

# Proceedings of the Ogle County Board Meeting

November 15, 2016

State of Illinois )  
County of Ogle ) ss

## Call to Order

Chairman Gouker calls the Ogle County Board Meeting to order at 5:30 p.m.

## Roll Call

The roll call shows all are present. The Invocation is given by Welty and is followed by the Pledge of Allegiance.

## Presentation –Michael Lang donating Harry Nurmet painting – R-2016-1108

Chairman Gouker stated that Don Griffin was contacted by Michael Lang several months ago. Don Griffin stated he met with Michael Lang regarding the donation of a painting by local-known painter Harry Nurmet that his father had owned. Michael Lang states that the painting was painted by Harry Nurmet, who was commissioned by several Ogle County Sheriff's employees, and was presented to his father in December 1969, just before the current jail was completed. The jail represented in the painting was built in 1874. Underneath the north part of the jail was the previous jail. It was a hole in the ground with wood framing. A trap door was opened and a ladder was placed inside the hole. The prisoner went down the ladder into the hole, the ladder was removed and the door was shut. There was no jailer. His father was the Sheriff and he lived at the jail. His great grandfather was the sheriff and lived at the jail, as well as his uncle in the late 1800's. His family has a history to the old jail. Michael's daughter asked to have the painting and was told she could not have it. His feeling is because of the history in this county, the local painter, Harry Nurmet, and the Ogle County Jail, that the Ogle County Board should have possession of the painting and be the caretakers of it. Michael Lang then thanked the County Board and Don Griffin. Chairman Gouker thanked Michael Lang on behalf of the entire County of Ogle for his gracious donation and that the painting will be proudly displayed in the original County Courthouse. Mr. Lang then stated that County Board Member Jerry Brooks was a former sheriff of Ogle County and worked in the building portrayed in the painting. He went on to say that Mel Messer also worked in the building, as well.

Chairman Gouker states that the resolution honors Michael Lang's gift to the county.

Griffin moves to approve R-2016-1108 as presented, Janes seconds the motion.

Motion carries (Placed on file)

## Consent Agenda Items – by Roll Call Vote

1. Approval of October 18, 2016, Ogle County Board Meeting Minutes
2. Approval of October 24, 2016, Ogle County Budget Hearing Minutes
3. Accept Monthly Reports – Treasurer, County Clerk & Recorder and Circuit Clerk
4. Appointments –
  - 9-1-1 ETSB – Richard D. Mott, R-2016-1101
  - 9-1-1 ETSB – Cory M. Tveit, R-2016-1102
  - Regional Planning Commission – Michael R. Timm, R-2016-1103
  - Board of Health – Dr. Mark K. Myers, R-2016-1104
  - Board of Health – Scott A. Scull, R-2016-1105
  - Board of Health – Bryan J. Zobeck, R-2016-1106
5. Resignation – ZBA – Dennis Williams, R-2016-1107
6. Vacancies –
  - Lost Lake RCD – 2 vacancies
  - Zoning Board of Appeals – 1 unexpired term
  - Franklin Grove Fire Protection District – 1 vacancy

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- Board of Health – 1 vacancy – Applicant must be a dentist
- Mental Health 708 Board – 2 vacancies

Application and Resume deadline – Friday, December 2, 2016, at 4:30 p.m. in the County Clerk’s Office, located at 105 S. 5<sup>th</sup> St., Suite 104, Oregon, IL

7. Ogle County Claims –
  - Department Claims – October 2016 - \$39,960.21
  - County Board Payments – November 15, 2016 – \$207,053.57
  - County Highway Fund – \$50,714.93
8. Communications –
  - Sales Tax for July 2015 was \$29,037.69 and \$74,530.96
  - Sales Tax for July 2016 was \$37,198.82 and \$73,759.77

Oltmanns moves to approve the Consent Agenda as presented, McKinney seconds the motion.

The motion to be approved by a roll call vote:

YES: Bolin, Bowers, Brooks, Colbert, Colson, Finrock, Fritz, Griffin, Gronewold, Heuer, Hopkins, Janes, Kenney, McKinney, Meyers, Nordman, O’Brien, Oltmanns, Saunders, Simms, Sparrow, Typer, Welty, and Gouker.

