

Proceedings of the Ogle County Board Meeting
December 15, 2009

State of Illinois)
County of Ogle) ss

Call to Order

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

Roll Call

The roll call shows Gouker* and Huntley are absent. The Invocation is given by Nye and followed with the Pledge of Allegiance. (*Gouker enters at 5:32 p.m.)

Approval of Minutes

Chairman Rice asks for a motion to approve the November 17, 2009 Ogle County Board Meeting minutes. Nye moves to approve, Bowers seconds and the motion carries.

Approval of Reports

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

Presentation – Diane McNeilly – League of Women Voters – Census 2010 information

Diane McNeilly gives a presentation to the County Board regarding the importance of the 2010 Census count for Ogle County. McNeilly distributes information regarding the 2010 Census to the board members. McNeilly strongly urges municipalities and organizations to hold Census Taking Events in their communities to ensure everyone is counted.

- Jerry Brooks thanks the board members for their hard work and dedication to the citizens of Ogle County and wishes everyone a Merry Christmas.

Resignation – 911 ETSB - R-2009-1201

Chairman Rice announces a letter of resignation has been received from Brian Kunce on the 911ETS Board effective immediately. Bowers moves to approve R-2009-1201 as presented, Horner seconds and the motion carries on a voice vote.(Placed on file)

Appointment –Ogle County Housing Authority– R-2009-1202

Chairman Rice announces the recommendation of Kimberly Suslek to the Ogle County Housing Authority Board for a term which ends October 31, 2011. Saunders moves to approve Resolution 2009-1202, Horner seconds and the motion carries on a voice vote.(Placed on file)

Vacancies –

- Board of Health – 1 unexpired term ends 11/30/2011 - applicant required to be a Dentist
- Mental Health “708” Board – unexpired term ends 12/31/2011
- Ogle County Civic Center Authority Board – 1 unexpired term
- 9-1-1 ETSB – unexpired term ends 06/30/2012 (to be interviewed by 911 Board)

Application deadline for this vacancy will be
Thursday, December 31, 2009 at 4:30 p.m. in the County Clerk’s Office

Zoning – #9-09 AMENDMENT -- JNASA Holding, LLC – Ordinance 2009-1203

Chairman Rice presents the petition of JNASA Holding, LLC, C/O Jerald Aarvig, 12680 Ashfield Rd., Caledonia, 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 petitioner:

Part of the S1/2 G.L. 2 NW1/4 Fractional Section 7 Byron Township 25N, R11E of the 4th P.M., and part of the SE1/4 of the NE1/4 Section 12 Byron Township 25N, R10E of the 4th P.M., Ogle County, IL, 18.0 acres, more or less
P.I.N.: Part of 05-07-100-013, -014, & -016 and part of 04-12-200-012, -013, & -015
Common Location: 11490 N. Tower Rd.

Hopkins moves to adopt #9-09 Amendment – Ordinance 2009-1203 for JNASA Holding, LLC and Messer seconds. Gouker asks why this is being rezoned? Hopkins states this is a unique hardship case which involves the property and the home. A roll call vote is called:

YES: Janes, Kenney, Messer, Nye, Saunders, Stahl, Barnes, Bauer, Boes, Bowers, Colbert, Colson, Diehl, Gronewold, Heuer, Horner, Hopkins and Rice

NO: Kilker, White, Williams, DeArvil and Gouker

ABSENT: Huntley

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

Zoning - “Eagle Reserve Plat One” Extension - Ordinance 2009-1204

Hopkins presents and recommends the approval of Ordinance 2009-1204 to approve an Extension of the Recording Date of the Final Subdivision Plat of “Eagle Reserve Plat One”. Boes seconds and the motion carries on a voice vote.(Placed on file)

