

Proceedings of the Ogle County Board Meeting  
August 21, 2012

State of Illinois )  
County of Ogle ) ss

**Call to Order**

Chairman Barnes calls the Ogle County Board Meeting to order at 5:31 p.m.

**Roll Call**

The roll call shows members Finfrock, Janes, Messer and Nye are absent. The Invocation is given by Saunders and followed with the Pledge of Allegiance.

**Approval of Minutes**

Chairman Barnes asks for a motion to approve the July 17, 2012, County Board Meeting minutes. Kenney moves to approve, Heuer seconds and the motion carries on a voice vote.

**Approval of Reports**

Chairman Barnes asks for a motion to accept the monthly report of the Ogle County Clerk & Recorder, Treasurer, and Circuit Clerk. Bowers moves to accept the reports as filed, Hopkins seconds and the motion carries on a voice vote.(Placed on file)

**Appointment - Board of Review (Democrat Applicant) – postponed**  
**Appointment - Civic Center Authority Board (3) – postponed**

**Vacancies –**

- Ogle County Housing Authority – 1 vacancy – (candidate must be an OCHA Resident)
- Ogle County Civic Center Authority – 5 vacancies

Application and Resumé deadline – Friday, September 28, 2012 at 4:30 p.m.  
in the County Clerk’s Office located at 105 S. 5<sup>th</sup> St – Suite 104, Oregon, IL

**Resolution – In Memoriam – William “Bill” Spencer – R-2012-0809**

Chairman Barnes has Vice-Chairman Heuer read a resolution of Sympathy for the family of former County Board Member William “Bill” Spencer.(Placed on file)

Chairman Barnes announces a moment of silence.

**Zoning – #6-12 SPECIAL USE – Donald L. Goike – O-2012-0801**

Welty presents the petition of Donald L. Goike, 30 S. Chana Rd., Chana, IL for a Special Use permit to allow a Small Rural Business (Machine Shop) in AG-1 Agricultural District on property described as follows and owned by the petitioner: Lots 1 - 3 of Sunlight Ridge Subdivision, part of GL1 & GL2 NE1/4 Fractional Section 4 and part of Lot 2 Assessment Plots of Pine Rock and part of Lot 1 Ferguson Estate Subdivision, part of the NW1/4 Fractional Section 3 Pine Rock Township 23N, R11E of the 4th P.M., Ogle County, IL, 120 acres, more or less. P.I.N.: 17-04-200-012, -013 & -014. Welty moves to approve O-2012-0801 for Donald L. Goike, White seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - #4-12 AMENDMENT – Randall J. & Michele Cox – O-2012-0802**

Welty presents the petition of Randall J. & Michele Cox, 9303 W. Edgewood Rd., Dixon, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to R-1 Rural Residence District on property described as follows and owned by the petitioners: Part of GL 2 part of the N1/2 of the NE1/4 Fractional Section 1 Woosung Township 22N, R8E of the 4th P.M., Ogle County, IL, 6.1 acres, more or less. P.I.N.: Pt. of 20-01-200-002 - Common Location: 9303 W. Edgewood Rd. Welty moves to deny O-2012-0802 for Randall J. & Michelle Cox, De Arvil seconds. Bauer asks what the reasons are for the denial of this petition. Welty states there were security issues for the project, interviewing procedures for the applicants and change in real estate value. The motion carries on a voice vote.(Placed on file)

**Zoning - #8-12 SPECIAL USE – Randall J. & Michele Cox – O-2012-0803**

Welty presents the petition of Randall J. & Michele Cox, 9303 W. Edgewood Rd., Dixon, IL for a Special Use permit to allow a faith-based residential alternative addiction program facility (halfway house) in the R-1 Rural Residence District on property described as follows and owned by petitioners: Part of GL 2 part of the N1/2 of the NE1/4 Fractional Section 1 Woosung Township 22N, R8E of the 4th P.M., Ogle County, IL, 6.1 acres, more or less. P.I.N.: Pt. of 20-01-200-002 - Common Location: 9303 W. Edgewood Rd. Welty moves to deny O-2012-0803, De Arvil seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - #9-12 SPECIAL USE – Baileyville Wind Farm, LLC – O-2012-0804**

