faith manner in respect to the interests of the Commission and no reasonable cause is suspect to be unlawful or not in accordance with the Commission.

XVI. FISCAL/PROGRAM YEAR

~~The Commission shall operate on both a Program Year, as prescribed by the funding agency and shall also operate within the parameters of the County's Fiscal Year (December 1 through November 30).~~

The fiscal year of the Commission shall begin on December 1 in accordance with the County. All fiscal activities of the initial term of the Commission shall be retroactive to the stated date.

XVII. EFFECTIVE DATE

These Bylaws shall become effective upon approval of the County Board. Any amendment to these Bylaws shall take effect immediately upon approval by the County Board.

APPROVED: July 18, 1995 by Resolution No. R-9507-2250-170.
AS AMENDED: July 15, 1997 by Resolution No. R-9707-10-180.
AS AMENDED: December 16, 1997 by Resolution No. R-9712-10-299
AS AMENDED: April 16, 2002 by Resolution No. R-200204-12-044
AS AMENDED: December 21, 2004 by Resolution No. R-200412-10-370
AS AMENDED: May 18, 2010 by Resolution No. R-201005-10-122

RESOLUTION

AUTHORIZING A CONTRACT FOR STORMWATER ENGINEERING SERVICES WITH GEWALT HAMILTON ASSOCIATES, INC, VERNON HILLS ILLINOIS IN THE FISCAL YEAR 2012 BUDGET

WHEREAS, on January 20, 2004 the County Board of McHenry County, Illinois adopted the *McHenry County Stormwater Management Ordinance #0-200401-10-009*; and

WHEREAS, the County Department of Planning & Development has budgeted funds in the 2012 fiscal year budget to cover the costs of engineering consulting services to review stormwater permit and subdivision applications; and

WHEREAS, the Purchasing Director sent out requests for proposals for said services and received eleven (11) responses; and

WHEREAS, the staff selection Committee selected three (3) vendors for on-site interviews; and

WHEREAS, the staff selection committee selected Gewalt Hamilton Associates, Inc, of Vernon Hills, Illinois as offering the services best suited to the County's requirements; and

WHEREAS, the Planning and Development Committee and the Finance and Audit Committee have reviewed and concur with said recommendation.

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois that the Chairman of the Board is hereby authorized to enter into a contract with Gewalt Hamilton Associates, Inc. of Vernon Hills, Illinois, for consulting services relating to the stormwater permit and subdivision reviews at a cost not to exceed the Planning & Development consultant budget line item for Fiscal Year 2012 (\$35,000); with options to extend the contract for Fiscal Year 2013 and Fiscal Year 2014, based on the Department's annual appropriations budget; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby requested to distribute a certified copy of this Resolution to the Director of Planning & Development, Director of Purchasing; the Associate County Administrator- Finance, and the County Administrator.

DATED at Woodstock, Illinois, this 6th day of December, A.D., 2012.

KENNETH D. KOEHLER, Chairman
McHenry County Board

ATTEST:

KATHERINE C. SCHULTZ, County Clerk

Department of Planning and Development
McHenry County Government Center - Administration Building

2200 North Seminary Avenue
Woodstock, Illinois 60098



815 334-4560 Fax 815 337-3720
www.co.mchenry.il.us

To: Tina Hill, Chairman, and Members of the McHenry County Board Planning and Development Committee

From: Dennis A. Sandquist, Director
Department of Planning and Development

Date: November 22, 2011

Re: Engineering Services Consultant Contract

Action Requested:

The Planning and Development Department requests approval to enter into a contract with Gewalt Hamilton Associates Inc. of Vernon Hills, IL, for stormwater and subdivision review services.

Background:

The Department's existing three year contract for stormwater and subdivision review services expires on November 30, 2011. The Department requires a new contract for services for Fiscal Years 2012 to 2014. On November 22, the F&A Committee informally review the proposed selection and agreed to allow this agenda item to proceed to P&D on and December 1st and the County Board on December 6th. The required funds are in the Department's 2012 FY Budget and the assistant stormwater engineer will be on medical leave in December, necessitating that we have a contract in place for review services as soon as possible.