Public Comment –

- Bowers states at the Personnel & Salary Committee meeting they discussed the hiring freeze and future anticipation of more layoffs in Ogle County. Bowers would like to know if other committees are aware of this possibility. She is also appalled at the way the board is treating some of the employees and applauds Gouker for his statement made at the last County Board Meeting. There are non-union employees who are not receiving a raise and other employees are receiving 5% to 10% increases.
- DeArvil updates the board regarding the challenge from Boes regarding raising money for the War Veterans Memorial. A fund has been set up at the Stillman Valley Bank and you can send contributions to Ogle County War Memorial Restoration Fund, P.O. Box 9, Oregon, IL 61061. Stahl informs the board the account balance is \$1,175 at this time.
- Dennis Prbasco introduces a committee which was recently formed called Ogle the 4th Community and they would like to work with the County regarding Wind Farm Projects.
- Don Conn wishes everyone a Merry Christmas. He would like the County Board members to take a moment out of their holiday and say a prayer for the 14 families at the Sheriff’s Department who were laid off. They will not be having as Merry of a Christmas as you are that day. And for the County employees that are sitting around crying they didn’t get a raise; he hopes Santa Claus puts a piece of coal in their stocking with a note that they are lucky to have a job.
- TJ Graden, a local business owner/wrecker service, had attended the Sheriff’s Committee and had questions regarding the use of out of county wreckers and has not heard back from the Sheriff. Chairman Rice explained the Sheriff left for vacation after the committee meeting and due back at the end of this week. Chairman Rice informs Mr. Graden to contact him if he does not hear from the Sheriff.
- Messer comments on the wrecker service which is pending upon location, response time and availability. Chairman Rice asks if Messer will get together with Mr. Graden and discuss his situation.

Road & Bridge – Preliminary Engineering Services Agreement – R-2009-1203

Diehl moves to approve Preliminary Engineering agreement with Willett, Hofmann, & Associates for the design of road improvements on German Church Road from IL Rt. 64 to Deer Path Road, Section 07-00245-00-WR, not to exceed \$166,500 (R-2009-1203). Messer seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – County Engineer Salary Program – R-2009-1204

Diehl moves to approve Section 10-00000-00-CS, 2010 County Engineer Salary Resolution, payable from Motor Fuel Tax and Federal Highway funds (R-2009-1204) and this is a zero salary increase from 2009. DeArvil seconds and the motion carries on a voice vote.(Placed on file)

Ogle County Claims – Clerk reads the claims:

- Payments in Vacation – November 2009 - \$120,076.87
- County Board Payments - December 2009 – \$115,085.92
- County Highway Fund – \$59,321.50

Messer moves to approve the claims as read, Horner 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, Blackhawk Hills RC&D, Executive and State's Attorney, Finance and Insurance, HEW & Solid Waste, Juvenile & Probation/Judiciary & Circuit Clerk, LRP-Courthouse Renovations, Personnel & Salary - County Clerk, Planning & Zoning – Supervisor of Assessments, Road & Bridge and Sheriff & Coroner/Buildings & Grounds/IT Committee.

The following committees had no minutes to file: Board of Health, Ill Assoc of Co Bd Members, GIS Committee, Liquor Commission, LRP –Emergency Operations Center, Mental Health Board, Regional Planning Commission, Safety Committee, Tri-County Opportunities and UCCI/ICRMT.

Finance and Insurance Minutes placed on exhibit

Ordinance 2009-1201 Hopkins presents Ordinance 2009-1201 which will abate \$9.8 million in General Obligation Bonds. Hopkins makes the motion to approve Ordinance 2009-1201 as presented. Saunders seconds and a roll call vote is called:

YES: Kenney, Kilker, Messer, Nye, Saunders, Stahl, White, Williams, Barnes, Bauer, Boes, Bowers, Colbert, Colson, DeArvil, Diehl, Gouker, Gronewold, Heuer, Hopkins, Horner, Janes and Rice

NO: None

ABSENT: Huntley

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

Ordinance 2009-1202 Hopkins presents Ordinance 2009-1202 which will abate \$5.2 million in General Obligation Bonds. Hopkins makes the motion to approve Ordinance 2009-1202 as presented. Colson seconds and a roll call vote is called:

