

Proceedings of the Ogle County Board

August 19, 2003

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..

Adjournment of July 15, 2003, Ogle County Board Meeting

Chairman Gocken asks for a motion to adjourn the July 15, 2003, Ogle County Board Meeting. Don Huntley moves to adjourn the July 15, 2003, Ogle County Board Meeting. Ron Colson seconds and the motion is carried on a voice vote.

Amendment of the Agenda

Chairman Gocken states that she would to entertain a motion to amend the agenda for tonight, you have received an amended agenda on your desks. The Open Meetings Act 5 ILCS 120/1.01, to paraphrase the act, the 48 hours advance notice shall not include the consideration of items not specifically set forth on the agenda. Attorney Kim Krahenbuhl has notified her that there is an item regarding the McKnight quarry request that needs to be presented. This is listed as pending litigation in Closed Session under Old Business. Shirley Clayton moves to amend the agenda, Ron Colson seconds and the motion carries on a voice vote.

Chairman Gocken also states that there may be a change in the agenda order tonight. Steve Rypkema had to leave on a family emergency and will give his presentation when he arrives.

Roll Call:

Roll call shows Hoekstra, Hopkins*and Johnson are absent. The Invocation is given by Kim Gouker and this is followed with the Pledge of Allegiance to the Flag. (*enters at 5:40 p.m.)

Approval of Minutes

Don Conn moves to approve the minutes of the July 15, 2003, Ogle County Board meeting. Tom Scholl seconds and the motion carries on a voice vote.

Approval of Reports

Ed Rice moves to accept and place on file the monthly reports of the Circuit Clerk County Clerk/Recorder and Treasurer. Chris Remhof seconds and the motion carries on a voice vote.(Placed on file)

Public Hearing - General Obligation Bonds

Chairman Gocken states that we will now have a Public Hearing to receive public and board comments on the proposal to sell and not to exceed \$15,000,000 General Obligation Bonds or Alternate Revenue source for the purpose of financing costs of building and equipping a new judicial facility and altering, repairing and equipping the existing Ogle County Courthouse, including costs related to parking facilities and infrastructure and the relocation of the County Health Department necessitated thereby. Chairman Gocken asks if there are any comments from the members of the County Board? There are no additional comments from members of the board. Chairman Gocken asks if there is any written testimony concerning the proposed issuance of the Bonds? County Clerk Huntley states that there is not. Chairman Gocken asks for oral testimony or any public comments concerning the proposed issuance of the Bonds? There are no additional comments from the public. Chairman Gocken announces that all persons desiring to be heard have been given an opportunity to present oral and written testimony with respect to the proposed issuance of the Bonds. Shirley Clayton moves to adjourn the hearing, Tom Scholl seconds and a roll call vote is called:

YES: Hopkins, Horner, Huntley, Meadows, Nye, Remhof, Rice, Saunders, Scholl, Spencer, Stahl, Swanson, Zuehl, Bauer, Brooks, Clayton, Colbert, Colson, Conn, Daws, Gocken and Gouker

NO: None

ABSENT: Johnson and Hoekstra

Chairman Gocken declared the motion carried and the hearing is adjourned.

Jim Woolbright - City of Rochelle Building Inspector

Chairman Gocken states that Fred Horner has requested Jim Woolbright the Building Inspector of Rochelle speak to the board. Fred Horner introduces Mr. Woolbright to the board. Mr. Woolbright states the City of Rochelle has a Permit Fee System for building homes, additions, industrial projects, decks and pools. Fred Horner comments there is no building code in Ogle County and there is no protection to future homeowners. He also stated that insurance rates are higher in areas where there is no building code. The following cities/villages do have a Building Code: Rochelle, Davis Junction, Stillman Valley, Byron and Oregon. There was discussion regarding the scheduling for the County wide Building Department and how calls would be handled. It was asked as to how many inspections per house are made? Mr. Woolbright states the minimum is three inspections and this would be up to the Building Department to establish. Bill Spencer asks if this department would be funded by county money? Woolbright states most of the money would come from the fees that are established and the building department should be at least 75% solvent. Woolbright also states Lee and Ogle Counties are the only counties in the area that do not have a building code. He states good contractors want a building code. He states Ogle County could adopt the International Building Code and rewrite the code to the county's specifications. Chairman Gocken refers this matter to the Zoning Committee for further consideration. It was discussed to have Zoning Committee report back to the County Board at the March, 2004 Ogle County Board Meeting. Chris Remhof asks Mr. Woolbright if Mike Reibel could call and ask questions and would there be a fee for the help? Mr. Woolbright comments that he would be willing to answer questions as long as they do not get into the meat of the code.