Discussion:

On September 16, 2011, the Purchasing Department released a Request for Proposals (RFP #11-51) to provide the Department of Planning and Development stormwater permitting and subdivision review engineering services. The Purchasing Department received eleven (11) written proposals. Planning and Development staff reviewed the proposals and selected three (3) firms for on-site interviews based on the qualifications of the firm to perform the requested services and the cost to perform the services. Gewalt Hamilton Associates, Inc. from Vernon Hills, IL, was selected as best meeting the County's requirements. Gewalt Hamilton offers the following advantages:

- Experienced review staff. Gewalt Hamilton has proposed a primary permit reviewer who is experienced with conducting McHenry County reviews. She has been providing these services for McHenry County since last December. The proposal includes two experienced stormwater engineers to provide backup review services.

- Continuity of permit review services. The proposed primary permit review staff member has been providing us with permit review services for the past year. (Due to a merger earlier this year, our current consultant Bonestroo is no longer providing stormwater permit review services. They subcontracted this work to Gewalt Hamilton.)
- Cost saving. Gewalt Hamilton provided a cost quote of \$90.00/hour for permit and subdivision review services. This is the lowest cost quote of all eleven proposals. It is less than the \$101.00/hour we currently pay for review services. In addition, Gewalt Hamilton agreed to hold the cost constant for three years and for all primary permit reviewers.

Impact on Human Resources:

The request will not have any impact on human resources. The consultant review services are an alternative to hiring additional stormwater staff.

Impact on Budget:

The request will not have any impact on the budget. The consulting services are included in the Department's FY2012 Budget.

Impact on Capital Expenditures:

The request will not require any additional capital expenditures.

Impact on Physical Space:

The request will not have any impact on physical space requirements. Workspace for the consultant exists within the P&D office suite.

Impact on Other County Departments or Outside Agencies:

The request will not impact other County Departments or outside agencies.

Conformity to Board Ordinances and Policies:

The request conforms to all County policies and ordinances.

RESOLUTION
ADOPTION OF THE HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAM
COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO)
RESERVE FUNDING RECOMMENDATION AND ADMINISTRATION ALLOCATION
AND AMENDMENT OF THE ACTION PLAN FOR THE
2011 PROGRAM YEAR

WHEREAS, McHenry County, with a threshold population in excess of 200,000, is an “Urban Entitlement County” and therefore receives direct annual funding from the U.S. Department of Housing and Urban Development (HUD) under HOME Investment Partnerships (HOME) Program; and

WHEREAS, on November 18, 2011 the McHenry County Housing Commission met and recommended the following 2011 HOME CHDO Reserve allocation to:

McHenry County Habitat for Humanity- 1601 Hillside McHenry, IL **\$121,900.00**

WHEREAS, the Planning & Development Committee has approved allotted funds for the administration of the HOME program in the amount of:

Administration and Planning Activities **\$47,890.90**

NOW, THEREFORE BE IT RESOLVED, by this County Board of McHenry County, Illinois, that the funding as described herein be allocated as a HOME Program obligation; and

BE IT FURTHER RESOLVED, by this County Board of McHenry County, Illinois that the County Board Chairman is hereby authorized to execute an agreement with McHenry County Habitat for Humanity for the construction of a residence located at 1601 Hillside, McHenry, Illinois, in the amount of one-hundred twenty-one thousand nine hundred dollars and zero cents (\$121,900.00); and

BE IT FURTHER RESOLVED, by this County Board of McHenry County, Illinois, that the Chairman of the Board is hereby authorized to execute the necessary documentation to use \$47,890.90 in funding for HOME administration and planning activities from the United States Department of Housing and Urban Development (HUD); and

BE IT FURTHER RESOLVED, that the Community Development Division is hereby directed to submit a 2011 Action Plan Amendment to HUD as appropriate; and

BE IT FURTHER RESOLVED, that the County Clerk is hereby directed to transmit a certified copy of this resolution to the County Administrator, the Director of Planning and Development, the Associate County Administrator-Finance and the McHenry County Auditor.

DATED at Woodstock, Illinois, this 6th day of December A.D., 2011.

Kenneth D. Koehler, Chairman
McHenry County Board

ATTEST:

KATHERINE C. SCHULTZ
McHenry County Clerk

Department of Planning and Development
McHenry County Government Center - Administration Building

2200 North Seminary Avenue
Woodstock, Illinois 60098



815 334-4560 Fax 815 337-3720
www.co.mchenry.il.us

To: Tina Hill, Chairman
Planning and Development Committee

From: Community Development Division Staff

Date: November 22, 2011

Re: Funding Resolution for 2011 HOME Allocations to Habitat for Humanity and
Administration; Amendment of the 2011 Action Plan

Action Required:

Recommendation to the McHenry County Board to approve a Resolution authorizing an allocation to Habitat for Humanity for the construction of a single-family home from CHDO Reserves, an allocation for grant administration and planning activities and amendments to the 2011 Action Plan accordingly.

