

Proceedings of the Ogle County Board Meeting
January 18, 2005

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.

Roll Call

The roll call shows Johnson is absent. The invocation is given by Shirley Clayton and this is followed with the Pledge of Allegiance to the Flag.

Approval of Minutes

Chairman Gocken asks for approval of the following County Board minutes:

- December 6, 2004 - Re-organizational meeting minutes - Huntley moves to approve, Colson seconds and the motion carries on a voice vote.
- December 21, 2004 - Ogle County Board meeting minutes - Hoekstra moves to approve, Rice seconds and the motion carries on a voice vote.

Approval of Reports

Hoekstra moves to accept and place on file the monthly reports of the County Clerk/Recorder and Treasurer. Colbert seconds and the motion carries on a voice vote.

Vacancies

Chairman Gocken announces the following vacancies:

- Ogle County Housing Authority - 1 unexpired term - ends October 31, 2005
- Lynn-Scott-Rock F.P.D. - 1 unexpired term - ends April 30, 2007
- Mental Health "708" Board - 1 unexpired term - ends December 31, 2006

Application deadline for this appointment will be Friday, February 25, 2005, at 4:30 p.m. in the Ogle County Clerk's Office

Appointments

Lost Nation / New Landing River Conservancy District

Chairman Gocken announces the State's Attorney and Legislative Committee has recommended Daniel A. Dummett of Dixon be appointed for an unexpired term which ends April 30, 2008. Clayton moves to accept the recommendation, Hoekstra seconds and the motion carries on a voice vote. (Placed on file)

Resolution - Oregon / Nashua Township change in Polling Places

The clerk reads the resolution as presented and included in the County Board Packets for the meeting (as follows):

Proposed polling places:

- Oregon - Nashua 1, 2, 3 & 5 - Nash Recreation Center
304 S. 5th Street
Oregon, IL
- Oregon - Nashua 4 - Oregon-Nashua Township Building
107 N .Etnyre Ave
Oregon, IL
- Oregon - Nashua 6 - Church of God
860 W. Oregon Trail Rd
Oregon, IL

Colson moves to accept the recommendations, Rice seconds. Rice states this is to lay over for 30 days. County Clerk Huntley wants to have public input before approving the locations.(Placed on file)

Zoning - #22-04 AMENDMENT - Jack Pease

The clerk reads the petition of Jack Pease, 5435 Bull Valley Rd., Ste. 330, McHenry, IL, Betty M. Ranken, 8125 Kishwaukee Rd., Stillman Valley, IL and Dorothy M. Alcock, 2770 Kilbuck Rd., Lindenwood, 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, owned by Betty M. Ranken & Dorothy M. Alcock and being purchased by Jack Pease:

Part of E1/2 NW1/4 Section 13, Marion Township 25N, R11E of the 4th P.M., Ogle County, IL, 60.96 acres, more or less. P.I.N.: 05-13-100-002

Common Location: 8125 Kishwaukee Rd.

Hopkins moves to concur with the Zoning Board of Appeals and approve Amendment #22-04, Doug Zuehl seconds. Scholl comments the LESA score is 240 and he suggests the P.A.Z. Committee review the LESA score and adjust it. Colson states the LESA score was considered during the process and as it was looked at during the various meetings, there needed to be a compelling reason to adjust the score. He also says there is anticipation to have this written into future versions of the comprehensive plan. He states we have provisions for Agriculture preservation at this time and the theme behind this subdivision is to return it back to pre-settlement conditions with planting of prairie grasses and hardwood forested areas. They plan to put in around 700 hardwood trees in the facility and the LESA score was addressed and there was a compelling reason not to consider the LESA score as the final factor. A roll call vote is called:

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

NO: None

ABSENT: Johnson

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

Zoning - #23-04 AMENDMENT - Curtis D. & Jean P. Ruthe

The clerk reads the petition of Curtis D. & Jean P. Ruthe, 16515 E. Edson Rd., Rockford, 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 and owned by the petitioners:

Part W1/2 NE 1/4 Section 5 Monroe Township 42N, R2E of the 3rd P.M., Ogle County, IL, 50.441 acres, more or less. P.I.N.: 12-05-200-019
Common Location: 16515 E. Edson Rd.

