

Proceedings of the Ogle County Board Meeting
January 17, 2006

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

Call to Order

Chairman Gocken calls the meeting to order at 5:36 p.m.

Roll Call

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

Approval of Minutes

Chairman Gocken asks for a motion to amend the August 16, 2005, Ogle County Board meeting minutes. There was a motion made on page 222 which inadvertently left out the second on the vote. The information appears as:

Finance & Revenue

Minutes placed on exhibit

Transfer of funds

Spencer makes a motion to transfer \$163,000 from the Capital Improvement Fund to the General Fund effective December 1, 2005 for the 2006 budget year.

The motion should read as follows: "Spencer makes a motion to transfer \$163,000 from the Capital Improvement Fund to the General Fund effective December 1, 2005 for the 2006 budget years. Rice seconds and discussion ensues. The motion carries on a voice vote."

Hoekstra moves to amend the minutes as shown above, Clayton seconds and the motion carries on a voice vote.

Chairman Gocken asks for a motion for the approval of the December 20, 2005, Ogle County Board Meeting minutes. Rice moves to approve the December 20, 2005, Ogle County Board meeting minutes. Swanson seconds and the motion carries on a voice vote.

Approval of Reports

Colson moves to accept and place on file the monthly reports of the Treasurer and Circuit Clerk. Spencer seconds and the motion carries on voice vote. (Placed on file)

Heuer moves to accept and place on file the monthly, six-month and annual report of the County Clerk and Recorder. Huntley seconds and the motion carries on a voice vote. (Placed on file)

Swearing in of new County Board Member District #3

Chairman Gocken states she has received the recommendation to appoint Tom Lewandowski to County Board District #3 and asks for him to come forward. Colbert moves to approve the recommendation of Tom Lewandowski. Colson seconds and the motion carries on a voice vote.

Judge Pemberton reads the Oath of Office to Tom Lewandowski for his appointment to the Ogle County Board District #3.

Appointment

Chairman Gocken announces the recommendation of Emory F. Harmon of Oregon to fill the vacancy on the Mental Health 708 Board for an unexpired term which ends December 31, 2007. Clayton moves to approve the appointment, Colson seconds and the motion carries on a voice vote.(Placed on file)

Zoning - #22-05 AMENDMENT - Robert & Lois Johnson

The clerk reads the petition of Robert & Lois Johnson, 12864 Elkhorn Rd., Como, CO for an Amendment to the Zoning District to rezone from I-1 Industrial District to AG-1 Agricultural District on property described as follows and owned by the petitioners:

Part of N ½ Section 21 Forrester Township 25N, R8E of the 4th P.M.,
Ogle County, IL, 130.41 acres, more or less
Property Identification Number: 02-21-100-010

Hopkins makes the motion to accept the petitioners written request to withdraw the petition. Scholl seconds. Hopkins informs the board as to why the petition is being withdrawn. He states the petitioners have a buyer for the property and they want it to remain zoned for I-1 Industrial District. The motion carries on a voice vote.(Placed on file)

Zoning - #18-05 AMENDMENT - Richard J. & Marjorie A. Reed

The clerk reads the petition of Richard J. & Marjorie A. Reed, 8953 Fowler Rd., Rochelle, 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:

SW Fractional 1/4 SW Fractional 1/4 Section 7 Flagg Township 40N, R1E of the 3rd P.M.; part of SE Fractional 1/4 Section 25 Pine Rock Township 23N, R11E of the 4th P.M.; and part of NE 1/4 Section 36 Pine Rock Township 23N, R11E of the 4th P.M., Ogle County, IL, 112.71 acres, more or less. P.I.N.: 17-25-400-004, 17-25-400-005, 17-36-200-001 and 24-07-300-003 - Common Location: 8953 E. Fowler Rd.

Hopkins moves to approve #18-05 Amendment for Richard J. & Marjorie A. Reed and Zuhel seconds. Huntley states he will vote no and encourages the rest of the board to vote no as well. Huntley says the petition does not fit the comprehensive plan of the county. He also states the county has urged the townships to form a Township Planning Commissions. He states this petition does not fit the Pine Rock Township Planning Commission comprehensive plan. Huntley says if you read the petition it says there could be up to 170 residences and each residence has the possibility of having a horse. He states what we have done if we approve this petition, is we will have another livestock confinement in the area. The Planning Commission has spent a lot of time on this Comprehensive Plan and the county has supported this plan and urges the board to vote no on this petition. Hopkins states Pine Rock Township has asked for a 3/4 vote on this petition. White addresses the issues of water and sewer issues regarding the number of possible horses on this property. He states