Background:

At the November 18, 2011 Housing Commission meeting, the Commission recommended an allocation of "CHDO Reserve Funds" in the amount of \$121,900.00 from "CHDO Reserve Funds". Staff is also bringing forth an allocation to use for administration and planning activities in the amount of \$47,890.90 from general HOME funds. As per the requirements, the 2011 Action Plan will be amended and submitted to HUD for approval.

Discussion:

The amount of CHDO Reserve funds allocated to Habitat for Humanity will satisfy the required set aside and will keep the County in compliance with the HOME program regarding reserves. To keep the County's internal accounting and budgeting programs aligned with federal grants, administration funds have been requested along with the first resolution of grant allocations.

**Department of Planning and Development
McHenry County Government Center - Administration Building**

2200 North Seminary Avenue
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PROJECT STAFF REPORT

To: Housing Commission

From: Maryanne Wanaski, Deputy Director-Administrator
Sarah Ciampi, Community Development Coordinator
Community Development Division

Date: November 14, 2011

PROJECT NAME: 1601 Hillside Drive (McHenry, Illinois)

PETITIONER and APPLICANT: Habitat for Humanity of McHenry County

CASE NUMBER: HOME PY 2011-A01

PROGRAM: HOME PY 2011 – CHDO/General

Action Requested:

Consideration of multiple HOME allocation requests as follows: \$72,000.00 in CHDO Reserve funding and \$121,888.00 in General Project funding should no funds be awarded from the CHDO reserve for the acquisition and construction of a single-family residence to be located at 1601 Hillside Lane to serve a family at 50% of AMI.

Staff Recommendation: Staff recommends funding of the project from the CHDO Reserve in the amount of \$121,900.00 in the form of a zero-percent forgivable loan through the period of affordability of twenty (20) years. Staff does not recommend an interest requirement of the loan because it is a CHDO project and CHDO activity is inherently designed for contributions to affordable housing and thus, an interest payment requirement would negate the ability of a CHDO to retain proceeds as prescribed in the CHDO regulations of the HOME program. This recommendation is with respect to an increase to the CHDO Reserve. Should the CHDO Reserve not be increased, staff would recommend full funding of the project between both funding sources.

The following table summarizes the requests of the applicant and funding recommendations:

Type of Request	Amount\$ Requested	Amount\$ Recommended
CR Acquisition/Const.	\$72,000.00	\$121,900.00
Gen- Acquisition/Const.	\$121,888.00	\$0.00*

*pending increase of CHDO reserve to include total project funding amount

Project Background:

Habitat for Humanity of McHenry County is a certified CHDO in McHenry County. The single-family development is in line with previous project CHDO history. A designated beneficiary family has been identified for the proposed acquisition and construction project located at 1601 Hillside in McHenry, Illinois. The project is in proximity to a previously approved project. No other funding resources are currently committed to the project, however, the applicant has outlined a series of other grants under consideration, and is willing to obligate operating capital funds to the project should no other funding be received to ensure the project is viable and will be constructed.

Project timeline:

The applicant has outlined the following timeline for completion of the project:

Activity	Start Date	Completion Date
Acquisition	November 1, 2009	November 29, 2011
Predevelopment	October 1, 2011	December 29, 2011
Construction	June 1, 2012	December 30, 2012
Project Marketing	N/A	N/A
Project Rent-up	N/A	N/A

In review of the project timeline and marketing study, staff requests further clarification from the applicant regarding the dates of acquisition activity, as the funding request is related to acquisition. However, HOME funds would not be available by the specified completion date.

Project Proposal:

Acquisition of a vacant parcel for the construction of a three-bedroom single family home to serve a family at or below 50% of AMI. The following table illustrates the breakdown of units per AMI:

AMI	Number of Units
0 to 30%	0
31% to 50%	1
51% to 60%	0
61%-80%*	0

*applicant indicates that residents will be 50% AMI, though up to 80% AMI is allowed in project. This unit breakdown above is submitted for review as prepared by applicant.

The development is a single-family home.