NO: None.

ABSENT: None.

Motion carries on roll call vote. (Placed on file)

**Zoning – #8-16 SPECIAL USE – Ronald Bocker – O-2016-1101**

Welty introduced the petition of Ronald Bocker, 6633 W. Townline Rd., Leaf River, IL, for a Special Use Permit to allow an agribusiness (repair shop for agriculturally-related machinery and equipment) in the AG-1 Agricultural District on property described as follows and owned by the petitioner: Part of G.L.2 of the NW1/4 Fractional Section 4 Mt. Morris Township 24N, R9E of the 4<sup>th</sup> P.M., Ogle County, IL, 13.12 acres, more or less; Property Identification Number: 08-04-100-003; Common Location: 6633 W. Townline Rd.

Welty moves to approve #8-16 Special Use Permit to Ronald Bocker – O-2016-1101 as presented, O’Brien seconds the motion.

Motion carries. (Placed on file)

**Zoning - #9-16 SPECIAL USE - David E. Nelson and the Ogle County Sheriff's Department, %Sheriff Brian VanVickle - O-2016-1102**

David E. Nelson, 5828 N. Mt. Morris, Rd., Mt. Morris, IL and Sheriff Brian VanVickle, 202 S. 1<sup>st</sup> St., Oregon, IL ;for a Special Use Permit to allow a radio communications tower and appurtenances to be constructed in the AG-1 Agricultural District on property described as follows, owned by David E. Nelson and being purchased by the Ogle County Sheriff=s Department: Part of G.L. 5 of the N part of the W1/2 of the NW1/4 Fractional Section 4 Oregon-Nashua Township 23N, R10E of the 4<sup>th</sup> P.M., 1.0 acre, more or less Property Identification Number: Part of 16-04-101-001; Common Location: 900 Block of W. IL Rte. 64

Welty moves to approve #9-16 Special Use Permit to David E. Nelson and the Ogle County Sheriff’s Department– O-2016-1102 as presented, Bolin seconds the motion.

Motion carries. (Placed on file)