YES: Kilker, Messer, Nye, Saunders, Stahl, White, Williams, Barnes, Bauer, Boes, Bowers, Colbert, Colson, DeArvil, Diehl, Gouker, Gronewold, Heuer, Hopkins, Horner, Janes, Kenney and Rice

NO: None

ABSENT: Huntley

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

Resolution 2009-1205 Chairman Rice presents Resolution 2009-1205 for the 2009 General Fund Budget Amendment. Hopkins reads the Resolution as follows:

WHEREAS, it is necessary to transfer funds from certain accounts to other accounts in order to conduct the County business in an orderly fashion,

THEREFORE, BE IT RESOLVED, that the sums be transferred as follows.

\$25,030.00	from 100.16.4490 <i>Finance - Contingencies</i>	to 100.08.4438 <i>Probation - Juvenile Detention</i>
\$22,100.00	from 100.16.4490 <i>Finance - Contingencies</i>	to 100.15.4155 <i>Insurance - Health Insurance</i>
\$800.00	from 100.16.4100 <i>Finance - Salaries</i>	to 100.15.4155 <i>Insurance - Health Insurance</i>
\$1,330.00	from 100.16.4144 <i>Finance - Pay Grade Study</i>	to 100.13.4355 <i>Coroner - Autopsy Fees</i>
\$1,350.00	to 100.12.4130 <i>Sheriff - Overtime</i>	to 100.22.4130 <i>Corrections - Overtime</i>

Hopkins moves to approve Resolution 2009-1205 as read, Saunders seconds and the motion carries on a voice vote.(Placed on file)

Executive Committee Minutes placed on exhibit

Resolution 2009-1206 State's Attorney Ben Roe presents Resolution 2009-1206 regarding the State's Attorney Appellate Prosecutor Resolution. Roe states this resolution is approved every year by the County Board and explains the need to participate in this program. Saunders moves to approve the resolution as presented, Horner seconds and the motion carries on a voice vote.(Placed on file)

Resolution 2009-1207 Chairman Rice presents and reads Resolution 2009-1207:

Ogle County Supports Federal Purchase of Thomson Correctional Center

WHEREAS, the Thomson Correctional Center was built and completed in 2001 as maximum security correctional facility to be operated by the State of Illinois; and

WHEREAS, the expected opening and full operation of the Thomson Correctional Center by the State of Illinois was to provide jobs and economic development to the area; and

WHEREAS, the Ogle County Board recognizes that our area is in need of economic growth and development and the opening and full operation of the Thomson Correctional Center would help to stimulate economic growth and create jobs within the area; and

WHEREAS, the State of Illinois, due to budgetary constraints and lack of adequate funding, has been unable since 2001 to appropriate ample funds for the full operation of the Thomson Correctional Center; and

WHEREAS, the United States Federal Bureau of Prisons has expressed an interest in purchasing the Thomson Correctional Center to fully operate a federal prison at said location, thus creating jobs for the area and stimulating economic growth for the area,

THEREFORE, BE IT RESOLVED that the Ogle County Board supports the United States Federal Bureau of Prisons purchasing the Thomson Correctional Center to operate a federal prison at said location.

Chairman Rice states this Resolution does not support the transfer of Guantanamo Bay prisoners to the prison. Hopkins moves to approve Resolution 2009-1207 as read in full, Kenney seconds. White reads a prepared statement in opposition of the resolution and states Guantanamo Bay should stay open. White also asks for a roll call vote. Colson states it was announced this sale is a done deal. Chairman Rice states this Resolution is a courtesy to Rep. Sacia. Saunders announces there will be a hearing held at the Sterling High School on December 22, 2009. There was discussion regarding the GITMO prisoners coming to Illinois and the possibility of rights being granted to them.