Unit type	Number of Units
Total	1
SF (3 bedroom)	1

Technical Review:

Consolidated Plan Compliance

The proposed development is consistent with the County's Consolidated Plan and Annual Action Plans for 2010 and 2011. The project satisfies an identified income targeted population.

Subsidy Layering Review and Gap Analysis

None of the proposed additional funding sources are federal, thus the subsidy layering review and gap analysis is not required. However, an analysis of committed funding and anticipated funding was conducted and a financing gap relative to the HOME requests does exist. Prior to contract obligation, staff will review financing commitments to confirm the investment of HOME funds. Total project costs are estimated at \$161,851.00 based on the project budget. The HOME request and recommendation accounts for approximately 75% of the total budget.

Proforma Evaluation

Not applicable.

Program Requirements

The project meets applicable HOME requirements for affordability and proposed activities. The costs of the project as proposed appear to be reasonable, and the project meets the criteria for serving a low-mod family under a homebuyer activity. Should the designated beneficiary (already identified) not be able to immediately purchase the property upon completion of construction, Habitat is prepared to execute a lease-to-own program in accordance with HOME requirements. Rents received would be cycled to the project as required per CHDO proceeds.

HOME match:

The Applicant is required to match the HOME funding request at a rate of twenty-five (25%) per dollar of request with non-federal funding sources:

HOME Fund Request	Required Fund Match	Match total confirmed:
\$121,900.00	*\$30,475.00	*\$57,370.00

*Match requirement completed per funding recommendation. If funded at total request, match required is \$3.00 less. The match sources are eligible and confirmed. It should be noted the match sources are donated labor and materials, not cash or grant matches that would be eligible for permanent or construction financing.

HOME Criteria

The following matrix identifies the HOME project criteria point and applicable evaluation. Staff verified factual data in relation to HUD requirements and criteria points.

Criteria Point	Discussion/Evaluation
HOME Program Eligibility	Project meets all HOME project requirements and eligible activities - meets HOME affordability requirements
County Plan Criteria	Meets Action Plan/ConPlan Objective #4 : Fund homebuyer projects that allow low-mod income people to own a home
Project Sponsor Type	Applicant is a certified CHDO nonprofit entity-eligible for application type.
Project Sponsor Previous Experience	Applicant has affordable housing portfolio of same scope as project proposed, has completed project work under HOME and CHDO requirements
General Contractor Experience	N/A-applicant serves in capacity
Management Experience	N/A-applicant serves in capacity
Site Control	Vacant land sales contract, retains title documentation
Zoning	Parcel is zoned for single-family construction; confirmed from City of McHenry
Viability	The project addresses an identified need and has an identified beneficiary; is in scale of traditional Habitat for Humanity development projects
Neighborhood Analysis	Nearby access to transit including bus and train, healthcare, grocery, pharmacy, schools, retail all within mile to mile-half radius-appropriate for single-family consideration
Site Amenities	N/A
Mix for Population	N/A
Incomes for Target Population	31% to 50% AMI – 1 unit
Accessible Units	N/A
MBE/WBE	Not addressed in application
Section 3	Not addressed in application
Targeted populations per NOFA	Application is satisfactory with NOFA
Sources of Funding Equals Use of Funds	HOME funding for eligible acquisition and construction costs
Leveraged financing	No current financing commitments; grant applications from other non-federal sources are pending
Rental assistance	N/A
Positive cash flow during affordability period	N/A
Construction costs per HUD max	Final appraisal will be required to be within 2011 limits
Operating costs	N/A
Project Reserves	N/A
Fees	Deferred overhead soft costs of \$4,701 are reasonable
Supportive Housing	N/A
Green Development	N/A
Historic Preservation	N/A
Community Revitalization	N/A

Additional Staff Comments:

Staff has not identified any additional project concerns and will work with the Applicant to review additional funding commitments should HOME funds be allocated.

Action Required:

Affirmative Motion:

Each motion should be made to reference the specific funding type (CHDO Reserve or General Project) the specific scope of project work to be funded, and funding amount.

If motion is amended to award partial funding or per staff recommendation for funding, motion shall be read in the affirmative and include total funding amount.

Motion to Deny:

Each motion should be made to reference the specific funding type (CHDO Reserve or General Project) the specific scope of project work to be funded, and funding amount. A motion to deny is not necessary if funding is awarded in the affirmative; the affirmative motion is the only funding recommendation to move forward as an allocation recommendation.

Attachments: Project photos