## Public Comment

- Ogle County Clerk Laura J. Cook stated a record 72.6% turnout for the General Election and thanked the following: the Election Judges; Election Staff – Linda Walter and Shari Stump; County Clerk Staff – Tiffany O’Brien and Lisa Barkalow; Early Voting Election Judges at Rochelle; Al Haan and Curt Whitney; Grace Period Registrars Stacy Flanagan and Joanne Pennock; Election night workers; Troubleshooters – Phillis Heine, Lori Catron, Tammy Glendenning and Dawn Smith; Township Supervisors and Frank Smardo; Kevin Howard and Steve Bingham; Harvard Bank State Bank in Oregon, Stillman Bank in Byron, and Hickory Grove Civic Center in Rochelle; Don Griffin; County Maintenance Tim Mitchusson and Gary Schnorr; and the Voters of Ogle County.
- Chairman Gouker thanked Ogle County Clerk Laura Cook for the outstanding job she did for her first election.
- Tom Smith referred to the reports from Mike Reibel and Jeremy and stated it indicates what is going on and what Ogle County needs to protect. The resolution proposed should encompass all areas of concern. Lauren Hintzsche, a member of the audience, stated that the Chicago Tribune said the railroad is anticipating 15 to 20 100-car trains a day at speeds of 50 mph for coal and grain, 45 for oil, 55 for general cargo, and 70 for inter-mobile. Mr. Smith states that at the last County Board meeting, Mr. Welty introduced a motion to support Scott, White Rock, Lynnville, Dement and Flagg Townships in opposition of the Great Lakes Basin Railroad developing transportation in Ogle County. This is intended to let the residents of Ogle County know that the County Board is supporting these townships in their endeavor. The area in which the railroad is going through affects four of the eight districts we have; affecting twelve of the County Board members, which is half the board. There are five gravel roads that could potentially be closed due to the railroad. It would lower our current EAV, driving costs up for our schools, the Sheriff’s Department, and our townships. This means our taxes will go up and less services. He urged the County Board members to vote for what is the betterment of the whole county.
- Tom Smith made comment to those County Board members leaving (Simms, Brooks, O’Brien, and Welty), thanking them for their service.
- Robert Walsh addressed the County Board stating that on October 27, 2016, the Winnebago County Board unanimously approved a resolution of opposition to the Great Lakes Basin Railroad development and asked the Ogle County Board to do the same. A letter of concern has been written, but he would like to have the Board write a letter of opposition.
- Bill Luchsinger, a trustee from Davis Junction, addressed the County Board about the railroad project and the change in the routing of it through the heart of his village. The number of trains averages out to be one train every 13 to 15 minutes. The village passed a resolution opposing the GLBRR due to it being detrimental to the community. There is currently a rail line  $\frac{1}{4}$  of a mile within an existing line that is used for switching, let alone the police and fire response times to the community. The line will also cut through some land the village recently acquired for economic development. That will put at risk an agreement we have in place to bring in an additional restaurant, gas station and amenities for our residents. It also runs through a proposed 200-lot residential subdivision that is already plotted and zoned. This railroad is detrimental to our village and the northeast portion of our county. He asked the Board to vote unanimously to oppose the railroad. Chairman Gouker stated the Village Clerk of Davis Junction forwarded the resolution to him and it was distributed to the entire board.
- James Milligan from Kings addressed the Board. He stated that information from the last census, there are 100 counties in the United States, and Ogle County is one of them for agricultural revenues. And Ogle County is one of the top ten producing counties in the State of Illinois. The proposed railway is going to go through his livestock operation. He has 200 cows and sells cattle throughout the United States and two foreign countries. Having this railway will close his road, which he uses to access his farm from .3 of a mile. If the railway is allowed, some back roads will be closed. He will have to go 5 miles around to get to his farm to care for his animals. This may result in the farm equipment using the main roadways, Route 2, Route 64, and Route 72, instead of the back roads causing a dangerous situation for Ogle County drivers.
- Bob Brass, who lives at the Winnebago/Ogle County line, wanted to first thank the Ogle County Board for allowing people to present an opposition to this proposed railroad plan. He also came officially to the Ogle County Board meeting as the president of the board of trustees of the Stillman Valley Fire Protection district. The emergency services are very important to the rural areas. The main corridor for emergency services to get to the Rockford hospitals is right through the area that is being impacted. As stated before, there are so many uncertain things and he cannot get a straight answer from anyone. He testified to the Rockford Transportation Board, along with nearly 40 other people and no one else supported this project. On behalf of the Stillman Valley Fire Protection District

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and community, he thanked the Board for considering it and urged the Board to oppose this particular project.

- Roger Hickey, lives in Scott Township and is a trustee on the Scott Township Board. He wanted to express his opposition of the railroad based on not knowing where it will go and what it may bring into the county. He stated that if it were the 1800's and this concept was brought up, it would be graciously accepted. Nowadays, the railroads have been neglected due to the highway system. Now there are going to be benefactors from who-knows-where and they are going to improve upon our railway system. His township is heavily involved and he personally has land involved in the proposed project.
- Lauren Hintzsche, from Lynnville Township, stated that it may not pass tonight because Rochelle could possibly have some economic gains from this. On June 13<sup>th</sup>, the city council did pass a resolution against this and to please keep this in mind that they believe this will not help them at all.
- Bill Welty thanked Mr. Smith for the kind comments and the Ogle County Board for working with him over the last six years. His son has cancer and was at his home in Indiana when he happened to see the local paper which had article about the Great Lakes Basin Railway. The article stated that as many as 60 trains a day with an average of 100 cars traveling at least 60 mph. The article also spoke about the railroad signaling and the train control infrastructure that can handle up to 110 trains a day at 70 mph. The article went on to say that the LaPort County, Indiana, Board of Commissioners did go on record objecting to the project. The report that came out of the Zoning and Highway Department provided information that the anticipated train traffic was 10-12 units a day.