Vacancy

Chairman Gocken announces that there is a vacancy on the Ogle County Housing Authority for a 5 year term that ends 10/31/2008. The application deadline for this appointment will be Friday, October 3, 2003, at 4:30 p.m. in the Ogle County Clerk's Office.

Resolution - Circuit Clerk Fees

Chairman Gocken states this information was included in the County Board Packet and asks that the clerk read the resolution. Jerry Daws comments that HB269 became law on July 1, 2003, and the Circuit Clerk's in the 15th Judicial District have recommended the maximum charge on all but 16 of the fees. The increases will become effective on September 1, 2003. The committee will recommend the adoption of the resolution. Jerry Daws moves to approve the resolution to increase certain Circuit Clerk Fees, Bobbie Colbert seconds. Chris Remhof states that he is very happy with the work that the Judiciary & Circuit Clerk Committee has done with these recommendations. The motion carries on a voice vote. (Placed on file)

Jerry Daws comments that at the September County Board Meeting, Judge Pemberton will present a resolution (SB267) for Court Fees that will be used for Court Security.

Solid Waste Presentation

Chairman Gocken says that in light of Steve Rypkema not being here at this time, we will move forward and come back to him when he arrives.

Zoning - Taylor Township by Mel Jackovich, Trustee

The clerk reads the petition of Taylor Township by Mel Jackovich, Trustee, 708 Rock Ct., Dixon, IL, 61021 and Lost Nation New Landing River Conservancy District by Tina O'Malley, President, 100 Park Dr., Dixon, IL for a Special Use Permit in the R-2 Single-Family Residence District to allow a fire and ambulance substation on property described as follows, owned by Lost Nation New Landing River Conservancy District and to be gifted to Taylor Township: *Part of NE 1/4 of SE 1/4 Section 9 Taylor Township 22N, R10E of 4th P.M., Ogle County, IL, 1.00 acre, more or less. P.I.N.: Part of 22-09-276-015 - Common Location: 200 Block of W. Flagg Rd.* Tom Scholl moves to concur with the Zoning Board of Appeals and approve this request. Don Conn seconds. Bill Spencer asks if accommodations have been made for the septic system? Tom Scholl states that this matter will be taken care of.

Zoning - Randall L. Martin and Eileen & Arnold Engelkens

The clerk reads the petition of Randall L. Martin, 312 E. First St., Box 2, Leaf River, IL and Eileen & Arnold Engelkens, 16706 W. Elkhorn Rd., Polo, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to IA Intermediate Agricultural District on property described as follows, owned by Eileen & Arnold Engelkens and being purchased by Randall L. Martin: *Part of SW 1/4 of SW 1/4 Section 12 Brookville Township 24N, R7E of the 4th P.M., Ogle County, IL, 22.54 acres, more or less - P.I.N.: 06-12-100-003 and part of 06-12-100-004 - Common Location: 5000 Block of Mt. Vernon Rd.* Tom Scholl moves to concur with the Zoning Board of Appeals and approve this request. Jerry Daws seconds and the motion carries on a voice vote.(Placed on file)

Final Plat - Riverview Estates Unit Two

The clerk presents the Final Plat for Riverview Estates Unit Two - Developer: James M. & Linda A. Swanson, 8847 Kishwaukee Rd, Stillman Valley, IL - *Riverview Estates - Unit Two, A Subdivision located in part of the NE Fractional 1/4 of Section 1 Rockvale Township 24N, R10E of the 4th P.M., Ogle County, IL - P.I.N.: 09-01-251-001.* Tom Scholl moves to approve the Final Plat. Lyle Hopkins seconds and the motion carries on a voice vote.(Placed on file)

Recess to Refer Claims to Committee

At 6:22 p.m., Ed Rice moves to refer claims to committees, Jerry Daws seconds and the motion carries on a voice vote. Chairman Gocken calls the meeting to order at 6:37 p.m..

