

Proceedings of the Ogle County Board February 18, 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..

Chairman Gocken informs the County Board and the public regarding the wireless microphones that are available at tonight's meeting. Chairman Gocken thanks the Buildings & Grounds Committee.

Adjournment of January 21, 2003, Ogle County Board Meeting

Chairman Gocken asks for a motion to adjourn the January 21, 2003, Ogle County Board Meeting. Richard Meadows moves to adjourn the January 21, 2003, Ogle County Board Meeting. Tom Scholl seconds and the motion is carried on a voice vote.

Roll Call:

Roll call shows members Fred Horner and Doug Zuehl are absent. The Invocation is given by Shirley Clayton and this is followed with the Pledge of Allegiance to the Flag.

Approval of Minutes

Carol Hoekstra requests that the following portion of the January 21, 2003, Ogle County Board minutes on page 177 be changed:

Change in Meetings

The meeting days and time will change to the ~~third~~ Wednesday of the week before the County Board meeting at 10:30 a.m..

Shirley Clayton moves to approve the January meeting minutes as corrected. Richard Meadows 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 County Clerk/Recorder, Treasurer and Circuit Clerk. Jim Swanson seconds and the motion carries on a voice vote.(Placed on file)

Closed Session

Chairman Gocken announces that she has contacted the Attorney General Office Opinions Division and spoke to Michael Luke of this division. He informed Chairman Gocken that under the 3rd Provision of the Open Meetings Act exceptions number 5, we could close the meeting in order to select a person to fill a public office. This includes a vacancy in a public office where the public body is given the power to appoint a new Law or Ordinance. Chairman Gocken entertains a motion to go into closed session pursuant to Chapter 5 of the Illinois Compiled Statutes Section 120/2(c)(3) for the purpose of discussing the selection of a person to fill the upcoming vacancy of the Ogle County State's Attorney. Sven Johnson moves to go into Closed Session and Bill Spencer seconds. A roll call vote is called:

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

NO: None

ABSENT: Horner and Zuehl

The County Board meeting enters into Closed Session at 5:40 p.m.

Open Session

At 6:05 p.m., Richard Meadows moves to return to Open Session and Ed Rice seconds.

Appointment of Ogle County State's Attorney

Chairman Gocken states that she asked Vice-Chairman Shirley Clayton to participate in the reviewing of resumes and interviewing the candidates for this appointment. The list of questions asked of each applicant has been distributed to the board members this evening. Chairman Gocken comments that they determined it was not their responsibility to appoint someone electable rather it was their responsibility to keep the office run as stable as possible, until the voters could elect the next State's Attorney. There were seven applicant for this position. Chairman Gocken states that Deborah Ellis was the first choice for this appointment. She is involved with the scheduling and hiring in the office, familiar with the procedure to obtain Attorney General Opinions and working with the Appellate Prosecutor. She was aware of the Shining Star Children's Advocacy Center for children and wants to use this to be more effective in the prosecuting of crimes against children. Ms. Ellis feels there should be communication with the employees, the County Board and the general public. She also feels it is imperative that she attend the State's Attorney & Legislative Committee meetings, have approval of the committee for the Annual Budget and to attend the County Board meetings or have a representative present. Chairman Gocken moves to nominate Deborah Ellis to fill the position of the Ogle County State's Attorney, Shirley Clayton seconds the nomination. A roll call vote is called:

YES: Hoekstra, Huntley, Nye, Remhof, Rice, Spencer, Stahl, Swanson, Bauer, Clayton, Daws and Gocken

NO: Gouker, Hopkins, Johnson, Meadows, Saunders, Scholl, Brooks, Colbert, Colson and Conn

ABSENT: Horner and Zuehl

The motion carries on a roll call vote.

Resignations

Chairman Gocken reads the letter of resignations from Michael D. Albers on the Ogle County Housing Authority and Jason Sword an alternate on the Zoning Board of Appeals. Carol Hoekstra moves to accept these resignations, Ron Colson seconds and the motion carries on a voice vote.(Placed on file)

Vacancies

Chairman Gocken announces the following vacancies:

LN/NL River Conservancy District
Zoning Board of Appeals
Planning Commission - 2 vacancies
Fire Protection Districts: Forreston; Leaf River; Lynn-Scott-Rock & Oregon
Ogle County Housing Authority (unexpired term)
Zoning Board of Appeals (Alternate; unexpired term)

Application deadline for these appointments will be Friday, March 28, 2003, at 4:30 p.m. in the Ogle County Clerk's Office.