nothing compacts soil more than a horse and this would be detrimental to the sewage systems and possible feces problems around the well area. Kenney says he lives in close proximity to this development and he will be voting no on this petition. Kenney says in recent months there have been a significant number of developments approved by the County Board. There are a number of unsold lots on Flagg Road and migrating out to the area of the petitioners. Kenney says until such time as those properties are sold, he does not see the need to create another development. Kenney is not opposed to the concept of the development, it's just getting to be a substantial population center in that area. Zuehl states he will be voting yes for this development, he says the concept fits the area. He goes onto to say the schools will benefit from this development. Heuer comments on the AdHoc Citizens Committee which was established, to reach a result as to what they thought were important land issues. The results of that committee was for Ogle County to stick to the Comprehensive Plan - compact and contiguous residential subdivisions and this subdivision does not meet that requirement. Heuer says if the board wants to continue to have positive input from our citizens and AdHoc Committees, that kind of consideration needs to be taken into account by the County Board. Spencer asks how the ZBA voted on this petition - Zoning Board of Appeals voted 5 - 0 for denial and the Planning Commission voted 6 - 0 for denial and there was no recommendation from the Planning and Zoning Committee. A roll call is taken:

YES: Swanson, Zuehl, Bauer, Gouker, and Hopkins

NO: Scholl, Spencer, White, Boes, Brooks, Clayton, Colbert, Colson, Heuer, Hoekstra, Horner, Huntley, Kenney, Lewandowski, Nye, Rice, Saunders and Gocken

ABSENT: Stahl

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

Zoning - #8-05 SPECIAL USE - Dan Hughes

The clerk reads the petition of Dan Hughes, 4869 S. Daysville Rd., Oregon, IL for a Special Use Permit to allow a single-family dwelling for the son of the farm owner in the AG-1 Agricultural District on property described as follows and owned by petitioner:

Part of NW 1/4 SW 1/4 Section 25 Oregon-Nashua Township 23N, R10E of the 4th P.M., Ogle County, IL, 10.504 acres, more or less
Property Identification Number: Part of 16-25-300-005
Common Location: 4700 Block S. Daysville Rd.

Hopkins moves to concur with the Zoning Board of Appeals and approve #8-05 Special Use for Dan Hughes and Zuehl seconds. Hopkins states after reviewing this information, the site where the house will be located is 700' from an active livestock facility which has about 70 animal units. Hopkins says they asked at the committee meeting if they could relocate the house in a manner in which they would be in compliance with the 1/4 mile set back from a livestock facility. The committee was told this could not be done and Hopkins is asking for the denial of this Special Use Permit. Zuehl states the 70 animal units are out in the pasture. Colson asks Mike Reibel about the requirement of the distance from the livestock facility. Is there some form the petitioners can sign in which they acknowledge the conditions which can occur living in an agricultural area? Scholl says in the past there have been deed restrictions put on property and this was done voluntarily. Colson says the petitioner is here and asks if they would do this? Mr. Hughes' son states this would not be a problem and he has lived across from this area all of his life. Heuer says Hopkins has done some

research regarding Special Use Permits issued to the children of a farm owner and we do not have a good track record. Hopkins states 3 have been issued and were sold within a 5 year span. Reibel says per Ordinance a statement is required to be recorded with the Deed which the petitioner and buyer acknowledge the conditions which can occur in an agricultural area. A roll call vote is called:

YES: Spencer, Swanson, Zuehl, Bauer, Boes, Brooks, Colbert, Colson, Gouker, Hoekstra, Horner, Huntley, Kenney, Lewandowski, Nye, Rice, Saunders, Scholl and Gocken

NO: White, Clayton, Heuer and Hopkins

ABSENT: Stahl

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

Zoning - #23-05 AMENDMENT - T. Walter & Patricia A. Roush

The clerk reads the petition of T. Walter & Patricia A. Roush, 20895 E. Hwy. 64, Esmond, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to I-1 Industrial District on property described as follows and owned by the petitioners:

Part of NE 1/4 NE 1/4 Section 25 Lynnville Township 41N, R2E of the 4th P.M., Ogle County, IL, 12.2 acres, more or less
Property Identification Number: Part of 19-25-200-001
Common Location: 20895 E. Hwy. 64

Hopkins moves to concur with the Zoning Board of Appeals and approve this request with the stipulation that no county permits shall be issued until outside storage of junk and materials have been eliminated. Scholl seconds and the motion carries on a voice vote.(Placed on file)

Zoning - Flagg Township Land Use Plan Resolution

This information was not submitted or included in the County Board packets. The resolution and map will be included in the packets next month.