Chairman Gocken announces Jim Swanson would like to address the board. Jim Swanson states that he is part owner of the Riverview Estates Unit Two and would like to note that he abstained from voting.

Claims

The clerk reads the claims for the General Fund - \$121,107.78 and the County Highway Fund - \$315,863.76. Shirley Clayton moves to accept claims, Jerry Daws seconds. 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 exhibit: *Buildings & Grounds, Judiciary & Circuit Clerk, Juvenile & Probation, Sheriff & Coroner, States Attorney & Legislative, Road & Bridge, Personnel & Salary, Road & Bridge and Economic Development.* The following had no minutes to file: *H.E.W., Blackhawk Hills RC&D, Board of Health,, U.C.C.I., Mental Health "708" Board, G.I.S. Committee, Byron Dragway, Illinois Risk Management, Safety Committee, Siting Committee, Liquor Commission and Ogle Co. AG..*

County Clerk & Insurance Minutes placed on exhibit

Health Insurance

Ed Rice informs the board that they have been negotiating with the dental rates and shopping for a new drug card to save money and improve benefits to the employees. He states that they started at a 28% increase and now they are down to about a 20% increase. He is still working to get the final figures together. Chris Remhof moves to remove last month's motion from the table. Kim Stahl seconds and the motion carries on a voice vote. The motion made last month is as follows:

The increases will be as follows:

- ◆ August 1, 2003 for County
- ◆ October 1, 2003 for outside agencies
- ◆ December 1, 2003 for all others

As of January 1, 2003, the following changes will be made:

- ◆ \$500 deductible or an employee may choose a \$300 deductible (buy down rate)
- ◆ RCare will change to ECHO Rock River

Ed Rice moves to approve the Health Insurance changes, Richard Meadows seconds. The motion carries on a voice vote.

Employee meetings

Ed Rice states that after the rates and benefit changes are final, he and John Coffman will be holding meetings with the employees. They will explain the changes to them. They will also talk to the employees about the Cafeteria Plan 125.

Finance & Revenue

Minutes placed on exhibit

Fiber Optic Update

Bill Spencer states that at the Finance meeting Curtis Cook presented an update on the fiber optic project to connect the new Health Department and the Highway Department to the Courthouse. He states the Highway Department and Health Department are paying a portion to help offset some of the cost. Spencer asks Curtis Cook to explain the update to the board. Cook distributes a spread sheet to the board members for reference. He states the total cost of the boring is \$112,870 plus materials of \$27,557.23 for a total of \$140,427.23. Cook explains that when the boring is done, they will put in 6 - 1 1/4" conduits. One conduit will contain the fiber for the project and the others are for future use or lease out option. Cook is looking for the board to approve \$101,500 for the project, which is \$1,500 over the amount previously approved. Doug Zuehl asks if this covers the permit fee from the railroad? Cook states that these are the fixed fees and does not know what the permit fees will be. Kim Gouker moves to approve the expenditure of \$101,500 for the boring and setting of the fiber optics. Ron Colson seconds. Kim Gouker explains since this expenditure comes from the Long Range Planning Fund, this needs to be approved by the Executive Committee. The Executive Committee will make the approval later, but the work will proceed.

Solid Waste

Minutes placed on exhibit

Presentation

Steve Rypkema presents the Ten-Year Update to the board with a Power Point presentation. Rypkema held a question and answer session following his presentation. Shirley Clayton moves to adopt the Ten-Year Update to the Ogle County Solid Waste Management Plan. Chris Remhof seconds and the motion carries on a voice vote.(Placed on file)

Planning, Assessment & Zoning

Minutes placed on exhibit

Zoning Board of Appeals

Tom Scholl states that the next ZBA meeting will be August 28th at 7 p.m.. The McKnight case will be heard on September 3rd at 7 p.m.

