

Proceedings of the Ogle County Board  
January 20, 2004

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

**Call to Order**

Vice-Chairman Clayton calls the meeting to order at 5:30 p.m..

**Roll Call:**

Roll Call shows Daws and Gocken are absent. The Invocation is given by Marguerite Nye and this is followed with the Pledge of Allegiance to the Flag.

**Appointment of County Board Member for District #2 Vacancy**

Vice-Chairman Clayton announces it has been recommended that John C. "Skip" Kenney, Jr., be appointed to Ogle County Board District #2. This appointment fills the unexpired term of Richard Meadows and will run January 20, 2004 to November 30, 2004. Fred Horner moves to approve, Doug Zuehl seconds and the motion carries on a voice vote.

Judge Stephen Pemberton swears in Skip Kenney as the new County Board Member for District #2. Skip Kenney takes his seat as the new County Board Member for District #2.

**Adjourn December 16, 2003, Ogle County Board meeting**

Vice-Chairman Clayton asks for a motion to adjourn the December 16, 2003, Ogle County Board meeting. Pat Saunders moves to adjourn the December 16, 2003, Ogle County Board meeting, Marguerite Nye seconds and the motion carries on a voice vote.

**Approval of Minutes**

Vice-Chairman Clayton asks for a motion to approve the December 16, 2003, Ogle County Board meeting minutes. Don Huntley moves to approve the minutes, Ed Rice seconds. Don Conn would like to have the minutes corrected regarding Marty Typer's answer to Chris Remhof's question about the Circuit Clerk Contract: "Chris Remhof asks Marty Typer if he has a copy of the contract available? Marty replies there is a copy on file in the County Clerk's Office." Conn states only the old contract is on file in the County Clerk's Office and not the contract to which he was referring. After discussion, it was stated the minutes would not be amended but noted at this time in this month's minutes.

**Approval of Reports**

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

**Animal Control Presentation**

Vice-Chairman Clayton introduces Dr. Champley to the members of the board and the general public. Dr. Champley has a Power Point demonstration for the board regarding the Dogs at Large and Micro-chipping of Dogs Ordinances which are being presented to the board tonight. Dr. Champley informs the board there were under 100 dog bites registered in the year of 2003. These ordinances will help with public safety and reunite owners with lost pets. The micro-chipping of dogs will help to identify dogs which are deemed "vicious". Animal Control has had experiences with owners switching identities of dogs which have been deemed vicious. Jerry Brooks speaks out against a leash law for Ogle County. Brooks has discussed this with Sheriff Messer and Animal Warden Hank Coy and they do not feel there are any big problems regarding dogs at large in the county. Brooks says there needs to be more studying of the law before it's enforced. Curtis Cook asks how this ordinance will affect the hunters? Dr. Champley says there is specific language in the ordinance making hunting dogs exempt. There is also discussion regarding the cost of enforcing these ordinances. Dr. Champley does a brief demonstration micro-chipping a dog and

January 20, 2004

asks his Assistant Lisa to come in with the dog. It is a quick process and he scans the dog for the placement of the chip. (Ordinances are placed on exhibit)

**Route 64 and Route 2 Improvements in front of Courthouse**

County Engineer Curtis Cook informs the board of I.D.O.T.'s purchase of Courthouse right-of-way for road improvements in Oregon. There are issues of concern:

- 1 - Iron Mike
- 2 - Information Booth
- 3 - Trees
- 4 - Sodding of the yard
- 5 - Autumn on Parade weekend
- 6 - Big yellow signal control box

I.D.O.T. has proposed to relocate Iron Mike behind the sidewalk on county property. The Information Booth will remain at it's current location and the Governor's Hometown Award sign will be relocated to the back side of the sidewalk. Cook has asked I.D.O.T. to commit there will be no sidewalk work or open holes within a 3 block radius of the courthouse Autumn on Parade weekend. Cook talks about the trees in the front of the courthouse, I.D.O.T. says there is no trimming to be done on the trees. If there is trimming to be done, it will not be done until a designated county representative is present. Cook thinks trimming will need to be done on lower branches. The amount of property I.D.O.T. is wanting to acquire for these improvements is 1,195 square feet of right-of-way and 3,708 square feet of temporary easement. Cook says he would recommend if I.D.O.T. agrees to the commitments to the county, that the county go ahead with the sale of the courthouse right-of-way. Fred Horner asks if there will be a loss of any parking spaces? Cook states there will no longer be spaces on the North side of the square due to a right hand turn lane. I.D.O.T. will reimburse the City of Oregon for the loss of the parking spaces.