## COMMITTEE REPORTS

The following committee minutes have been placed on exhibit: County Infrastructure, County Security, Executive, Finance and Insurance, HEW & Solid Waste and Veterans, Judiciary and Circuit Clerk, Long Range and Strategic Planning, Personnel and Salary, Regional Planning Commission, Road & Bridge and Mapping (GIS), State's Attorney and Juvenile & Probation, and Supervisor of Assessments and Planning & Zoning.

The following committees had no minutes to file: 911 & ETS Board, Blackhawk Hills RC&D, Board of Health, G.I.S. Partnership, Liquor Commission, L.O.T.S., Mental Health 708 Board, Negotiations Committee, Public Aid Appeals, Tri-County Opportunities, and UCCI/ICRMT.

- **Executive:**
  - Policy Governing Use of County-Owned Electronic Equipment by County Board Members – R-2016-1109

County Clerk Laura Cook has been looking at alleviating all the photocopying and mailing of paperwork by purchasing tablets for the County Board and switch to a paperless format. This will save time and money in preparation of the County Board Packets for the County Board meetings. There will be a County Board Member access page on the Ogle County Webpage linking to the County Board Packets. This policy has been reviewed by the State's Attorney and would be used as a guideline for the County Board members for the use of the County owned tablets and accessories.

Griffin moves to approve R-2016-1109 as presented, Oltmanns seconds the motion.

Motion carries (Placed on file)

- Fiber Cable – Serenity House – 2016-1116

This is a resolution for Blunt International Equipment to allow them to tie off, at their own expense, the fiber to gain access to high speed internet services. It also limits our liability to that business if there would be a break in our cable. There is no cost to the County.

Nordman moves to approve R-2016-1116 as presented, Bowers seconds the motion.

Motion carries. (Placed on file)

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- **Finance:**
  - Budget and Appropriations FY 2017 – O-2016-1103

Sparrow states the General Fund is balanced. The beginning cash balance is About \$150,000.00 less than last year due to the levy rate for property tax being lower 1.3 cents. In the proposal, there is an additional \$499,500.00 and it was broken out into the County Bridge Fund, the County General Fund, County Highway Fund, and Federal Aid matching fund. A few other areas to shore up are the Insurance Premium Fund (property tax premium and Worker's Comp fund), Mental Health Fund, Social Security Fund, and the War of Veterans' fund.

Sparrow moves to approve O-2016-1103 as presented, Hopkins seconds the motion.

Bowers will be abstaining from the Sheriff's budget and the Corrections budget due to her daughter being employed by the Corrections Department.

Heuer will be abstaining from the Senior appropriation due to being an employee of one of the agencies who receive monies.

Motion carries. (Placed on file)

- **HEW:**
  - Environmental Impact Statement for Proposed Great Lakes Basin Railroad – R-2016-1110

Bowers moves to approve R-2016-1110 as presented, Colbert seconds the motion.

Colson states he is neither for nor against the resolution as presented or the overall subject of the railroad. He stated there are so many unknowns with a second proposed route, and possibly more, and the County does not know what they are dealing with. This was looked at through committee meetings, Planning & Zoning and the Highway Department put together a 25-page report to give some insight. There was only one county road involved, but it did address the township roads and state roads. There was a presentation by GREDCO that the railroad would allow them to connect from their current two class-one railroads to six class-one railroads. So between the GREDCO presentation and the 25-page report, Roads & Bridges decided it was premature to take a position on this and the consensus was to go into a "watchful waiting" mode. At Planning & Zoning, it was essentially the same thing – not enough information to take a position for or against. Welty made a correction to what Colson stated. As chairman of Planning & Zoning Commission, discussion was held and received the report from Zoning. No vote was taken at that committee, but the general comment was to look at the report in more detail and have more discussion on it. At no time was it indicated that the committee was for the project. Welty voiced his opposition to this project. He stated all the other counties in this area have gone on record to say they oppose it and this County Board should make a decision on this tonight and move forward on this motion.

Saunders states there is a possibility to rescind the resolution in the future. Voting in favor of the resolution shows support for our neighbors and those in Ogle County. Myers, Oltmanns, Heuer, Bolin, and Simms all state they will be voting to support the resolution and oppose the railroad project.