Zoning Conference

Chris Remhof attended the Zoning Conference held in Byron and commented that it was a very beneficial conference and thanks Mike Reibel and Debbie Ellis for their work at this conference.

IL Assoc of Co Bd Members

Report

Shirley Clayton comments that she has filed a report in the packets.

Planning Commission

Minutes placed on exhibit

Meeting

The next meeting will be August 21st at 7 p.m. in the Ogle County Board Room.

Mental Health "708"

No minutes on file

Update

Jason Bauer states the "708" Board is contesting the approval of the H.E.W. Committee recommendations for the Mental Health Funds. He invites all county board members to attend the next meeting at 7 am at the Ogle County Farm Bureau on September 4th or 16th, he will notify the members.

Tri-County Opportunities

Minutes placed on exhibit

Update

Bill Spencer says there will not be a meeting next month.

Award given to Bill Spencer

County Clerk Huntley comments that Bill Spencer received an award for attending the Tri-County meetings for 10 years.

Long Range Planning

Minutes placed on exhibit

Parameters Ordinance

Kim Gouker states there has been an Ordinance placed on the county board members desks this evening. This Parameter Ordinance is being presented tonight and will be approved next month. This will allow the county board to sell bonds for the project. Gouker discusses the spreadsheet with information regarding the Long Range Planning projects and expenditures. Kim Gouker asks if there are questions regarding the ordinance? There were none. Kim Gouker asks if there are questions whether to authorize to sell bonds for \$9.8 million or the full \$15 million? Ron Colson comments that it would be wise to let

Griffin, Kubick make the decision and leave the county flexible. After much discussion, it was advised to let the bonding firm make the decision.

Liquor Commission

One-day licenses

Chairman Gocken informs the board there were 2 one-day Liquor Licenses issued to the John Deere Historic Site.

Executive Committee

Sheriff Negotiations

Chairman Gocken states that Attorney Nick Sakellariou has asked that a committee help with the negotiations with the Sheriff's Department. The Executive Committee has recommended that Jerry Daws, Ed Rice and Fred Horner be appointed to this committee. Ron Colson moves to approve the appointments, Pat Saunders seconds. The motion carries on a voice vote.

Chairman Comments

Chairman Gocken notes some accomplishments of employees this evening:

- ▶ Curtis Cook - President of the Illinois Society of Professional Engineers
- ▶ Doreen O'Brien - received - Univ. of Illinois - Chicago College of Nursing - Rockford Regional Nightingale Award
- ▶ Mary Goerks - celebrated 20 years in the County Clerk's Office

Chairman Gocken also informs the board she has attended 20 meetings and drove about 965 miles attending to county business.

Communications

Sales Tax for May 2003, is \$26,330.59 and \$61,296.40
Sales Tax for May 2002 was \$30,697.52 and \$62,861.47

Old Business

Chairman Gocken entertains a motion to remove from the table the motion regarding the Long Range Planning Committee's voting status. Don Conn moves to remove the motion from the table, Ed Rice seconds and the motion carries on a voice vote. The clerk reads the motion made last month:

Don Conn comments about the voting members of the Long Range Planning Committee. Don Conn makes the motion that all monetary expenditures or commitments that will require monetary expenditures of the County of Ogle by the Long Range Planning Committee, be voted on only by elected members of the county board that serve on that committee. Furthermore, that emergency decisions of less than \$5,000.00 expended, can be approved by the committee Chairman. All other changes or change orders between \$5,000.01 and \$25,000.00 must have approval of the majority of the county board members serving on the Long Range Planning Committee. All other changes or change orders that exceed \$25,000.00, must be brought before the entire county board for their approval. Richard Meadows seconds.