Welty presents the petition of Baileyville Wind Farm, LLC, Mark W. Goodwin, President, 310 4th St. NE, Ste. 200; Charlottesville, VA for a Special Use Permit to allow installation of 34.5kV underground cables to connect WECS turbines in connection with the Baileyville Wind Farm, LLC, a Commercial WECS Project (Special Use Permit #7-05) in the AG-1 Agricultural District on property described as follows, being leased by the petitioner, and owned by John W. & Dawn M. Collman: The W1/2 of GL1 and part of GL2 of the NW1/4; all of SW1/4; and part of NW1/4 of SE1/4 Fractional Section 5; and part of the NE1/4 of the NW1/4 of Section 8 Maryland Township 25N, R9E of the 4th P.M., Ogle County, IL, 319.27 acres, more or less. Property Identification Numbers: 03-05-300-001; 03-08-100-002; and 03-05-100-003 - Common Location: 12294 N. Rock City Rd. Welty moves to deny O-2012-0804 and White seconds. Saunders has read the Zoning Board of Appeals standards and the ZBA felt the standards were all met. Did the Assessments and Planning and Zoning Committee come up with different standards that they felt were not met? Welty states they didn't come up with different standards. However, the Special Use does not address the broader issue of how this amendment to the zoning application will impact the Special Use Permit approved by the County Board in 2005. Welty said a lot has changed over seven years and there should be an update on the entire project, the leases for the turbines, where the turbines are to be placed on the property and update all the studies which need to be done. Bring forward the completed project instead of a piecemeal approach to take this cable through a different parcel to connect the project together, states Welty. Saunders states no additional wind turbines are to be erected; this is only for these parcels to bury the cable. That is what the minutes reflect, replies Welty. Hopkins replies this application is for one Special Use to allow underground cable to be installed and we are only to rely on the sworn testimony from the ZBA hearing. There was no reason given to the committee to deny this petition. White states after reading the testimony from the ZBA hearing; I came upon a different conclusion. This was a build upon the original Special Use; granted it does stand on its own before us. However, I believe this is something that came under the radar to make the windmill project at Baileyville more viable. Gouker disagrees with White and states this is a Special Use Permit for a single piece of property only because of the other Special Use and the two are connected. Gouker will be voting to deny this petition. Kenney inquires about the objection letters received from the Village of Adeline. Zoning Administrator Mike Reibel states these letters were received by the County Clerk's Office on August 15<sup>th</sup> and 17<sup>th</sup> and were not a part of the ZBA hearing. Kilker reminds members of the board; they are only to make decisions based on the sworn testimony at the Zoning Board of Appeals hearings.

A roll call vote is called:

YES: De Arvil, Gouker, Simms, Welty, White, Williams, Baumgardner, Boes and Barnes

NO: Gronewold, Heuer, Hopkins, Horner, Kenney, Kilker, Saunders, Stahl, Bauer, Bowers and Colbert

ABSENT: Finfrock, Janes, Messer and Nye

The motion is defeated.

Hopkins makes the motion to approve O-2012-0804 petition for Baileyville Wind Farm, LLC and Horner seconds. The question was asked of Zoning Administrator Mike Reibel as to why this will not need a super majority vote. Reibel states this is a Special Use petition and the state law provides no mechanism for a super majority vote of the county board in regards to a special use permit petition; it is only allowed on map and text amendments. A roll call vote is called:

YES: Gronewold, Heuer, Hopkins, Horner, Kenney, Kilker, Saunders, Stahl, Bauer, Bowers and Colbert

NO: Gouker, Simms, Welty, White, Williams, Baumgardner, Boes, De Arvil and Barnes

ABSENT: Finrock, Janes, Messer and Nye

The motion carries.(Placed on file)

**Zoning – Final Plat of “Prairie Bell Subdivision” - Beverly K. Kearns – O-2012-0805**

Welty presents the Final Plat of “Prairie Bell Subdivision” – Owner: Beverly K. Kearns, 4938 S. Scout Rd., Oregon, IL – Common Location: 7082 S. Hoosier Rd. – Proposed Number of Lots: Two (2) - Authorized Agent & Surveyor: Survey-Tech, 104A Maple Ct., Rochelle, IL 61068. Welty moves to approve O-2012-0805 for the Final Plat of the “Prairie Bell Subdivision”, Hopkins seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - Metropolitan Planning Area – R-2012-0801**

Welty presents a Resolution in support of allowing certain portions of Ogle County to be added to the “Metropolitan Planning Area” of the Rockford Metropolitan Agency for Planning. Welty moves to approve R-2012-0801 as presented, Hopkins seconds and the motion carries on a voice vote.(Placed on file)

**Public Comment –**

- Skip Kenney – Asks State’s Attorney Ben Roe to clarify the correct way for the County Board to base their decision on zoning issues – this is in regards to sworn testimony
- Paul White – Agrees with Kilker comments regarding zoning issues; it is tough to make a decision and also asks for guidance regarding zoning issues
- Kim Stahl – Announces CASA Raffle tickets and to see her for tickets

**Road & Bridge – 08-00261-00-SD – Roadway Improvements – Penn Corner & Harvey Rd – R-2012-0802**

Hopkins presents R-2012-0802 for Roadway Improvements to Penn Corner and Harvey Roads – 08-00261-00-SD with \$10,486.85 to be appropriated from Motor Fuel Tax Fund. Simms seconds and the motion carries on a voice vote.(Placed on file)