Road & Bridge - Petition for Vacation - Rockvale Township

Huntley says the Ogle County Engineer requests the vacation of right-of-way, a piece of Old River Rd at Spring Creek Rd. The piece of land is on the location map which was included in your packet. Huntley moves that the Petition of Vacation of right-of-way, a piece of the Old River Rd at Spring Creek Rd be approved and Clayton seconds. Kenney asks how this happened? County Engineer Curtis Cook explains many years ago, River Rd was on this right-of-way and when the road was re-aligned this piece was not vacated. The motion carries on a voice vote.(Placed on file)

Road & Bridge - Resolution for Vacation - Rockvale Township

Huntley states the next procedure after Petition of Vacation is the Resolution of Vacation. Huntley moves that the Resolution of Vacation, a piece of the Old River Rd at Spring Creek Rd be approved. Colson seconds and the motion carries on a voice vote.(Placed on file and recorded)

Road & Bridge - Supplemental Resolution - 05-00000-00-GM

Spencer moves to approve the Supplemental Resolution for the appropriation of Motor Fuel Tax funds for County Highway maintenance operations, 05-00000-00-GM in the amount of \$179,222.14. Horner seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - County Engineer Salary Program Resolution

Huntley says last month the County Board passed a resolution in regards to funding of the County Engineer annual salary. This resolution /agreement is to the Illinois Department of Transportation for participation in the County Engineer's salary program and this is for 6 years. Huntley moves to approve this renewal with IDOT for participation in the Ogle County Engineer salary program. Zuehl seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - County Maintenance Resolution - 06-00000-OX-GM

Colson moves to approve the expenditure of \$650,000 for Section 06-00000-OX-GM, Huntley seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Preliminary Engineering Services Agmt - 05-00235-00-CH

Colson moves to approve the Preliminary Engineering Services Agreement with Willet, Hoffmann & Associates for the design of improvements to Daysville Rd and the intersection of Illinois Route 64, with a an amount not to exceed \$56,600. There will be a reimbursement of \$32,750 from the State. Huntley seconds and the motion carries on a voice vote.(Placed on file)

Recess to refer claims to a committee

At 6:25 p.m., Chairman Gocken asks for a motion to recess and refer claims to committee. Horner moves, Saunders seconds and the motion carries on a voice vote. Chairman Gocken calls the meeting back to order at 6:40 p.m.

Claims

The clerk reads the claims for the General Fund - \$320,054.88 and the County Highway Fund - \$124,853.70. Huntley moves to approve the claims as read, Nye 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, Judiciary & Circuit Clerk, Sheriff & Coroner, Road & Bridge, Planning Commission, Personnel & Salary and GIS Committee*. The following had no minutes to file: *Board of Health, Ill Assoc. of County Board Members, U.C.C.I., Ill Risk Management, Tri-County Opportunities, Safety Committee, Long Range Planning , Liquor Commission and Byron Dragway*.

Buildings & Grounds

Minutes placed on exhibit

Comments

Zuehl says there was to be a meeting regarding the heating of the Judicial Center and Zuehl could not attend. The meeting was to be rescheduled because the test adjustment and balance on the air movement was not available as promised. Jerry Guy says the meeting can now be rescheduled. Zuehl asks about the status of the locks for the evidence room? Jerry Guy says they received a proposal for the locks and have authorized the contractor to install the locks.

Finance & Revenue

Minutes placed on exhibit

County Trustee
Resolution

Spencer refers to the resolution attached to the Finance Committee minutes. Spencer moves to recommend the adoption of the resolution to increase the minimum bid for County Trustee parcels from \$450 to \$600. Rice seconds. Coffman explains the process of parcels sold to the Trustee and sold through the Delinquent Tax Liquidation Program. The motion carries on a voice vote.(Placed on file)

E.A.V.

Spencer alerts the board to the Board of Review lowering the assessment of the Exelon Plant. A memo has been sent to the various department heads to make only necessary expenditures in light of the ruling.