Don Conn comments he would like the committee to know that the motion is in no direct reflect of any ill feelings towards the people that sit on this committee. He feels that they perform a very valuable service to the county and hopes that they will continue. Bill Spencer says the LRP only makes recommendations to the board regarding payments. He says that there a many members that have been on the LRP committee for 5 years. Lyle Hopkins comments that he is upset over this motion and he sits on the LRP committee. He says that there has not been any decision made that has not been discussed thoroughly. The money is not spent through the LRP committee, it is spent when voted on by the County

Board. He says the motion destroys our form of government in the county by putting regulations on the committee and it is more legislation that is not needed. The committee is supposed to look out for the best interest of the county and the county is who they are working for not individuals. Pat Saunders interjects with the difference that she sees, is that every other committee has a budget that is submitted to the County Board for approval prior to spending. They are hoping to move the LRP committee to that as well. Ron Colson comments that the only money that is spent is approved by the County Board. The LRP committee is an advisory vote and presented to the Executive Committee for approval. There was discussion regarding expenditures being made by Executive Committee approval. Kim Gouker reads a prepared statement to the board. Kim Gouker moves to postpone the motion indefinitely and Lyle Hopkins seconds. There was more discussion regarding change orders, committee recommendation on bills, etc. A roll call vote is called:

YES: Horner, Remhof, Spencer, Stahl, Swanson, Colbert, Colson, Daws, Gocken, Gouker and Hopkins

NO: Huntley, Meadows, Nye, Rice, Saunders, Scholl, Zuehl, Bauer, Brooks, Clayton and Conn

ABSENT: Johnson and Hoekstra

The motion is defeated.

Chairman Gocken states that the board will now vote on the original motion:

YES: Meadows, Nye, Rice, Saunders, Scholl, Zuehl, Bauer, Brooks, Clayton, Conn and Huntley

NO: Remhof, Spencer, Stahl, Swanson, Colbert, Colson, Daws, Gocken, Gouker, Hopkins and Horner

ABSENT: Johnson and Hoekstra

The motion is defeated.

Chairman Gocken states that everything will continue as it has been. Chairman Gocken entertains a motion to approve the Long Range Planning Committee bills as presented. Richard Meadows moves to approve, Bill Spencer seconds and the motion carries on a voice vote.

Motion to go into Closed Session

At 8:25 p.m., Bill Spencer makes the motion to go into closed session to discuss pending litigation regarding the McKnight case. Richard Meadows seconds. Chairman Gocken asks that Attorney Kim Krahenbuhl, Mike Reibel and Deborah Ellis remain for the Closed Session. A roll call vote is called:

YES: Meadows, Nye, Remhof, Rice, Saunders, Scholl, Spencer, Stahl, Swanson, Zuehl, Bauer, Brooks, Clayton, Colbert, Colson, Conn, Daws, Gocken, Gouker, Hopkins, Horner and Huntley

NO: None

ABSENT: Johnson and Hoekstra

Return to Open Session

At 9:00 p.m., the board returns to Open Session.

Lee County Enterprise Zone

Chairman Gocken introduces John Thompson from Lee County to explain the information regarding the changes in the Lee County Enterprise Zone that were included in the County Board packets. There are 574.0 acres that are to be deleted from the zone and 890.8 acres that are to be added to the zone. Mr. Thompson is asking the board to approve and sign the amending Ordinance and Amendment #8 that has been presented and discussed tonight. Ed Rice moves to suspend rule #25 of the Rules of Order and Don Conn seconds. A roll call vote is

called:

YES: Meadows, Nye, Remhof, Rice, Saunders, Scholl, Spencer, Stahl, Swanson, Zuehl, Bauer, Clayton, Colbert, Colson, Conn, Daws, Gocken, Gouker, Hopkins and Huntley

NO: None

ABSENT: Brooks, Hoekstra and Johnson

The motion carries on a roll call vote.

Ron Colson moves to approve the amended ordinance as presented, Doug Zuehl seconds and the motion carries on a voice vote.(Placed on file)

Ed Rice moves to approve Amendment #8 as presented, Chris Remhof seconds and the motion carries on a voice vote.(Placed on file)

New Business

Motion to Recess

At 9:10 p.m., Ed Rice moves to recess the August County Board Meeting until Tuesday, September 16, 2003, at 5:30 p.m. at the Ogle County Courthouse. Kim Stahl seconds and the motion carries on a voice vote.

Betty K. Gocken
Chairman Ogle County Board

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