Hopkins moves to approve the 19.802 acres of the petition from AG-1 Agricultural District to IA Intermediate Agricultural District as described in a revised plat and legal description submitted by the petitioner, and leave the remaining property zoned AG-1 Agricultural District. Horner seconds. Scholl states he is not in favor of this amendment because of the 40 acre rule. Scholl talks about another zoning issue in which a person bought 40 acres and built a house, then about a year later wanted to take-off 15 acres from the 40 acres to an IA district and at the time they did not grant this request. The intent of the 40 acre rule from what he understands is if the farmer has 40 acres to sell because of financial reasons, he is able to do that and the person purchasing the acreage is able to build a house on it without coming into Zoning. Hopkins says this came as a change from the original intent and this way the land the house now sits on will be IA and the AG-1 land will never have a house on it. Rice asks if they can come back on the AG-1 land and apply for rezoning on this in the future? There was no definite answer to this question. Saunders states the revised plan did not go through the ZBA process and there is no transcript regarding the discussion and she states maybe the revision should have gone back to ZBA and why wasn't it taken back to the ZBA? Reibel states there is no reason it cannot go back if they feel there is more testimony or evidence that should be on the record. The committee felt there really wasn't any additional evidence or testimony to be considered. Chairman Gocken asks if the petitioner had a buyer when he came in on the last day? Reibel states the petitioner said he has a buyer for the AG-1 zoned land. A roll call vote is called:

YES: Hopkins, Horner, Remhof, Stahl, Swanson, White, Zuehl, Bauer, Colbert, Colson, Heuer, Hoekstra and Gocken

NO: Huntley, Kenney, Nye, Rice, Saunders, Scholl, Spencer, Brooks, Clayton and Gouker

ABSENT: Johnson

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

Road & Bridge - Resolution - County Road Construction

The clerk reads the County Road Construction Resolution regarding Lowell Park Rd Reconstruction (04-00191-01-FP). The low bid from Northwest Illinois Construction Co. in the amount of \$1,983,754.01 was accepted and awarded. The resolution appropriates \$990,000 from the County Motor Fuel Tax Fund, \$903,000 from the Federal Aid Matching Fund and \$110,000 from the County Aid to Bridge Fund for construction of the said project. Clayton moves to approve the County Road Construction Resolution for Lowell Park Rd (04-00191-01-FP). Colson seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Resolution - County Maintenance Resolution

The clerk reads the County Maintenance Resolution regarding General Maintenance (05-00000-0X-GM). This resolution appropriates \$650,000 from the Motor Fuel Tax allotment for the maintenance on County or State highways. Clayton moves to approve the 2005 County Motor Fuel Tax Resolution appropriating \$650,000 for General Maintenance. Spencer seconds. Remhof asks

if this is a normal resolution passed every year? Clayton says yes it is a normal resolution. The motion carries on a voice vote.(Placed on file)

Recess to refer claims to a committee

At 5:55 p.m., Rice moves to refer claims to committees, Hoekstra seconds and the motion carries on a voice vote. Chairman Gocken calls the meeting back to order at 6:05 p.m..

Claims

The clerk reads the claims for the General Fund - \$79,028.69 and the County Highway Fund - \$23,342.75. Spencer moves to approve the claims as read, Kenney seconds and 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 an exhibit: *County Clerk & Insurance, Building & Grounds, H.E.W. & Solid Waste, Judiciary & Circuit Clerk, Road & Bridge, Personnel & Salary, 9-1-1 E.T.S. Board, Executive Committee and G.I.S. Committee.* The following had no minutes to file: *IT Committee, Board of Health, Ill Assoc. Co. Bd. Members, U.C.C.I, Tri-Count Opportunities, Safety, Liquor Commission and Byron Dragway.*

Finance & Revenue

Minutes placed on an exhibit

Mileage Reimbursement

Spencer moves to set mileage reimbursement at \$.36 per mile for FY2005, Kenney seconds and the motion carries on a voice vote.