Circuit Clerk presents Annual Report

Circuit Clerk Martin Typer reviews the 2002 accomplishments of his office and working with the Long Range Planning Committee regarding the new Judicial Center. Mr. Typer informs the board of the court system and the imaging of documents and they are now paperless. Mr. Typer gives a live demonstration of the Internet via the Ogle County web page, Judici.com and WestLaw web pages that are available. Mr. Typer reviews the receipts from his office and case load management. He reviews his 2003 goals and three year goals.

Coroner's Annual Report

Chairman Gocken announces that the Coroner's Annual Report is on everyone's desk for review. After the last Sheriff & Coroner Committee meeting, they were invited to take a tour of the morgue.

Zoning - Resolution to Amend the Planning & Zoning Department Fee Schedule

The clerk reads the resolution regarding the application fees for map amendments and variations and special use permit and appeal hearings. Tom Scholl moves to approve, Lyle Hopkins seconds and the motion carries on a voice vote. (Placed on file)

Zoning - Resolution - Flagg Township 2030 Future Land Use

Richard Meadows moves to take the Flagg Township 2030 Future Land Use Plan off the table, Don Huntley seconds and the motion carries on a voice vote.

Spencer Hayden addresses the County Board regarding the Flagg Township 2030 Future Land Use Plan. There was some discussion regarding the disagreement with the City of Rochelle and Flagg Township about development in a certain area. Bill Spencer moves to table this resolution until the City of Rochelle and Flagg Township can provide a final version with both groups in agreement. Don Conn seconds and a roll call vote is called.

YES: Remhof, Rice, Saunders, Scholl, Spencer, Stahl, Clayton, Colson, Conn, Daws and Gocken

NO: Hoekstra, Hopkins, Huntley, Johnson, Meadows, Nye, Swanson, Bauer, Brooks, Colbert and Gouker

ABSENT: Horner and Zuehl

The motion is defeated by roll call vote.

There was more discussion regarding the disagreements between Flagg Township and the City of Rochelle. Don Huntley moves to approve the resolution with the correction in paragraph # 7 using the word "considered" instead of "used". Richard Meadows seconds and a roll call vote is called.

YES: Huntley, Johnson, Meadows, Nye, Remhof, Rice, Saunders, Scholl, Stahl, Swanson, Bauer, Brooks, Clayton, Colbert, Colson, Gocken, Gouker and Hoekstra

NO: Hopkins, Spencer, Conn and Daws

ABSENT: Horner and Zuehl

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

Zoning - Amendments to the Land Subdivision Regulations

Chris Remhof moves to remove the Amendments to the Land Subdivision Regulations off the table, Richard Meadows seconds and the motion carries on a voice vote.

The clerk reads the Summary of Proposed Amendments to the Land Subdivision Regulations as follows:

Pavement Minimum Thicknesses

1. Sealcoat - Aggregate Base thickness increased to 12" from 10"
2. Hot Mix - Aggregate Base thickness increased to 10" from 8" and surface increased to 2 ½" from 2"
3. Hot mix surface will be placed in 2 lifts, 1 ½" and 1"
4. Aggregate Base Course may need to be Type A if being paved promptly after placement of Base Course
5. Asphalt may be placed same year as Aggregate Base Course
6. Road Commissioner may request County to require hot mix surface if:
 - Road being accessed is hot mix or
 - Road being accessed is planned for hot mix within 4 years

Project Bond / Surety

7. Township will accept maintenance upon placement of 1st lift of Hot Mix Asphalt
8. Developer will place a cash escrow for 105% of final lift of Hot Mix Asphalt
9. Township will schedule final lift for placement after zoning certificates have been issued on 50% of subdivision lots or within three years & use cash escrow for payment

Other

10. Utilities will require permitting once roads are accepted by Township
11. Mailbox turnouts constructed at Commissioner's preference with driveway construction
12. Should driveways be paved prior to placement of the 1st lift of asphalt, the driveway shall not be paved within the right-of-way. This area will be paved with the roadway.