Chairman Gouker states that the resolution is strong and to the point. This project is disruptive to a lot of farms and families and we should not stand by. The other problem is they have not been forthcoming with information.

The motion to be approved by a roll call vote:

YES: Bolin, Bowers, Brooks, Colbert, Finfrock, Fritz, Griffin, Gronewold, Heuer, Hopkins, Janes, Kenney, McKinney, Meyers, Nordman, O'Brien, Oltmanns, Saunders, Simms, Sparrow, Typer, Welty, and Gouker.

NO: Colson.

ABSENT: None.

Motion carries on roll call vote. (Placed on file)

• **Judiciary & Circuit Clerk:**

- Rescind R-2015-0713 – Juror Fees in Civil Cases – R-2016-1111

Simms moves to approve R-2016-1111 as presented, Meyers seconds the motion.

Motion carries. (Placed on file)

Simms made the statement that Kim Stahl has been chosen as President of Zone 4 of the Illinois Circuit Clerks.

• **Long Range Planning:**

- Long Range Planning Invoices – R-2016-1112

SUPPLIER NAME	DESCRIPTION	AMOUNT
Stenstrom Excavation and Blacktop Group	Parking Lot – Application #2 7/8/2016 to 10/14/2016	\$ 30,306.17
Sjostrom & Sons, Inc.	General Construction Package County Maintenance #8 through October 2016	\$ 22,163.32
Saavedra Gehlhausen Architects	Professional Services – October 2016 Maintenance Projects	\$ 600.89
HOK		\$ 10,000.00
Fehr Graham	Conceptual Planning Rochelle EOC	\$ 19,083.25
	TOTAL:	\$ 82,153.63

Griffin makes a motion to approve R-2016-1112 as presented, Janes seconds the motion.

Motion carries (Placed on file)

- Location for Jail Project – R-2016-1113

A short presentation was given by Jeff Goodale of HOK regarding the location of the new jail project. A slide show was presented to show what the finished project may look like and Mr. Goodale explained finishes and reasons for placement of certain aspects of the facility. The facility site would provide room for expansion in the future and consolidate the Sheriff's Office with the Judicial Center. The cost at this point is roughly \$20,000,000 for the building and an approximate total cost of \$25,000,000. This is still a concept and there is more work to be done. At the last meeting, there was question as to whether the area near the current Sheriff's Office might be suitable for the project. After looking into that site, there are issues. The first is poor soil conditions and this could add up to 20% to the building costs due to having to add structural piers, not a standard foundation. The site is also not large enough and would force the addition of a third level, adding costs. There are other buildings on the current site which house other County offices. To move these offices would not be exorbitant but it would add costs. The site constraints are also an issue. It would make expansion very difficult. The Sheriff's Office would still have to move prisoners from the facility to the Judicial Center causing additional operating costs.

Gronewold asked if the third floor is included or not. Goodale stated he was asked to show it and it could change. These are only concepts at this point.

Welty stated that the Finance Committee has not been asked about the financing of this project. He asked to have the project tabled until next month due to new Board Members being added and they may want to have more information regarding this project. Chairman Gouker states that the resolution states that this resolution is not a final cost; it's a concept and a location. This is a step in the process. Saunders states that the current members of the board should vote on the location. Hopkins stated the facility is being placed in the right place but questioned the closing of the street. Chairman Gouker stated that the County is working with the City of Oregon to determine that. Griffin states that this is still in the concept phase and it is merely to determine the location.

Griffin makes a motion to approve R-2016-1113 as presented, Sparrow seconds the motion.

The motion to be approved by a roll call vote:

YES: Brooks, Colbert, Colson, Finfrock, Fritz, Griffin, Gronewold, Heuer, Hopkins, Janes, Kenney, McKinney, Nordman, O'Brien, Oltmanns, Saunders, Simms, Sparrow, Typer, Bolin, Bowers, and Gouker.

NO: Meyers, Welty.

ABSENT: None.

Motion carries on roll call vote. (Placed on file)

o Project Updates – Griffin

Pictures of the refinished third floor flooring were shown and over the next few weeks the other floors will be done. The granite work on the courthouse stairs has been completed.