Circuit Clerk Fee
Resolution

Marty Typer speaks to the board regarding the resolution to increase the fee collected for court automation and document storage. This will increase from \$5 per case to \$15 to per case filed and will be applied to all civil, criminal, traffic and ordinance cases that require a court appearance. Typer states this will generate about \$50,000 and would be transferred to the County General Fund. Spencer moves to approve the resolution as recommended, White seconds. There was discussion regarding the Judiciary possibly lowering the fines and past due fines in Ogle County. A roll call vote is called:

- YES:** Swanson, White, Boes, Brooks, Colbert, Colson, Gouker, Heuer, Hoekstra, Hopkins and Gocken
- NO:** Zuehl, Bauer, Clayton, Horner, Huntley, Lewandowski, Nye, Rice, Saunders, Scholl and Spencer
- ABSENT:** Stahl

The motion is defeated on a roll call vote.

Mileage Reimbursement

Spencer moves to increase the county mileage reimbursement from \$.36 per mile to \$.445 per mile effective February 1, 2006. Horner seconds. There was discussion regarding how this increase will affect the various departments budget. The motion carries on a voice vote.

Solid Waste

Minutes placed on exhibit

Judicial Center
Recycling

Chairman Gocken informs the board of a memo which will be sent to the department heads of the Judicial Center to continue the recycling program in their new offices.

Juvenile & Probation

Minutes placed on exhibit

Trip to Mississippi

Nye has Greg Martin present the information regarding a trip for Focus House residents to help with the hurricane relief in Mississippi. There was discussion regarding having the proper authority for the residents to assist on this trip. Martin and Kinn both stated they have obtained the proper authority needed to allow the residents to travel. Nye moves to approve the trip which is scheduled for March 6 - 22, 2006 for Focus House residents and staff. Hopkins seconds and the motion carries on a voice vote.

Letter regarding Kinn

Chairman Gocken reads a letter from the Administrative Office of the Illinois Courts commending the work of Don Kinn and his department.

**Planning, Assessment
and Zoning**

Minutes placed on exhibit

ZBA

The next meeting will be January 26, 2006.

**State's Attorney and
Legislative Committee**

Minutes placed on exhibit

Liquor Ordinances

Hoekstra announces there were 2 Liquor Ordinances included in the packets and has Ben Roe explain them to the board. Roe states these Ordinances are being presented for technical changes regarding the hours of operation and the number of licenses granted per year for a for-profit one day license (Class G). These are presented this evening and will be voted on at next month's meeting.

Blackhawk Hills RC&D

Newsletter placed on exhibit

Update

Colson states the newsletter which has been distributed on the desks for this evening. There is a copy of the Blackhawk Hills RC&D C.E.D.S. in the County Clerk's Office and the resolution will be presented and voted on at next month's meeting.

U.C.C.I.

No minutes

Meeting

Heuer announces these meetings:
January 23rd - Spring meeting
February 27th - Annual Spring event

Refund

Chairman Gocken announces a refund of \$250 from UCCI for attendance of meetings.

Illinois Risk Mgmt

Meeting announced for January 23rd

Mental Health 708

Quarterly update on desks

Quarterly Update

Horner states there is a Quarterly Update on the desks for board members to review.

Change in Meeting

Horner states the meeting area location has been and they will now meet in the Sheriff's Training Room the 1st Thursday of the month.

Personnel & Salary

Minutes placed on exhibit

County Administrator

Saunders informs the board there were 23 applicants for the County Administrator position. The Screening Committee will be meeting on Friday, January 20th at 11:00 am and this will be a closed meeting.

Long Range Planning

No minutes

Update

Jerry Guy informs the board of reviewing punch lists with various contractors and provide all close-out documentation.

Maintenance Contract

Gouker states in the Building and Grounds Committee minutes, the contract for the elevators with Kone was discussed and asked to go before the County Board for final approval. Gouker states this is a 5 year contract with Kone and they are currently handling maintenance on the courthouse elevators. Zuehl moves to approve the 5 year contract in the amount of \$37,632.00. Gouker seconds and the motion carries on a voice vote.

Bills for approval

Gouker moves to approve payment of the expenditures from the Judicial Center Project Fund in the amount of \$177,611.48. Hopkins seconds and the motion carries on a voice vote.

Furniture needs

Gouker states there are various furniture/equipment items needed in some departments. The original contract approved with SBM was in the amount of \$202,960.76, we need to add the following items which total \$7,862.00:

- 23 Tack boards exchange - \$1,476.60 after credit
- 9 Task lighting in cubicles - \$2,408
- 41 Keyboard trays - \$3,977

The following items are needed -

- Judges & Courtrooms - hangers, keyboard trays for two Judges - \$577
- Probation - glass in panels of cubicles, tray, pencil drawers, conference chairs & 3 desks chairs - \$3,042.30
- Security - 4 file cabinets at Bailiff stations, 3 additional cabinets plus podium & chairs - \$2,776.20
- State's Attorney - pencil drawers, 2 bookcases, stack chairs and conference table with chairs - \$4,904.50

The total amount of the above additional furniture is \$22,051.94. Gouker moves to approve the Change Order of the furniture contract in the amount of \$12,000 for the additional furniture. Swanson seconds and the motion carries on a voice vote.

