Proceedings of the Ogle County Board Meeting April 18, 2006

State of Illinois)
County of Ogle) ss
City of Oregon)

Call to Order

Chairman Gocken calls the meeting to order at 5:35 p.m.

Roll Call

The roll call shows Hoekstra, Nye and Swanson are absent. The invocation is given by Spencer and this is followed with the Pledge of Allegiance to the Flag.

Approval of Minutes

Chairman Gocken asks for a motion to approve the March 22, 2006, Ogle County Board meeting minutes. Bauer moves to approve the March 22, 2006, Ogle County Board minutes. Kenney seconds and the motion carries on a voice vote.

Approval of Reports

Colson moves to accept and place on file the monthly reports of the Treasurer, County Clerk/Recorder and Circuit Clerk. Bauer seconds and the motion carries on voice vote.(Placed on file)

Hearings - John Thompson - Enterprise Zone Ordinance

Chairman Gocken introduces John Thompson, President/CEO/Zone Administrator to the board and states he is here to explain the Enterprise Zone Ordinance. The Ordinance is an application to the State of Illinois for Zone changes - boundary - 10-year Extension - Abatement Schedule change to 50/50 and technical language. After discussion, Chairman Gocken states the board will need to suspend the rules in order to vote on this Ordinance as presented tonight. Rice moves to suspend the rules in accordance to the Ogle County Rules of Order #25. Colson seconds and a roll call vote is called:

YES: Heuer, Hopkins, Horner, Huntley, Kenney, Lewandowski, Rice, Saunders,

Scholl, Spencer, Stahl, White, Zuehl, Bauer, Boes, Brooks, Clayton,

Colbert, Colson, Gouker and Gocken

NO: None

ABSENT: Hoekstra, Nye and Swanson

The motion carries on a voice vote.

Rice makes the motion to adopt the Ordinance Amending Lee County Enterprise Zone #9. Colson seconds and the motion carries on a voice vote.(Placed on file)

Kenney makes the motion to adopt Amendment #9, Spencer seconds and the motion carries on a voice vote.(Placed on file)

Circuit Clerk Annual Report

Marty Typer reviews the Ogle County Circuit Clerk 2005 Accomplishments listed on page 6 and 2006 Goals listed on page 20.

Marty also reviews the 2005 Goals on page 20 with the board members and a Frequently Asked Questions page with the board.

Vacancies -

Chairman Gocken announces the following vacancies:

- Board of Health 3 vacancies
- Board of Review 1 vacancy (Democrat)
- Civic Center Authority Board 3 vacancies

The deadline for applications will be Friday, April 28, 2006, at 4:30 p.m. in the Ogle County Clerk's Office

- Byron Museum District 1 vacancy
- 9-1-1 ETS Board 5 vacancies

Application deadline will be Friday, June 2, 2006 at 4:30 p.m. in the Ogle County Clerk's Office

Appointments -

Chairman Gocken announces the following appointments:

Planning Commission

Chairman Gocken announces the committee has recommended Ron Colson fill the unexpired term which ends April 30, 2008. Hopkins moves to approve the appointment, Heuer seconds. Scholl says he attended a meeting down state regarding zoning and at that time he was informed it was not right for a County Board Chairman to testify at the Zoning Board of Appeals. When the Planning Commission sends a recommendation to the Zoning Board of Appeals, he feels the this is like a county board person testifying at the ZBA. Scholl states he knows Ron is qualified, but he is against this appointment. Colson states the Planning Commission no longer appoints Colson as the representative for ZBA hearings. He states this practice has been discontinued and Lloyd Funk now attends the hearings. A roll call vote is called:

A roll call vote is called:

YES: Hopkins, Horner, Lewandowski, Rice, Spencer, Stahl, White, Boes,

Brooks, Colbert, Colson, Gouker, Heuer and Gocken

NO: Huntley, Kenney, Saunders, Scholl, Zuehl, Bauer and Clayton

ABSENT: Hoekstra, Nye and Swanson

The motion carries on a roll call vote. (Placed on file)

Planning Commission

Chairman Gocken announces the committee has recommended Randy Ocken to the Ogle County Planning Commission for a full term which ends April 30, 2009. Bauer moves to approve the appointment, Scholl seconds and the motion carries on a voice vote.(Placed on file)

Planning Commission

Chairman Gocken announces the committee has recommended Lloyd Funk to the Ogle County Planning Commission for a full term which ends April 30, 2009. Zuehl moves to approve the appointment, Colson seconds and the motion carries on a voice vote.(Placed on file)

Lost Nation/New Landing River Conservancy District

Chairman Gocken announces the appointment will not be made for the Lost Nation/New Landing River Conservancy District tonight.