A roll call vote is called:

YES: Nye, Colbert, Hopkins, Horner and Rice

NO: Messer, Saunders, Stahl, White, Williams, Barnes, Bauer, Boes, Bowers, Colson, DeArvil, Diehl, Gouker, Gronewold, Heuer, Janes, Kenney and Kilker

ABSENT: Huntley

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

Resolution 2009-1208 Chairman Rice presents Resolution 2009-1208 regarding Vendor Prequalification for Ogle County Construction Projects (excluding County Highway Projects) and asks Williams to explain the resolution. Williams states the goal of this resolution was to prevent future happenings if the board put themselves in the situation where they are not comfortable with a contractor based on past history or financial ability. This would be an avenue we can use to prevent future litigation or making settlements with contractors. Williams asks what are the

dynamics of this resolution to ensure future board members will be aware that this resolution exists. Chairman Rice states this resolution will be on file with the State's Attorney Office and involve the State's Attorney during the process. There was discussion regarding that this be an Ordinance and not in Resolution form. McKinley states this was first suggested as an Ordinance and through her research has found it would be better served in resolution form. Saunders asks if this Resolution could be added to the County Board Rules of Order in the County Yearbook. Gronewold and Kilker would like to know where does the responsibility on this lie; wouldn't it be with the Executive Committee. Chairman Rice states the Executive Committee and the County Administrator would make sure the process is followed. Barnes states he remembers Williams asking Dennis Vovos if they were going to prequalify bidders for the Courthouse project and doesn't think this was followed up on. Williams did suggest having the bidders prequalified due to the nature of the project and the old building. Cook states whoever puts the bid specifications together for the county will need to know of this procedure. It is up to the County to inform the designee of the prequalification standards procedure. DeArvil moves to approve the Resolution, White seconds and a roll call vote is called:

YES: Nye, Saunders, Stahl, White, Williams, Barnes, Bauer, Boes, Bowers, Colbert, Colson, DeArvil, Diehl, Gouker, Heuer, Hopkins, Horner, Janes, Kenney, Kilker, Messer and Rice

NO: Gronewold

ABSENT: Huntley

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

Resolution 2009-1210 Chairman Rice presents and reads Resolution 2009-1210 to Recognize Stillman Valley High School 2009 Football Championship Accomplishment. Chairman Rice also notes there were 3 other Ogle County High Schools who participated in the Football Playoffs; Polo, Rochelle and Oregon. Chairman Rice reads the resolution as follows:

Stillman Valley High School 2009 Football State Championship Recognition

WHEREAS, the Ogle County Board recognizes Meridian Community Unit School District as one of Ogle County's fine school districts; and

WHEREAS, the Stillman Valley High School football team's 2009 state championship represents their 4th state championship in 10 years; and

WHEREAS, we, the County Board, feel the recognition for their accomplishment should be celebrated;

THEREFORE, we hereby recognize Stillman Valley Superintendent Bob Prusator, Head Football coach Mike Lalor, and the entire Stillman Valley football team for its 2009 State Championship,

BE IT FURTHER RESOLVED that we extend congratulations to the Meridian Community Unit School District and all their athletic and scholastic programs for their accomplishments.

Chairman Rice informs the board, in the future if anyone would like to bring recognition to drama, speech, scholastic or athletics, please contact Chairman Rice or County Administrator McKinley and they will draft a Resolution to present to the board. Janes moves to approve Resolution 2009-1210, Bowers seconds and the motion carries on a voice vote.(Placed on file)

**Long Range Planning
Courthouse Renovation**

Minutes placed on exhibit

Update

Stahl updates the board on the following:

- November 30th – Telephone conference to begin negotiating change order fees with Holabird & Root, Ringland-Johnson Construction and Ogle County; some concessions were made and other are still under review
- Discussion about bringing the elevator up to code with reason of omission by architect – the amount of the change order is \$26,834 – they are still reviewing information on this topic
- Reviewed stenciling mock-up at Courthouse with Tony Kartsonas
- Audio/Visual equipment was discussed
- Tours of the Courthouse have been requested by the media and local Boy Scout Troop