IT Committee

Minutes placed on exhibit

Website Update

Colson states a memo was sent to various department heads regarding improvements and/or updates to the Ogle County Website. County Clerk Huntley asks if the IT Committee will be officially in charge of the Ogle County Website? Colson says right now the IT Committee is taking that roll at this time. Colson explains some of the changes which are needed.

Liquor Commission

No minutes

New License

Chairman Gocken states the Liquor Commission has approved a new license for Ryan Jahn, the new owner of the Silver Ridge Golf Course. We are currently waiting on an ORI number regarding fingerprints for the applicant.

Executive Committee

Minutes placed on exhibit

Logo

Chairman Gocken states the Ogle Economic Development Corporation has requested the use of the logo design used by the county. The Executive Committee directed the County Board Chairman to write a letter to OEDC indicating the County will relinquish ownership of the former Ogle County Economic Development departmental logo design.

Chairman Comments

Committee Assignments

Chairman Gocken announces the following assignment changes:

H.E.W. & Solid Waste

Spencer has asked to be removed from the H.E.W. & Solid Waste Committee - Chairman Gocken will recommend Paul White to serve on this committee. Heuer moves to approve the appointment of Paul White to the H.E.W. & Solid Waste Committee. Clayton seconds and the motion carries on a voice vote.

Finance Committee

Chairman Gocken had removed herself from the Finance Committee when she became Chairman of the Board and assumed she would become an ex-officio member of the various committees. Our rules do not read that the County Board Chairman is an ex-officio member of committees. Chairman Gocken asks for a motion to appoint her as a regular member of the Finance Committee. Colson moves to approve the recommendation and appoint Chairman Gocken as a regular member of the Finance Committee.

Swanson seconds and the motion carries on a voice vote.

Larry Boes

Chairman Gocken recommends the appointment of Larry Boes to the following Committees: Planning and Zoning, State's Attorney & Legislative and the Byron Dragway. Rice moves to approve the recommendation of appointment. Clayton seconds and the motion carries on a voice vote.

Tom Lewandowski

Chairman Gocken recommends the newest member of the board, Tom Lewandowski be appointed to the County Clerk & Insurance and Judiciary & Circuit Clerk Committees. Brooks moves to approve the recommendation of appointment. Rice seconds and the motion carries on a voice vote.

Emergency Preparedness

Chairman Gocken states there will be an Emergency Preparedness Committee for the various buildings in order to determine escape routes. Chairman Gocken is recommending 2 representatives from the Pine Road Annex, 1 representative from each department in the courthouse and the Judicial Center. Chairman Gocken is naming Ron McDermott to be the Chairman and report back to the Executive Committee. Chairman Gocken will be asking for the appointments for this committee at next month's meeting.

Announcement

March County Board Date

Chairman Gocken reminds everyone the March County Board Meeting will held on Wednesday, March 22 at 5:30 p.m., due to the Primary Election which will be held on March 21st.

Tree Trimming

Chairman Gocken has received a letter which states ComEd will be trimming trees in the area.

Communications

Illinois Historic Preservation Agency - Chana School

Closed Session

At 7:55 p.m., Chairman Gocken asks for a motion to go into Closed Session to discuss possible land acquisition and possible litigation. White moves to go into Closed Session, Kenney seconds and a roll call vote is taken:

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

NO: None

ABSENT: Stahl

The motion carries on a roll call vote.

Open Session

At 8:38 p.m., the board returns to Open Session. Gouker moves to approve the purchase of property from the First National Bank of Rochelle in the amount of \$452,500 to be paid from the Long Range Planning Project Fund. Boes seconds and a roll call vote is called:

YES: Boes, Clayton, Colson, Gouker, Heuer, Hoekstra, Hopkins, Horner, Kenney, Lewandowski, Saunders, Scholl, Spencer, Swanson and Gocken

NO: Bauer, Brooks, Colbert, Huntley and Nye

PRESENT: Rice

ABSENT: Stahl

The motion carries on a roll call vote.

New Business

Public Comments

Motion to Adjourn

At 8:45 p.m., Kenney moves to adjourn the January Ogle County Board meeting until Tuesday, February 21, 2006, at 5:30 p.m., Bauer 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