ComEd Resolution

Spencer states the Finance Committee is recommending approval of the resolution to settle the 2002 ComEd rate objection for the sum of \$42,697. This information was included in the County Board packets. Spencer moves to approve the resolution to settle the 2002 ComEd rate objection for the sum of \$42,697 and Swanson seconds.

Vice-Chairman

Spencer announces Swanson will be the Vice-Chairman of the Finance Committee.

Meeting Date

Spencer states the Finance Committee will continue to meet on the Friday before the County Board meeting at 10:00 a.m. at the H.A.B. facility.

Juvenile & Probation

Minutes placed on exhibit

Pancake Breakfast

Nye invites the board to attend the 1st Annual Pancake Breakfast Focus House on Sunday, January 23rd. This will be held from 7a.m. to 2:00 p.m.

Planning, Assessment & Zoning

Minutes placed on exhibit

Meeting

Hopkins states there will not be a ZBA hearing or Planning Commission meeting in January.

Sheriff & Coroner

Minutes placed on exhibit

Lease on vehicles

Gouker asks about the State bid on the new fleet of squad cars for the Sheriff's Department? Horner says this money is in the Sheriff's budget and there are approximately 16 cars on order. Gouker asks about the process and this is the first he has heard about the new cars. Horner states they get new cars every couple of years and once they get so many miles on them the trade-in value decreases. Gouker asks who authorizes the purchases and isn't this something the County Board needs to authorize? Horner states to his knowledge, the board has never approved squad purchases. Gouker says the money in the budget is to cover each annual amount and when a lease is taken on you are extending beyond the current Fiscal Year and obligating the county. Horner says every year the lease is paid until 5 years and then the cars are paid in full. Horner states this is the way the Sheriff has bought his cars. Gouker says if this is for 1/2 of the fleet, what is going to happen with the other 1/2 of the fleet? Horner says they stagger them until they get so many miles on them. Gouker says the minutes make it appear that the line item is currently \$104,000; now this one is for \$63,000 and made it appear it was for all of the squads and less money. Gouker asks Horner if there will be \$63,000 in the budget line item, along with the other 1/2 of the fleet? Horner says he cannot say what will happen with the FY2006 budget. Horner does say the lease on this 1/2 of fleet is for 5 years through the lease / option to buy. Gouker says he doesn't think anyone but the County Board has the authority to obligate this to the county beyond this Fiscal Year and that's what the lease does. There was discussion regarding the annual amount in the budget and the Sheriff obligating Ogle County for future payments. There was discussion as to how other departments purchase vehicles. Chairman Gocken says when Solid Waste needed a new vehicle it was brought to the committee first and the board approved the purchase. Horner asks how does the Highway Office pay for vehicle purchases? Curtis Cook says they do take bids for smaller equipment locally and the large trucks are bid through the State of Illinois. The highway department tries to buy one vehicle per year and they purchase the vehicle outright. Remhof asks if the issue should be referred to the appropriate committee (Finance or State's Attorney) to have them look into and see if there are legal parameters that we need to be aware of? Also, give them a couple of months to look at the different scenarios and make sure that going forward is the correct thing to do. Nye says she would like to see who's signature is on the lease, if the Chairman has not signed. Bauer asks if leases for copier machines are leased for multiple years? There was discussion regarding the amount of the

expenditure and the process. Chairman Gocken asks State's Attorney Roe if this is something he should check into? Roe says he would look into this issue and would not like to comment on what is right or wrong without further research. Chairman Gocken says she will have State's Attorney Roe look into this issue and report back.

State's Attorney & Legislative Minutes placed on exhibit

Meeting change Hoekstra says the committee will meet on the Tuesday, before the County Board meeting in the basement conference room of the courthouse at 5:00 p.m.

Blackhawk Hills RC&D

Update Colson says an update has been distributed to the board members this evening.

Planning Commission Minutes placed on exhibit

Meeting Remhof says there will be no meeting in January.

I-39 meeting Remhof informs the board of an I-39 Corridor meeting to be held on February 23rd at 7:00 p.m. in Davis Junction at the Village Hall.

Personnel & Salary Minutes placed on exhibit

Meeting Update Saunders says the Personnel & Salary Committee will be moved to Tuesday's at 2:00 p.m. to keep Kim Stahl on the committee.