**Appointments**

Forreston Fire Protection District

Vice-Chairman Clayton announces the recommendation of Jack R. Daws to the Forreston Fire Protection District for an unexpired term that ends April 30, 2005. Carol Hoekstra moves to approve the appointment, Sven Johnson seconds and the motion carries on a voice vote. (Placed on file)

Mental Health "708" Board

Vice-Chairman Clayton informs the board this appointment will be made in February.

**Zoning - Michael & Tricia Egyed**

The clerk reads the petition of Michael & Tricia Egyed, 719 S. Stillman Rd., Oregon, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to R-2 Single-Family Residence District on property described as follows and owned by the petitioners:

Part of NW 1/4 Section 2 Pine Rock Township 23N, R11E of the 4th P.M., Ogle County, IL, 4.30 acres, more or less  
Property Identification Number: 17-02-100-002  
Common Location: 719 S. Stillman Rd.

Tom Scholl moves to concur with the Zoning Board of Appeals and grant this amendment, Lyle Hopkins seconds. The motion carries on a voice vote.(Placed on file)

**Zoning - Jimmy A. & Florence S. Robertson**

The clerk reads the petition of Jimmy A. & Florence S. Robertson, 5691 E. Canfield Rd., Chana, 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 N1/2 SE1/4 Section 21 Pine Rock Township 23N, R11E of the 4<sup>th</sup> P.M., Ogle County, IL, 11.21 acres, more or less  
Property Identification Number: Part of 17-21-400-003 & -007  
Common Location: 5691 E. Canfield Rd.

\*Note: 3/4 vote required to approve #31-03 Amendment

Tom Scholl moves to table this amendment until next month, Lyle Hopkins seconds and the motion carries on a voice vote.

**Road & Bridge - Resolution of Vacation - Lowell Park Road**

The clerk reads the resolution regarding the Resolution of Vacation for 99-00191-00-FP, Plat of Vacation on a portion of Lowell Park Road. Bill Spencer moves to approve, Fred Horner seconds and the motion carries on a voice vote.(Placed on file and recorded in the Ogle County Recorder's Office)

**Road & Bridge - Certificate of Vacation - Hales Corner Road**

The clerk reads the Certificate of Vacation regarding a portion of Hales Corner Road in Marion Township. Bill Spencer moves to approve, Don Huntley seconds and the motion carries on a voice vote.(Placed on file)

**Road & Bridge - Resolution of Vacation - Hales Corner Road**

The clerk reads the Resolution of Vacation regarding a portion of Hales Corner Road in Marion Township. Bill Spencer moves to approve, Chris Remhof seconds and the motion carries on a voice vote.(Placed on file and recorded in the Ogle County Recorder's Office)

**Road & Bridge - County Maintenance Resolution**

The clerk reads the County Maintenance Resolution that appropriates \$650,000.00 from the Motor Fuel Tax Fund for FY2004 maintenance to county highways. Bill Spencer moves to approve, Don Huntley seconds and the motion carries on a voice vote.(Placed on file)

**Road & Bridge - Ordinance for the Establishment of an Altered Speed Zone**

The clerk reads the Ordinance for the establishment of an altered speed zone from 55 MPH to 45 MPH on Marrill Road from IL Route 72 to Macklin Road (1.11 miles). Don Huntley moves to approve, Doug Zuehl seconds. Chris Remhof asks how this Ordinance works between the Township and County? Curtis Cook replied, the Township Road Commissioner contacted the highway department to perform a speed study on this township road. In order for the commissioner to put up a speed limit sign, the commissioner needs to have the County Engineer's approval. The motion carries on a voice vote.(Placed on file)

**Recess to Refer Claims to Committee**

At 6:55 p.m., the board meeting is referred claims to committees. Vice-Chairman Clayton calls the meeting to order at 7:05 p.m..