Tom Scholl moves to approve the proposed amendments as submitted, Don Conn seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Resolution reappointing County Engineer

Shirley Clayton states that this resolution was distributed at last month's County Board meeting. This will be a six-year appointment. Shirley Clayton moves that we adopt this resolution. Don Huntley seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Reso. - Department of Transportation - County Engineer

Bill Spencer moves to approve the resolution requesting consent of the Department of Transportation to the reappointment of the Incumbent as County Engineer. Richard Meadows seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Ordinance for Altered Speed Zone

Curtis Cook states that this speed zone is in front of the new Rochelle High School. Don Huntley moves to approve this Ordinance and Richard Meadows seconds. The motion carries on a voice vote.(Placed on file)

Road & Bridge - Preliminary Engineering Svc Agreement - Grand Detour

The clerk reads the Preliminary Engineering Services Agreement for Anterior Road over Unnamed Stream in Grand Detour Township (03-08111-00-BR) and the total cost is not to exceed 16,000.00. Richard Meadows moves to approve and Bill Spencer seconds. The motion carries on a voice vote.(Placed on file)

Road & Bridge - Supplemental Resolution for County Maintenance

The clerk reads the supplemental resolution for County Maintenance the resolution appropriates the sum of \$538,271.05 from the County Motor Fuel Tax Fund for the maintenance on county or State highways for year ending December 31, 2001. Shirley Clayton moves to approve the resolution. Don Huntley seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Supplemental Resolution for County Maintenance

The clerk reads the supplemental resolution for County Maintenance the resolution appropriates \$293,191.91 from the Motor Fuel Tax allotment for the maintenance on county or State highways for year ending December 31, 2002. Don Huntley moves to approve. Shirley Clayton seconds and the motion carries on a voice vote. (Placed on file)

Road & Bridge - Resolution for County Bridge Construction

The clerk reads the resolution for County Bridge Construction for 2003 Pipe Supply. Whereas, the low bid was submitted and awarded to ConTech Inc in the amount of \$16,430.90. The resolution appropriates \$16,500 from the County Aid to Bridge Fund for the construction of said project. Shirley Clayton moves to approve the resolution and Bill Spencer seconds. The motion carries on a voice vote.(Placed on file)

Road & Bridge - Intergovernmental Agreement - R.T.H.S.

Curtis Cook explains that this agreement is between Ogle County and the Rochelle Township High School. The High School has agreed to pay for the improvements and not to exceed \$405,000.00. Shirley Clayton moves to approve this Intergovernmental Agreement with the Rochelle Township High School, Bill Spencer seconds and the motion carries on a voice vote.(Placed on file)

Recess to Refer Claims to Committee

At 7:05 p.m., Chris Remhof moves to refer claims to committees, Richard Meadows seconds and the motion carries on a voice vote. Chairman Gocken calls the meeting to order at 7:25 p.m..

Claims

The clerk reads the claims for the General Fund - \$204,896.31 and the County Highway Fund - \$83,475.87. Motion to accept claims by Ed Rice, Tom Scholl 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: *County Clerk/ Insurance, Buildings & Grounds, Sheriff & Coroner, Judiciary & Circuit Clerk, Mental Health "708" Board, 9-1-1 Emergency Board, G.I.S. Committee and Economic Development.* The following had no minutes to file: *Juvenile & Probation, Blackhawk Hills RC&D, Board of Health, Tri-County Opportunities Council, Personnel & Salary, Illinois Risk Management, Safety Committee, Siting Committee, Liquor Commission and Ogle Co. AG..*

H.E.W. & Solid Waste

Minutes placed on exhibit

Landfill Host Fees

Betty Gocken says that the host fees for the fourth quarter of 2002 have been received and the County received \$536,136.02. The CPI has been adjusted and the new rate will be \$1.69 per ton for 0 - 150,000 tons per calendar quarter and \$2.26 per ton for each ton over 150,000 tons per calendar quarter.

Siting Hearings

Betty Gocken informs the board that there will be Public Hearings for the Rochelle Municipal #2 Landfill Expansion. They will be held on February 24, 25 and 26; March 3 - 7 in Rochelle at Hickory Grove. The first meeting will begin at 10:00 a.m..

Juvenile & Probation

Minutes placed on exhibit

Conference

Marguerite Nye informs the board that they are invited on March 7th for the Lee/Ogle County Juvenile Court and School Administrators Conference at the Focus House Farm. The conference will be from 8 a.m. to 10 a.m..

Blackhawk Hills RC&D

No minutes

Events

Ron Colson informs the board of a list of upcoming events for the Blackhawk Hills RC&D that the outgoing President Lynne Kilker has distributed.

List of Acronyms

Mr. Colson also distributed to each member today, a list of commonly used acronyms.

Illinois Assoc. of County Board Members

No minutes

Information

Shirley Clayton has distributed information on your desk today.

UCCI

No minutes

Meeting

The UCCI Conference will be held on March 12 & 13th in Springfield and a newsletter has been distributed to all board members.