**Ogle County Claims – Clerk reads the claims:**

- Payments in Vacation – July 2012 - \$33,973.86
- County Board Payments - August 21, 2012 - \$61,847.82
- County Highway Fund – \$110,618.91

Kenney moves to approve claims, Heuer seconds and the motion carries on a voice vote.(Placed on file)

**COMMITTEE REPORTS**

The following committee minutes have been placed on exhibit: 911 ETS Board, Buildings & Grounds and Central Purchasing, Circuit Clerk and State’s Attorney, Executive, Finance and Insurance, HEW & Solid Waste, I.T./N.I.T.T./G.I.S., Juvenile & Probation and Judiciary, Long Range and Strategic Planning, Personnel & Salary and County Clerk, Planning Commission, Road & Bridge, Sheriff & Coroner, Supervisor of Assessments and Planning & Zoning and Tr-County Opportunities.

The following committees had no minutes to file: Blackhawk Hills RC&D, Board of Health, G.I.S. Partnership, LRP –Emergency Operations Center, Liquor Commission, L.O.T.S., Mental Health ‘708 Board, Safety Committee and UCCI/ICRMT.

**Finance & Insurance Committee:**

- Flex Spending Account Amendment – R-2012-0803 – Gouker presents R-2012-0803 regarding the Health Care Flexible Spending Account Compliance Amendment; this is a mandated change. Gouker moves to approve R-2012-0803, Welty seconds and the motion carries on a voice vote.(Placed on file)

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- Change of Benefits MRI – CT – PT Scans – R-2012-0804 – Gouker presents R-2012-0804 regarding Change in Health Benefits MRI – CT – PT Scans. Gouker moves to approve R-2012-0804 as presented, White seconds and the motion carries on a voice vote.(Placed on file)

**H.E.W. & Solid Waste:**

- Solid Waste Enforcement Grant R-2012-0805 – Bowers presents and moves to approve R-2012-0805 and Kilker seconds. Bowers states this is renewed every year. The motion carries on a voice vote.(Placed on file)

**Long Range & Strategic Planning Committee:**

- Long Range Planning Bills – R-2012-0806

Stillman BancCorp	Go Bonds, Series 2003 & 2004 – 2/1/2012 to 7/31/2012	\$	250.00
	TOTAL:	\$	250.00

Williams moves to approve R-2012-0806, Hopkins seconds and the motion carries on a voice vote.(Placed on file)

- Authorizing HVAC Inspections - R-2012-0807 – Williams moves to approve R-2012-0807 Authorizing HVAC Inspections at the Judicial Center, Jail and Pines Road Annex. Kilker seconds and the motion carries on a voice vote.(Placed on file)

**Supervisor of Assessments and Planning & Zoning Committee:**

- Board of Review Salary R-2012-0808 - Welty presents R-2012-0808 to increase the Board of Review Salary to \$3,500 annually per member and Hopkins seconds. Bauer asks why the change to increase the salary once the County Board decreased the salary six months ago. Welty states the people who applied when the salary was \$2,000 and once they went through the first Board of Review hearings, they stated it takes a lot more work than they thought. Bauer states this doesn't look good for the County Board. Colbert states the Democrat member on the Board of Review was going to resign in June and resigned in January instead. Chairman Barnes states the Board of Review members talked to him and stated there is a lot of research to be done on their own time before the hearings. Chairman Barnes states he made a mistake when asking to have the salary reduced; he would like to keep the current members. Simms agrees with Bauer and feels this doesn't look good. A roll call vote is called:

YES: Heuer, Hopkins, Horner, Kilker, Saunders, Stahl, Welty, White, Williams, Baumgardner, Boes, Colbert, Gouker and Barnes

NO: Gronewold, Kenney, Simms, Bauer, Bowers and De Arvil

ABSENT: Janes, Messer, Nye and Finfrock

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

Chairman Comments – Chairman Barnes announces he received an unsigned letter from a constituent; he does not address unsigned letters.

Vice-Chairman Comments – Vice-Chairman Heuer announces the Rock River Center “Finish the Walls” Fundraiser to be held on Saturday, August 25<sup>th</sup> from 4 p.m. to 7 p.m. at the facility in Oregon. Heuer invites everyone to attend and tour the facility.

Chairman Barnes states he and Barb have tickets if anyone would like to see them after the meeting.

**Unfinished Business –**

**New Business –**

**Communications –**

- Sales Tax for May 2011 was \$33,585.81 and \$70,323.76
- Sales Tax for May 2012 was \$18,913.21 and \$68,039.64
- IDOT Audit Report No 53 – MFT
- IDOT Audit Report No 74 – MFT
- IDOT Audit Report No 52 – TWP BR

**Adjourn Meeting**

At 6:26 p.m., Hopkins moves to adjourn the Ogle County Board until Tuesday, September 18, 2012 at 5:30 p.m. at the Courthouse in Oregon. White seconds and the motion carries on a voice vote.

Chairman James L. Barnes  
Ogle County Board

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