EOC project – update next month's meeting

• **Road & Bridge:**

- o 2017 County Maintenance Resolution – 17-00000-00-GM – Appropriate \$883,083 County MFT (Labor & Salt) – R-20016-1114

Janes moves to approve R-2016-1114 as presented, Colson seconds the motion.

Motion carries (Placed on file)

- o Support of the Illinois Transportation Legislative Initiative to Benefit the Economy & the Citizens of Illinois – R-2016-1115

Janes moves to approve R-2016-1115 as presented, Bolin seconds the motion.

Motion carries (Placed on file)

**Unfinished and New Business:**

- Chairman Gouker presented certificates and well wishes to those members leaving the County Board. A resolution, R-2016-1117, to honor Jerry Brooks for 53 years of service to the County was presented. Mr. Brooks has served as a Deputy Sheriff, Sheriff for 20 years and County Board for 21 years, with perfect attendance at meetings. He was presented with an Honorary Member for Life to the County Board.

Typer moves to approve R-2016-1117 as presented, Bowers seconds the motion. Heuer moves to have general consensus – unanimous attendees, Hopkins seconds the motion.

Motion carries (Placed on file)

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**Chairman Comments - NONE**

**Vice-Chairman Comments –**

- Losing four hard working individuals and gaining four new board members

**Closed Session** – At 7:02 p.m., a motion made by Sparrow to move into Closed Session to review Closed Session Minutes, second by Janes.

The motion to go into closed session by a roll call vote:

YES: Colbert, Colson, Finfrock, Fritz, Griffin, Gronewold, Heuer, Hopkins, Janes, Kenney, McKinney, Meyers, Nordman, O'Brien, Oltmanns, Saunders, Simms, Sparrow, Typer, Welty, Bolin, Bowers, Brooks, and Gouker.

NO: None.

ABSENT: None.

Motion carries on roll call vote. (Placed on file)

7:10 p.m. – return from Closed Session – Since the Closed Minutes were not placed on the Agenda, these will be approved at the December County Board meeting (for content only).

**Adjourn Meeting**

At 7:10 p.m., there being no further business, Sparrow moves to adjourn the meeting until Monday, December 5, 2016, at 5:30 p.m., at the Courthouse in Oregon. Kenney seconds and the motion carries.

Chairman, Kim P. Gouker  
Ogle County Board

Attest: Laura J. Cook, Ogle County Clerk &  
Ex-officio Clerk of the Ogle County Board

Proceedings of the Ogle County Board Meeting  
Closed Session  
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The County Board goes into Closed Session at 7:02 p.m., Chairman Gouker states the County Board Closed Session per 5 ILCS 120/2 (c) (21) for Review and Approval of December 15, 2015 and July 19, 2016 Closed County Board Minutes (content only and subject to State's Attorney review of Closed Minutes). Present: Colbert, Colson, Finrock, Fritz, Griffin, Gronewold, Heuer, Hopkins, Janes, Kenney, McKinney, Meyers, Nordman, O'Brien, Oltmanns, Saunders, Simms, Sparrow, Typer, Welty, Bolin, Bowers, Brooks, and Gouker. Others in attendance: State's Attorney Eric Morrow and County Clerk and Recorder Laura J. Cook.

**Review of Closed County Board Meeting Minutes:**

Chairman Gouker informs the board the minutes for approval of content is being distributed for review. These minutes will need to be returned as they are not open to the public.

Saunders asks if someone from the County Clerk's Office should be present during Collective Bargaining discussions. Chairman Gouker states he has asked that County Clerk and Recorder Cook transcribe the minutes.

Since this topic was not placed on the County Board Agenda, we will review the minutes this month and approve them at the December County Board Meeting.

At 7:10 p.m., Sparrow moves to return to Open Session and Bolin seconds.

Chairman, Kim P. Gouker  
Ogle County Board

Attest: Laura J. Cook, Ogle County Clerk &  
Ex-officio Clerk of the Ogle County Board

Open Meeting by State's Attorney  
& Legislative Committee  
Resolution dated 12-2016 0417

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