**Claims**

The clerk reads the claims for the General Fund - \$108,006.57 and the County Highway Fund - \$84,005.67. Jerry Brooks moves to accept claims, Ed Rice 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, H.E.W. & Solid Waste, Judiciary & Circuit Clerk, Juvenile & Probation, Sheriff & Coroner, State's Attorney & Legislative, Road & Bridge, Mental Health Board, Personnel & Salary, 9-1-1 ETS Board, Economic Development and G.I.S. Committee.* The following had no minutes to file: *Blackhawk Hills RC&D, Board of Health,, U.C.C.I., Byron Dragway, Illinois Risk Management, Safety Committee, Siting Committee, G.I.S. Committee, Liquor Commission and Ogle Co. AG..*

**County Clerk & Insurance** Minutes placed on exhibit

Optical Scan demonstrations Ed Rice asks board members to attend demonstrations of the new Optical Scan voting equipment.

**Finance and Revenue** Minutes placed on exhibit

Landfill in Davis Junction Bill Spencer informs the board about the owners of the landfill in Davis Junction are requesting a \$900,000.00 reduction in assessed valuation. Bill Spencer moves to approve the hire of McCann and Associates for a fee not to exceed \$16,000.00. Fred Horner seconds and the motion carries on a voice vote.

**Planning, Assessment & Zoning** Minutes placed on exhibit

Meeting Tom Scholl announces the next meeting will be January 29, 2004 at 7 P.M.

**Road & Bridge** Minutes placed on exhibit

Quick Take vs Eminent Domain Chris Remhof asks for a time frame regarding Quick Take and Eminent Domain from the Road & Bridge Committee minutes. Curtis Cook explains if the negotiations for right-of-way fail, the county can go thru the eminent domain process and this process is lengthy. Cook states the county has always been able to negotiate the purchase of right-of-ways and have never had to go thru the Eminent Domain or Quick Take process.

**Blackhawk Hills RC&D** No Minutes

Meeting Ron Colson informs the board there is a meeting next week and no additional information since the reports have been filed a few weeks ago.

**Illinois Association of County Board Members** No Minutes

Information on desks There is a copy of "Talking Points" on the desks for board members to read.

**UCCI** No Minutes

Newsletter There is a newsletter on each board members desk for review.

January 20, 2004

- Planning Commission** Minutes placed on exhibit
- Meeting The next meeting will be January 22nd at 7 p.m. in the Ogle County Board Room.
- Tri-County Opportunities** Minutes placed on exhibit
- Meeting Bill Spencer announces the next meeting will be in Princeton, Illinois.
- Long Range Planning** Minutes placed on exhibit
- Bills for approval Kim Gouker informs the board there is a new corrected version of the County Enterprise Information & Fiber Optic Project. There was a question regarding the telephones at the Health Administration Building, has the job been completed? Verizon has to upgrade the software at that site. There was discussion regarding the 9-1-1 and their ability to determine where the call from the Health Department is coming from. Kim Gouker reviews the various bills for the month and moves to have them approved. Lyle Hopkins seconds. Pat Saunders questions the bill from Potter & Lawson? Kim Gouker states this is for the completion of their contract that involved the bidding. The motion carries on a voice vote.
- Bond Order for Approval Kim Gouker states the second issuance of bonds has been completed. Kim introduces Amy Movitz from Griffin Kubick who is here to review the financing. Griffin Kubick sold the second bond issue of \$5,200,000 of projects funds construction of the new Judicial Facility and Renovation of the Courthouse. This completes \$15,000,000 initially authorized. Amy reviews the Financial Highlights information distributed to board members (below is the information on the sheet):
- > \$5,200,000 of project funds for construction of the new judicial facility and renovation of the Courthouse completes \$15,000,000 initially authorized.
  - > Aggregate debt service for both issues is level debt service through February 1, 2024.
  - > All-in yield of 4.255%; 0.07% lower than first issue. Bonds prices just after a big market rally (rates dropped significantly)
  - > Splitting issuance into two series to obtain bank-qualification proved an advantageous strategy.
  - > Bond insurance from AMBAC Assurance Corporation as a cost of 0.07% lowers yield on bonds by 0.15% - 0.20% - a savings of 0.08% - 0.13%
  - > 2011, 2012 and 2013 maturities callable starting after three years if excess cash flow permits.
  - > Standard & Poor's assigns an underlying credit rating of "A-".