Resolution 2009-1212

Stahl presents Resolution 2009-1212 regarding the Furniture Bid for the Courthouse – the recommendation was to award the bid to Business Office Systems for the Haworth Product in the amount of \$249,546.62. This was the product the Department Heads were impressed with and the only product with a lifetime warranty. Stahl makes the motion to approve Resolution 2009-1212 as presented and Nye seconds. Barnes has a question regarding the verbiage in the third “WHEREAS,.....preferred functionality, features, durability, and life time warranties...” was this language contained in the bid specs. Has anyone seen the bid specs? There was discussion regarding the \$10,546.21 difference between the two companies and “lifetime” warranty verbiage. Barnes asks why we didn’t receive bids from any local furniture companies. McKinley states the bid specs did specify Teknion, AllSteel or Haworth products and local companies did not respond. McKinley does not have the bid specs at her disposal. More discussion ensued regarding the verbiage contained in the furniture bid specs and the verbiage contained in the resolution. There was discussion regarding the timing to place the order and the 2009 pricing. Chairman Rice states the Department Heads went to Chicago to view the different furniture products and they preferred the Haworth product. The Haworth chairs were preferred because of the ergonomic features and quality of the chairs. Roe states the discussion the board is having tonight is relevant and you the County Board are not required to accept the lowest bid. Stahl and Nye withdraw their motions to hold this over until an answer has been researched regarding verbiage used in the bid specs.

R-2009-1211

McKinley updates the board members on NITT as the 2009 Capital Contribution has been included for approval of payment in the LRP bills. McKinley has distributed an expense and balance sheet to the board members for review. McKinley reports the current infrastructure purchase made to light up the fiber optics along I39 and noted the marketing plan is being updated to secure Northern Trust and Allstate as clients and then take the services to a wider market. McKinley also states she has taken on the roll as NITT Treasurer and is currently working on updating the balance sheet, revenue and expense reports. She is currently setting up procedures to properly manage those reports. There was an ICC Grant which many entities provided in-kind work, some made hard dollar contributions and other provided a service. Gouker states Ogle County is the only county which has made a financial Contribution. Chairman Rice states NIU cannot give contributions directly, they will help install equipment when it arrives and other in-kind services. The City of Rockford will be contributing \$50,000 in March of 2010, \$50,000 mid-term and \$50,000 at the end of the year.

Stahl presents Resolution 2009-1211 authorizing \$758,197.71 to be paid out of the Long Range Planning Fund as follows:

SUPPLIER NAME	DESCRIPTION	AMOUNT
Old Limestone, LLC	Watts Bldg. - January Rent	\$ 5,800.00
Holabird & Root, LLC	Professional Services for Oct. 2009 - & Reimbursable Expenses	\$ 6,849.61
Ringland-Johnson Inc.	Courthouse Remodel Application #5	\$ 574,831.00
	Plumbing Dispute	\$ (14,022.41)
City of Oregon	New Water meter - Old Courthouse	\$ 1,867.10
TC Communications	Fiber Network - Auto Failover Devices (Reimb. Sheriff's Dept.)	\$ 7,700.00
Historic Surfaces LLC	Courtroom Restoration Mock-up - Courthouse - Final Payment	\$ 5,650.00
NITT	2009 Capital Contribution	\$ 152,000.00
MDES	Professional Services for 10/2009	\$ 3,500.00
Ogle County Circuit Clerk	Case #2009 CH 245 - Plumbing Dispute	\$ 14,022.41
	TOTAL:	\$ 758,197.71