Zoning Board of Appeals

Chairman Gocken announces the committee has recommended Maurice Bronkema to the Zoning Board of Appeals as a regular member for a term which ends April 30, 2011. Hopkins moves to approve the appointment, Bauer seconds and the motion carries on a voice vote. (Placed on file)

Zoning Board of Appeals

Chairman Gocken announces the committee has recommended Randall Anderson to the Zoning Board of Appeals as an alternate member for a term which ends April 30, 2011. Scholl moves to approve the appointment, Hopkins seconds and the motion carries on a voice vote. (Placed on file)

Forreston Fire Protection District

Chairman Gocken announces the committee has recommended Rich Groenwold to the Forreston F.P.D. for a full term which ends April 30, 2008. Scholl moves to approve the appointment, Kenney seconds and the motion carries on a voice vote. (Placed on file)

Lynn-Scott-Rock Fire Protection District

Chairman Gocken announces the committee has recommended Michael Seaworth to the Lynn-Scott-Rock F.P.D. for a full term which ends April 30, 2008. Hopkins moves to approve the appointment, Kenney seconds and the motion carries on a voice vote.(Placed on file)

Leaf River Fire Protection District

Chairman Gocken announces the committee has recommended Rayetta Nelson to the Leaf River F.P.D. for a full term which ends April 30, 2008. Bauer moves to approve the appointment, Kenney seconds and the motion carries on a voice vote. (Placed on file)

Oregon Fire Protection District

Chairman Gocken announces the committee has recommended David Hughes to the Oregon F.P.D. for a full term which ends April 30, 2008. Horner moves to approve the appointment, Brooks seconds and the motion carries on a voice vote. (Placed on file)

Zoning - Final Plat - Sinnissippi Point

The clerk presents the Final Plat for "Sinnissippi Point" (Dan Luepkes) – A Subdivision located in part of the E1/2 SE1/4 Section 15, part of W1/2 SW1/4 Section 14, and part NE1/4 NE1/4 Section 22, Oregon-Nashua Township 23N, R10E of the 4th P.M., Ogle County, IL, 42.20 acres, more or less. P.I.N.: 16-15-351-001 and part 16-15-428-002. Hopkins moves to approve the Final Plat for Sinnissippi Point subject to all staff comments being satisfactorily addressed. Zuehl seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge

Clayton states information regarding Road and Bridge Ordinance, Resolutions and Agreements have been included in your packet and in the Road and Bridge Committee minutes.

Road & Bridge - Ordinance - Altered Speed Zones - Eagle Point Rd - Holcomb Rd - Lindenwood Rd - Montague Rd - Pines Rd and Woodlawn Rd

Clayton states last month we presented an Ordinance in regard to speed studies on Eagle Point Rd - Holcomb Rd - Lindenwood Rd - Montague Rd - Pines Rd and Woodlawn Rd. Clayton moves to approve this Ordinance, Colson seconds and the motion carries on a voice vote. (Placed on file)

Road & Bridge - Resolution - Class II Truck Route - Daysville Rd

Huntley moves to approve the resolution for a Class II Truck Route on Daysville Rd from Illinois RT 64 South to BNSF Railroad. Spencer seconds and the motion carries on a voice vote. (Placed on file)

Road & Bridge - TARP Agreement - Daysville Rd - 05-00235-00-CH

Clayton states this agreement for participation by the State of Illinois in the cost to construct and engineer Section 05-00235-00-CH, Daysville Rd and IL RT 64 improvements. The cost of the project for Ogle County is \$130,709 and the State of Illinois \$1,151,494 for said project. This agreement is necessary as Ogle County is the lead agency for project containing County and State improvements. Clayton moves to approve this agreement, Huntley seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Resolution - County Sealcoat Program - 06-00000-02-GM