January 20, 2004

Doug Zuehl asks for the overall yield on the issuance of the bonds? Ms. Movitz states there is an overall yield of 4.325 for the \$9.8 million and 4.255 overall yield on the \$5.2 million. Skip Kenney asks about the Standard & Poor's rating? Ed Rice states for the first time out, can't get a better rating than an A-. Ed Rice moves to direct the County Board Chairman to sign the bond issue. Ron Colson seconds and the motion carries on a voice vote.

Bond Abatement

Kim Gouker states this information was included in the board packets. The Ordinance will be for \$9.8 million and this will be voted on next month. Kim Gouker moves to approve the Ordinance and lay it over for 30 days, Sven Johnson seconds. Lyle Hopkins asks about abating the amount of payment? Gouker explains each year according to the abatement schedule a motion will be made. The Finance Committee is responsible for bringing this to the County Board each year.

Resolution for  
DNR Grant Funds

Kim Gouker explains to the board the resolution and money received from a DNR grant and is to be used for Capital Improvements. Gouker states this is to be used for the repairs on the Health Administration Building. Ed Rice asks how much money was received? Gouker states we received \$32,410 and this money was earmarked for this project. Deb Ellis explained the money is part of the Open Land Trust Program and the Executive Committee voted last August to use the money for the repairs. Ron Colson moves to approve the resolution, Bill Spencer seconds and the motion carries on a voice vote.(Placed on file)

Change Orders

Jerry Guy reviews the various change orders with the members of the board. Kim Gouker moves to approve change orders #5-002, 5-003 6-001 & 7-001, Chris Remhof seconds and the motion carries on a voice vote.

**IT Committee**

Minutes placed on exhibit

Meeting

Ron Colson tells the board minutes from the organizational meeting are in the packets. He feels they are making good progress and the next meeting will be February 12<sup>th</sup>.

**Executive Committee**

Minutes placed on exhibit

Parliamentary Procedure  
Workshop

Vice-Chairman Clayton alerts the board of a Parliamentary Procedure Workshop to be held on February 4, 2004, at 9:00 a.m. with Mrs. Sylvester. This workshop will be held in the County Board Room. Deb Ellis also informs the board, if there are specific items they wish to discuss, to get them to Ms. Ellis and she will send the information to Mrs. Sylvester.

**Vice-Chairman Comments**

Vice-Chairman Clayton and Lynne Kilker attended the Council of 100 meeting this morning where Lynne Kilker was announced as a new member.

January 20, 2004

**Public Comments**

**Communications**

Flowers have been sent to Jerry Daws  
Sales Tax for October 2003, is \$26,054.39 & \$64,327.04  
Sales Tax for October 2002, was \$22,604.66 & \$55,532.58  
IDOT - Public Informational Open House - RT 2 Improvements in Oregon

**Old Business**

Ron Colson has distributed "Growing Greener" he would like to have the members read the information. At the last meeting he states he was the only member to have voted consistent with the comprehensive plan regarding a zoning issue. This information is distributed by the Zoning Department when people apply for Rural Residential Zoning.

Ed Rice will withdraw his discussion regarding the change in the Ogle County Board Meeting time.

**Motion to go into Closed Session**

At 7:50 p.m., Ron Colson makes the motion to go into closed session to discuss pending litigations and Bill Spencer seconds. A roll call vote is called:

**YES:** Johnson, Kenney, Nye, Remhof, Rice, Saunders, Scholl, Spencer, Stahl, Swanson, Zuehl, Bauer, Brooks, Clayton, Colbert, Colson, Conn, Gouker, Hoekstra, Hopkins, Horner and Huntley

**NO:** none

**ABSENT:** Daws & Gocken

**Return to Open Session**

At 8:05 p.m., the board meeting returns to open session.

**Motion to Recess**

At 8:07 p.m., Bill Spencer moves to recess the January Ogle County Board Meeting until Tuesday, February 17, 2004, at 5:30 p.m. at the Ogle County Courthouse. Ron Colson seconds and the motion carries on a voice vote.

Shirley Clayton  
Vice-Chairman Ogle County Board

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