Personnel & Salary

Minutes placed on exhibit

Manual pages

Pat Saunders states that the committee did not meet this month. There is a page of the Ogle County Elected Officials and Department Heads to be inserted into your Orientation Manuals.

Long Range Planning

Minutes placed on exhibit

Bowling Alley Update

Kim Gouker states the Bowling Alley has been used by the S.W.A.T. for training.

Prevailing Wage Resolution

Kim Gouker comments that the County needs to pass a Prevailing Wage Resolution for the upcoming project. Carol Hoekstra states that State's Attorney Doug Floski said that we do not need to do this, that it reverts back to the State.

Newspaper of Record

Mr. Gouker also informs the board that there needs to be a Resolution for the Ogle County Newspaper of Record. He will recommend a resolution be drafted and adopted to have the Ogle County Life paper be the Newspaper of Record.

Oregon Fire District

Mr. Gouker received a letter from the Oregon Fire Protection District and they would like to practice on the buildings across from the courthouse before they are demolished.

Questions

There was discussion regarding the increase of square footage to be used in the office space of the new Health Dept/Circuit Clerk office space.

Liquor Commission

No minutes

New License

Chairman Gocken would like to set up a meeting with the Liquor Commission to discuss a new license application.

Executive Committee

Minutes placed on exhibit

I-39 Corridor Meeting

There is a meeting on February 19th at 6 p.m. at the Eswood School in Lindenwood. The purpose of the meeting is to present plans; clarify processes and determine resources available.

Rock River Valley
Partners Agreement

Chairman Gocken states that this was distributed in the County Board packets for review. This is land surrounding the I-39 Corridor and the Executive Committee recommends that this agreement be approved. Bill Spencer moves to approve this agreement and Carol Hoekstra seconds. The motion carries on a voice vote.(Placed on file)

February 18, 2003

Chairman Comments

Chairman Gocken states that she has received a letter from Kim Krahenbuhl that contains a Settlement Agreement, General Release and Indemnification document regarding the Seneca Schools and the IGA group. The IGA group offered a settlement and the Seneca Schools have agreed. The Ogle County share will be \$18,587.87 payable to Seneca Township High School District #160 and \$18,249.13 payable to Seneca Community Consolidated School District #170. The monies for this settlement will come from line item 925-16 of the County Budget. Chairman Gocken reminds the board that this settlement was agreed to at the December County Board meeting.

Chairman Gocken informs the County Board that she received a rebate from UCCI in the amount of \$110 for the 2003 dues.

Chairman Gocken comments that she attended the Buildings & Grounds Committee meeting this month. She was informed about the lack of communication between this committee and the Long Range Planning Committee. It was brought to Chairman Gocken's attention that Peg Fridley was a member of both committees. This was an oversight and next month Chairman Gocken will make an appointment to rectify this situation.

This month Chairman Gocken attended 21 meetings and drove 880 miles and gave a talk at the Oregon Coliseum.

Finance Committee Minutes placed on exhibit

At 7:47 p.m., Bill Spencer makes a motion to go into Closed Session regarding a contract, Kim Gouker seconds. It is requested that Doug Floski and John Coffman stay. A roll call vote is called:

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

NO: None

ABSENT: Horner and Zuehl

The motion to go into Closed Session passes on a roll call vote.

At 8:00 p.m., the County Board returns to Open Session.

Kim Gouker makes a motion to accept the Promissary Note between Doug Floski and Ogle County for repayment to the IMRF Fund. There will be 11 payments of \$647.16 and a final payment of \$647.18. The Promissary Note will be filed with the County Clerk's Office. Richard Meadows seconds and the motion carries on a voice vote.

Public Comments

Stephen Carlson has been visiting different counties in the area to survey the restrictions to speak about items at County Board meetings. He points out information in the Ogle County Yearbook on page 33 regarding Public Comments.

Marty Typer asks for support regarding HB269 and he asks that board members send letters in support of this Bill.

Chairman Gocken states that she has received a letter from the Illinois Historical Preservation Agency. The Oregon Public Library has requested to be put on the National Register of Historic Places. The meeting will be in Springfield on March 14, 2003.

Communications

Sales Tax for November 2002, is \$56,251.25 and \$25,350.00
Sales Tax for November 2001, was \$58,989.21 and \$25,958.01

Old Business

Motion to Recess

At 8:05 p.m., Richard Meadows moves to recess the February County Board Meeting until Tuesday, March 18, 2003, at 5:30 p.m. at the Ogle County Courthouse. Don Conn 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