Colson moves to approve the resolution for \$202,000 from Federal Aid Matching Fund for Section 06-00000-02-GM for the County Sealcoat Program. Huntley seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Local Agency Agreement - Daysville Rd - 05-00234-00-RS

Clayton moves to approve the Local Agency Agreement for Federal Participation, Daysville Rd Overlay from Northern Santa Fe RR bridge to Lighthouse Rd. This is for Section 05-00234-00-RS in which Ogle County share will be \$80,000 and Federal share will be \$320,000. Huntley seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Local Agency Agreement - Edson Rd - 01-22113-00-BR

Huntley moves to approve the Local Agency Agreement for Edson Road Bridge Replacement. This is for Section 01-22113-00-BR in which the Ogle County share will be \$43,000 and Federal share will be \$172,000. Colson seconds and the motion carries on a voice vote.(Placed on file)

Recess to refer claims to a committee

At 6:30 p.m., Chairman Gocken asks for a motion to recess and refer claims to committee. Zuehl moves, Heuer seconds and the motion carries on a voice vote. Chairman Gocken calls the meeting back to order at 6:45 p.m.

Claims

The clerk reads the claims for the General Fund - \$103,299.75 and the County Highway Fund - \$194,463.30. Huntley moves to approve the claims as read, Horner seconds and the motion carries on a voice vote.(Placed on file)

COMMITTEE REPORTS

The following committees had no additional report other than the minutes that are placed on an exhibit: Finance and Revenue, Judiciary & Circuit Clerk, Juvenile & Probation, Sheriff & Coroner, State's Attorney & Legislative and Road & Bridge. The following had no minutes to file: Board of Health, Planning Commission, Safety Committee, Long Range Planning, 911 ETS Board, Liquor Commission, Executive Committee, G.I.S. Committee, Ill Risk Management and Byron Dragway.

Chairman Gocken thanks the Buildings and Grounds Committee for the work completed in the new County Board Room. She does ask to have something placed on steps behind Chairman area for safety.

County Clerk Minutes placed on exhibit

<u>Judges of Election</u> County Clerk Huntley informs the board she has distributed

Democratic and Republican Judge of Election lists on the desks for review. The same lists will be on file in the County

Clerk's Office and these will be voted on next month.

Buildings & Grounds Minutes placed on exhibit

<u>Animal Control</u> Zuehl received a letter from Dr. Champley and we would like

permission to use the back end of the Health Department on May 6th to hold a Micro-chip Clinic for dogs and cats and you must be an Ogle County resident. Zuehl moves to approve the request, Horner seconds. Heuer calls for Point of Order to the Chairman regarding the motion. Heuer states the motion was not on the County Board Agenda and cannot be voted on tonight. There was discussion and it was a consensus that Dr Champley does not need permission to use the facility.

H.E.W. & Solid Waste Minutes placed on exhibit

Recycling Event Chairman Gocken states they had 675 cars representing 888

households for the Household Hazardous Waste Day.

Grants Chairman Gocken informs the board of grants available for

Clean-up Days for municipalities.

Planning, Assessment &

Minutes placed on exhibit Zoning

Hopkins states they will be holding hearings this month. Meeting

Blackhawk Hills RC&D Newsletter on exhibit

Meeting Colson states the newsletter has been distributed.

Illinois Assoc. of

County Board Members Update on exhibit

Update Clayton states she has distributed Update information to the

board members and see her if there any questions.

U.C.C.I. No minutes

Report Heuer updates the board members on some legislation - Let

them rest in Peace Act has been signed by the Governor and

the Highway Access Bill has passed both Houses.

Illinois Risk Mgmt No minutes

Meeting Heuer states there will be a meeting next month.

Mental Health Board Minutes placed on exhibit

<u>Update</u> Horner says there is a quarterly update placed on the desks.

They will begin to hold hearings for funding soon.

Tri-County

Opportunities Minutes placed on exhibit

Spencer says the next meeting will be on April 26th at Meeting update

7:00 p.m. in Dixon.

Personnel & Salary Minutes placed on exhibit

Elected Official Salaries Saunders says the Personnel & Salary Committee has

> recommended salaries for the Treasurer, County Clerk, Circuit Clerk and Sheriff and taken this information to the

Finance Committee.