Long Range Planning Minutes placed on exhibit

Update on progress Jerry Guy gives the following update -

- Roof system for stairwell A is being worked on and when it is 99% complete it will be set as one piece
- Metal stud framing is almost complete on all 3 floors
- 1st floor drywall is 90% in place
- Framed main courtroom ceiling and Jury and Judges boxes
- Mechanically and electrically - everyone is continuing to get their systems in place
- Masonry is on hold due to the weather

Bills for approval Gouker reviews the various bills which have been submitted for payment. Gouker moves to approve payment of the expenditures from the Judicial Center Project Fund in the amount of \$878,899.04. Rice seconds and the motion to approve the bills as presented carries on a voice vote.

Contract #19
Balancing Gouker refers to his spreadsheet and discusses Contract #19 - this is for Testing, Adjusting and Systems. The low bid was submitted by Controlled

Environment Testing and Balancing Inc. at a cost of \$31,990. Gouker moves to approve and award Contract #19 to Controlled Environment Testing and Balancing Inc. for the amount of \$31,990. Spencer seconds and the motion carries on a voice vote.

Contract #22

Jerry Guy explains Contract #22 for Data & Communication Cabling Systems. The low bid was submitted by Kelso-Burnett Company in the amount of \$150,983. Gouker moves to approve and award Contract #22 to Kelso-Burnett Company in the amount of \$150,983. White seconds. Zuehl says he has noticed a difference in the budgeted amount of about \$30,000. Jerry Guy explains the tie between the two buildings wasn't anticipated to be part of the project and it is now part of the project. There was discussion regarding various contracts which are under budget as well as some that may be over budget. The motion carries on a voice vote.

IT Committee

No minutes

Update

Colson says the next meeting will be on Tuesday, February 1st at 1:30 p.m. in the County Board Chairman's Office

Liquor Commission

New License issued

Chairman Gocken says the Liquor Commission has approved a liquor license to Kim Lounsbury of Forreston. Ms. Lounsbury will be opening Jacks Bar and Grill in Forreston at the old Kicker's / Gar-Field's location.

Grubsteaker's

Rice asks what is going on with Grubsteaker's at the intersection of Route 251 and Route 64, it appears to be closed? Chairman Gocken says it appears they are currently under construction and we are waiting to see what happens. Laura Cook informs the Chairman she received applications on Friday and is waiting to hear from the applicant or their attorney.

Chairman Comments

Chairman Gocken announced Don Manzullo had invited her and Chief Deputy Greg Beitel to attend a news conference in which he had a total of \$559,000 that he was giving out to various Police and Sheriff's Departments to be used for new equipment in police cars. The Ogle County Sheriff Department received \$70,000 - \$35,000 to Rochelle - \$25,000 to Oregon - \$25,000 to Byron - \$15,000 Mt Morris and \$10,000 to Polo.

Chairman Gocken has been contacted by Bob O'Brien the director of the Rockford Airport. He has asked Chairman Gocken to remind people to use the Rockford Airport for personal and business travel.

Public Comment

Communications

- Sales Tax for October, 2004 was \$39,211.49 and \$64,745.29
- Sales Tax for October, 2003 was \$26,054.39 and \$64,327.04
- Regional Office of Education - Annual Report (put in Orientation Manual)
- Public Notice - Woods Equipment Co - State Operating Permit (2)
- Asplundh Tree Trimming Notice
- Illinois Historic Preservation Agency - Polo Independent Order of Odd Fellow Lodge No. 197

Unfinished Business

New Business

Closed Session

At 6:45 p.m., Chairman Gocken states the County Board will be going into Closed Session to discuss pending litigation regarding the Byron Dragway. Rice moves to go into Closed Session to discuss pending litigation regarding the Byron Dragway, Scholl seconds and roll call is called:

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

NO: none

ABSENT: Johnson

Return to Open Session

At 7:10 p.m., the County Board returns to Open Session.

Motion to Adjourn

At 7:10 p.m., Horner moves to adjourn the January Ogle County Board meeting until Tuesday, February 15, 2005, at 5:30 p.m., Stahl seconds and the motion carries on a voice vote.

Betty Gocken
Chairman Ogle County Board

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