Stahl moves to approve Resolution 2009-1211 and Kenney seconds. McKinley updates the board on Big Joe the Plumber and refers to the Memo from the Ogle County State's Attorney Office and was included in the board packets. Williams says the County needs to be proactive and keep this out of the courts. Williams suggests the County meet with Ringland-Johnson and identify all sub-contractors and suppliers who are working with Big Joe the Plumber. Gouker states 2 items have been added to the LRP Bills since the LRP Committee Meeting and stresses the importance of having all bills presented at the Committee Meeting for approval. Gouker states one item was a reassignment for payment and the other item was for MDES. McKinley states the MDES bill was presented to the Executive Committee because she had filed the bill in the wrong folder and it did not go before the LRP Committee. McKinley did acknowledge this mistake and apologized for this not going before the LRP Committee. Janes asks what services MDES provided to the County. Chairman Rice states MDES provided specs for the underground drainage system for the water runoff of the courthouse roof. A roll call vote is called:

YES: Saunders, Stahl, Barnes, Bauer, Boes, Bowers, Colbert, DeArvil, Diehl, Gouker, Gronewold, Heuer, Hopkins, Horner, Kenney, Messer, Nye and Rice

NO: White, Williams, Colson, Janes and Kilker

ABSENT: Huntley

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

Resolution 2009-1213 Kenney presents and makes a motion on behalf of the Personnel & Salary Committee to approve Resolution 2009-1213 as read:

WHEREAS, the Ogle County Personnel Committee wishes to adopt policies that help lower 2010 County Budget expenses; and

WHEREAS, the Ogle County Personnel Committee appreciates the cooperation of all department heads in reducing 2010 expenditures wherever possible; and

WHEREAS, the Ogle County Personnel Committee encourages all departments to consider whether filling positions is absolutely necessary in the 2010 budget year when staff turnover or attrition is encountered,

THEREFORE BE IT RESOLVED, that the Ogle County Board is adopting a hiring freeze for the 2010 budget year such that no new positions will be created.

BE IT FURTHER RESOLVED, that if an employee leaves for any reason, the County Board requests that the department heads and the administrator to work together to determine if that position needs to be filled.

Boes seconds. Boes comments this resolution only affects creating “new positions” and doesn’t mean you can’t replace someone who leaves. It is important to send a message to the people who have been laid off that we are not going to create new positions until we are able to bring them back for full employment. Chairman Rice asks if he is sure that the hiring freeze does not eliminate the possibility of hiring those laid off people back. Saunders voted in favor of bringing this resolution to the County Board. However, Saunders doesn’t think this is necessary since we do not have any control over the Elected Officials, only their budget. The budget is a control because they don’t have the funds to increase positions. Kenney voted no and states his concerns of inequities throughout the County. Kenney states the Department Heads who have cooperated will continue to cooperate and the Department Heads who have chosen not to cooperate will not change. A roll call vote is called:

YES: White, Williams. Bauer, Boes, Bowers, Colbert, DeArvil, Heuer, and Janes

NO: Stahl, Barnes, Colson, Diehl, Gouker, Gronewold, Hopkins, Horner, Kenney, Kilker, Messer, Nye, Saunders and Rice

ABSENT: Huntley

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

Chairman Comments –

- IRS Mileage Rate effective January 1, 2010 is \$.50 per mile – this does not affect County Board Members
- Chairman Rice wishes everyone a Merry Christmas and Happy New Year
- Recognize Ben Roe who was recognized as a Champion for Change for Justice Reform and received an award in Washington, DC for his efforts

Administrator Comments –

- There were two employees at Focus House who have contributed a lot and have moved on –
 - Jim Conrad who taught at Focus House has retired
 - Irene Roe who was the Associate Director of Focus House
- It has been reported Department Heads were asked to hold back \$300,000 from the 2009 Budget Year and they have actually held back \$400,000

- Heuer reports UCCI has refunded \$2,200 in dues which were paid by Ogle County

Unfinished Business – None

New Business – None

Communications –

- Christmas Tree Recycling Program

Motion to Adjourn

At 7:47 p.m., Nye makes the motion to adjourn the Ogle County Board meeting until Tuesday, January 19, 2010. Horner seconds and the motion carries on a voice vote.

W. Ed Rice
Chairman - Ogle County Board

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