<u>County Clerk and Treasurer:</u> Saunders makes the motion to set the salary of the County Clerk and Treasurer to \$60,000 beginning December 1, 2006. Then there would be a \$2,500 increase December 1, 2007, \$2,500 increase on December 1, 2008 and \$2,500 increase on December 1, 2009. Stahl

seconds and the motion carries on a voice vote.

Sheriff: Saunders makes the motion to set the salary of the Sheriff at \$68,000 beginning December 1, 2006 with a \$2,500 increase on December 1, 2007, \$2,500 increase on December 1, 2008 and \$2,500 increase on December 1, 2009. Horner seconds and the motion carries on a voice vote.

<u>Circuit Clerk:</u> Stahl makes the motion to set the salary for the Circuit Clerk at \$60,000 beginning December 1, 2006 with an increase of \$2,500 on December 1, 2007. This is a 2 year recommendation to coincide with the Election of the Circuit Clerk. Horner seconds and the motion carries.

Long Range Planning

No minutes

<u>Update</u>

Gouker states there are 5 areas of concern which are being addressed at this time. Jerry Guy also reviews information regarding the Judicial Center with the board members. There was discussion regarding the roof and insulation questions/problems and remaining punch lists from the various contractors.

Gouker reviews bills regarding the appraisal of the properties located on South 6th St in the amount of \$275 and freight charges for security barriers in the amount of \$195. Gouker states there was a motion made at the Executive Committee meeting to withhold payment for Green & Associates. Gouker states this is up for discussion to the board. Clayton states the Executive Committee would like to see an itemized bill and she feels the entire County Board should also have this itemized bill from Green & Associates. There was more discussion regarding contractors and the punch lists for the Judicial Center. Gouker states Green & Associates are the only ones who work for the County and looks out for the County's interest. Scholl states it was Buildings and Grounds who pointed out the problem regarding the upstairs attic, he asks why didn't Green & Associates find the problem regarding the insulation and lightning rods and take care of the problem? Guy states there was an argument between contractors as to who could install the pads of the lightning protection system. Lewandowski states Green & Associates is a no-risk contractor and would be considered a project manager. He assumes this was done to save the county money. What happens when a punch-list gets to the end of a project, these are problems that were not scoped out at the beginning of a project because nobody felt it was their responsibility and now there is a stand-off as to who is to complete this. These are punch-list items that are not major show stoppers. Some of the contractors were held hostage for things possibly not being scoped out or managed properly. He states some contractors have done the work as asked and payment should not have been held. He states not paying contractors will lead to more problems, like suppliers not getting paid. Lewandowski states it is the construction managers responsibility to get this job done, but there is only so much we can do to lean on them. Green & Associates are not doing at-risk work they are only doing managing work. He states while these problems are frustrating but they are not bad problems. There was discussion regarding the number of representatives from Green & Associates and billing for those services. Rice moves to approve the Long

Range Planning bills in the amount of \$398,065.07 from the Project Fund and \$275 to be paid from the Long Range Capital Improvement Fund. Hopkins seconds. Spencer says he would like to see the Heating and Cooling system problem finalized. Guy states Arnold & O'Sheridan have been monitoring the system and are working with Alpha Controls on making adjustments as needed. The motion carries on a voice vote.

IT Committee Minutes placed on exhibit

<u>Fiber Use</u> Colson states information was distributed this evening for

you to review.

Liquor Commission Minutes placed on exhibit

Meeting Chairman Gocken announces there will be a meeting next

Monday to approve the renewal of the Ogle County Liquor

Licenses.

G.I.S. Committee No minutes

<u>Update</u> Curtis D. Cook states interviews are underway for the G.I.S.

Specialist vacancy.

Chairman Comments

Chairman Gocken apologizes for the attempt to listen to the March closed minutes of the Executive Committee at the last meeting. The disk provided was not the closed minutes but was the March 22^{nd} County Board Meeting.

Chairman Gocken speaks to the board regarding the dissolving of the Long Range Planning Committee. She does not want to see this committee dissolved and has a couple of things to say about this before the decision is made by the board. The Long Range Planning Committee was formed in 1998 with the purpose to study and determine current and long term needs of the various offices and departments of the county. According to the minutes of the Long Range Planning Committee dated October 6, 1998, the charges for the committee is as follows:

- Committee formed for the next 50 years
- Report directly to the Executive Committee
- Gather all information available (past and present) and assess it
- Look at immediate needs (25 years)
- Make recommendations for future needs (50 years)
- First priority to be property West of the Courthouse
- Judges want courts in the present Courthouse later the architects determined there was not enough space in the current courthouse
- Finance Committee to deal with funding
- If outside consultant or general expertise is needed, notify the Executive Committee
- Chairman Gouker will be spokesperson for this committee
- Reminded to remain in compliance with the Open Meetings Act

Chairman Gocken reads the duties of the Buildings and Grounds Committee listed in the Ogle County Yearbook. Green & Associates are here to give us options, ideas and possibilities, so that we the client can make the decisions. They are to keep track of the building progress and keep the board apprised as to what is happening and look out for the best interest of the county. These items would need to be addressed if the LRP Committee is dissolved - special hearings and a 3/4 vote to amend the budget and the Executive Committee would be in charge of this and the duties of the Buildings and Grounds Committee would need to be changed and this will take a 2/3 vote. There will soon be a new County Administrator and in December there will be a new Chairman and seven new County Board members. One of the questions asked of the candidates for the Administrator position was "How would you change the committees?" and both choices said it would take about 6 months to assess.

Communications

- Sales Tax for November 2004 was \$29,172.46 and \$65,583.20
- Sales Tax for November 2005 was \$27,762.91 and \$65,206.16
- Sales Tax for December 2004 was \$40,924.26 and \$57,211.26
- Sales Tax for December 2005 was \$47,428.97 and \$73,048.22
- Sales Tax for January 2005 was \$24,352.14 and \$58,503.58
- Sales Tax for January 2006 was \$30,487.68 nd \$65,788.46
- Public Notice US Army Corps of Engineers Monthly Notice

Unfinished Business

Chairman Gocken states we have a motion: "Motion to recommend the Long Range Planning be dissolved and the project for the Judicial Building and future projects be turned over to the Buildings and Grounds from this time forward." Heuer states Point of Order from the Parliamentarian and reads a prepared statement. (Placed on file) Heuer states the first part of the motion can stand, however the second part of the motion cannot stand. Heuer states the Buildings and Grounds Committee does not have the duties assigned to them. Heuer states any duties of the Long Range Planning would revert to the Executive Committee. Kenney amends the motion to say "Motion to recommend the Long Range Planning Committee be dissolved." Heuer states Kenney can make the motion to strike the last portion of the original motion. Kenney then makes the motion to recommend the Long Range Planning Committee be dissolved and strike the last portion of the motion in accordance with Robert's Rule of Order. Saunders seconds. Kenney states Heuer should be commended for all of her work on this issue. Kenney states we shouldn't loose sight of the issue that brought this motion to the floor. He states inappropriate comments were made from a person of authority to the press that were egregious to the possibility of liquidating county property. Gouker states he did not have an interview with the press and these comments were made in an open session of a meeting. Kenney states he did err when previously stating the comments were made in a closed session. Kenney asks Gouker if he is denying he made the comment. Heuer calls for Point of Order and states we need to stay on what is germane according to the Robert's Rule of Order. She states anything of this nature should go before the State's Attorney Committee for review. Otherwise, Heuer states she will evoke Robert's Rule of Order. A board member calls for the question. White calls Point of Order since there was no second on the call for question and would like to continue with the discussion. White asks how many people are appointed to the Long Range Planning Committee? It was stated there are approximately 16 people on the committee. White states we are going to abolish a committee of 16 people because of a comment one committee member may have made. White states he agrees with Chairman Gocken that this should be taken care of with the new administration and new County Administrator. Brooks agrees and states he would like to see this vote held off until the new administration and administrator come in and they can review the situation. Brooks also states he will be voting no on this issue. Colson states the LRP Committee and Green & Associates are now completing the biggest project in the history of the county. We have occupied this building ahead of schedule and we are finishing this project under budget. Colbert asks if the LRP Committee is committed to 50 years, how long is Green & Associates committed to the county? Gouker states the

contract with Green & Associates and Potter-Lawson can be terminated at anytime. Once the project has been completed the association with Green & Associates will also be done. Colbert asks Gouker if Green & Associates have been consulted on the remodeling of the current courthouse and the property located on S. 6th Street? Gouker states there has been some consultation with the architects on the current courthouse. As far as the other properties, the Executive Committee has asked Green & Associates to look into procedures. Rice asks for clarification regarding the LRP Committee being a committee formed for the next 50 years. Rice states when he was appointed to the committee, he interpreted the committee was to look for space needs for the next 50 years and not anything to do with the committee being in place for 50 years. Chairman Gocken does not have the exact verbiage at this time and will need to look this information up. Boes thinks this decision was made in hast and would be an injustice to dump this on the Buildings & Grounds Committee right now if they are not ready to take on the task. Lewandowski states in theory the LRP Committee is a valuable committee to the whole county and has a huge responsibility charged to this committee. He says the parameters of the committee was put together by the Chairman and the oversight should be made by the board. Sometime during this process there was a breakdown in communication. He will be voting to keep the LRP Committee and would like to see the internal problem identified and move on. Coffman interjects on the comment regarding the amending of the budget, he would have to do more research but does not think this will need to be done. The money has been appropriated and the Executive Committee is overseeing the spending. Roe feels the majority of the board can dissolve the committee and he would have to do more research into the amending of the budget. Rice states since there seems to be personality conflicts with different members of the board, maybe the current LRP Chairman should resign and have the committee appoint another Chairman. Chairman Gocken states normally the Chairman of Committees are appointed by the Chairman of the Board. Rice said this is just a suggestion. Chairman Gocken says it could be but she has not talked to him about it. Heuer states we have to vote on the amended motion regarding striking of the last part of the motion. County Clerk Huntley states the motion will strike "and the project for the Judicial Building and future projects be turned over to the Buildings and Grounds from this time forward." The motion carries on a voice vote. Heuer states we now return to the main motion. Chairman Gocken states the motion is to recommend the Long Range Planning Committee be dissolved. A roll call vote is called:

YES: Horner, Huntley, Kenney, Rice, Saunders, Scholl, Spencer, Stahl, Zuehl,

Bauer, Clayton and Colbert

NO: Hopkins, Lewandowski, White, Boes, Brooks, Colson, Gouker, Heuer and

Gocken

ABSENT: Nye, Swanson and Hoekstra

The motion carries on a roll call vote.

New Business

Don Huntley reminds candidates to pick-up all remaining signs in Pine Rock Township.

Public Comments

Don Conn reads a prepared statement regarding the possible illegal reviewing and/or taping of Closed Committee meetings. (Placed on file) Saunders asks if someone else other than the clerk was taping the meetings? Chairman Gocken asks Heuer where the tape used for the Executive Committee to review was obtained and Heuer states she received it from the State's Attorney Office. Chairman Gocken states she asked Laura from the clerk's office if she had the tape of the Closed Session of the Executive Committee. Laura said she did have the recording and she did not give the recording to anybody. Laura also stated she would not give the recording to anybody without the

direction of County Clerk Huntley. Mr. Conn has been conversing with State's Attorney Roe and he made the comment he came into possession of the disk through Gouker. Mr. Conn would like to know if copies are to be turned into the County Clerk's Office for the official record, why is Gouker providing the State's Attorney with another copy? Chairman Gocken said she didn't know that he had. Conn states this is totally illegal according to the Open Meetings Act. Chairman Gocken asks Gouker to refrain from copying tapes. Roe states he didn't know what was on the disk or listen to the disk, it was picked up while he was in a meeting and taken to the Executive Committee meeting. Stahl asks if there are additional tapes being made? Bauer states this is part of the process breakdown which Lewandowski has commented on this evening.

Brooks asks Chairman Gocken if she was able to find out any information to report regarding the Sales Tax for the Super Mix Plant in Monroe Center? Chairman Gocken states there are procedures which need to be followed to get an answer and will bring this up at the next County Board Meeting.

Motion to Adjourn

At 8:30 p.m., Kenney moves to adjourn the April Ogle County Board meeting until Tuesday, May 16, 2006, at 5:30 p.m. at the Ogle County Courthouse. Horner seconds and the motion carries on a voice vote.

Betty Gocken Chairman Ogle County Board

Attest: Rebecca Huntley, Ogle County Clerk & Ex-officio Clerk of the Ogle County Board