

Proceedings of the Ogle County Board Meeting  
January 19, 2010

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 Diehl, Gouker\* and Stahl are absent. The Invocation is given by Janes 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 December 15, 2009 Ogle County Board Meeting minutes. Nye moves to approve, Huntley 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. Bowers moves to accept the reports as filed, Bauer seconds and the motion carries on voice vote.(Placed on file)

**Presentation – Lee/Ogle Transportation System (L.O.T.S.)**

Chairman Rice introduces Roxanne Bauer, Administrator for L.O.T.S., Jennifer Lang, Scheduler and Dispatcher for L.O.T.S. and Deb Wehmhoefer, Director of L.O.T.S.. They presented a slide show for the County Board Members and public. This program aids individuals who are experiencing transportation difficulties. This includes the general public, senior citizens, individuals with disabilities and people with limited income who reside in Lee and Ogle Counties.

**Resignation – Forreton Fire Protection District - R-2010-0101**

Chairman Rice announces a letter of resignation has been received from Bruce Nielsen on the Forreton Fire Protection District effective December 1, 2009. Saunders moves to approve R-2010-0101 as presented, Horner seconds and the motion carries on a voice vote.(Placed on file)

**Appointment –9-1-1 ETSB – R-2010-0102**

Chairman Rice announces the 911 ETSB held interviews and have recommended Lon E. Feary be appointed to the 911 ETSB for a term which ends June 30, 2012. Kenney moves to approve Resolution 2010-0102, Hopkins 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
- Forreton Fire Protection District – 1 unexpired term ends 04/30/2011

Application deadline for this vacancy will be  
Friday, January 29, 2010 at 4:30 p.m. in the County Clerk’s Office  
located at 122 S. Wesley Ave , Mt Morris

**Zoning – #10-09 Amendment – Joseph J & Julie A Ebens - Ordinance 2010 – 0101**

Chairman Rice and County Clerk Huntley present the petition of Joseph J. & Julie A. Ebens, 946 N. IL Rte. 2, Oregon, IL for an Amendment to the Zoning District to rezone from R-2 Single-Family Residence District to R-1 Rural Residence District on property described as follows and owned by the petitioners:

North part of E1/2 of NE1/4 Fractional Section 4 and North part of W1/2 of the NW1/4 Fractional Section 3 Oregon-Nashua Township 23N, R10E of the 4th P.M, 5.07 acres, more or less  
Property Identification Number: 16-04-226-014 and 16-03-101-028  
Common Location: 946 N. IL Rte. 2

Hopkins moves to approve #10-09 Amendment – Ordinance 2010-0101 for Joseph J and Julie A Ebens. Colson seconds and the motion carries on a voice vote.(Placed on file)

**Public Comment –**

- Dennis Probasco invites the County Board to attend a meeting next Tuesday, January 26<sup>th</sup> at 7 p.m. located at the Kings Grade School regarding a better understanding of Wind Development
- Circuit Clerk Typer asks Chairman Rice about the IT project discussed at the Sheriff's Committee Meeting. We are gravely concerned and states at the Sheriff Committee Meeting it was stated the project is not advancing and is on hold because we are waiting for more interfacing with Department Heads. Chairman Rice said they are still gathering information and he is not aware of anything at this time.

**Road & Bridge – Local Agency Agreement – River Road - R-2010-0103**

Huntley moves to approve Local Agency Agreement for Federal Participation, Section 06-00242-00-RS, River Road overlay from IL 64 to IL 72. \$867,000 funded by IDOT, balance of \$1.434M funded by FHWA (R-2010-0103) and Colson seconds. Huntley states this will be the section of road used for the Route 2 detour. Motion carries on a voice vote.(Placed on file)

**Road & Bridge – County Maintenance Resolution – R-2010-0104**

Huntley moves to approve Section 10-00000-00-GM, 2010 County Motor Fuel Tax General Maintenance Appropriation \$650,000 from Motor Fuel Tax (R-2010-0104). Messer seconds and the motion carries on a voice vote.(Placed on file)

**Ogle County Claims – Clerk reads the claims:**

- Payments in Vacation – December 2009 - \$110,548.44
- County Board Payments - January 2010 – \$113,719.42
- County Highway Fund – \$91,711.44

Bowers moves to approve the claims as read, Nye 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, Executive and State's Attorney, Finance and Insurance, HEW & Solid Waste, Juvenile & Probation/Judiciary & Circuit Clerk, LRP-Courthouse Renovations, Personnel & Salary - County Clerk, Regional Planning Commission, 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, Blackhawk Hills RC&D, Ill Assoc of Co Bd Members, GIS Committee, Liquor Commission, LRP –Emergency Operations Center, Mental Health Board, Safety Committee, Tri-County Opportunities and UCCI/ICRMT.

**Finance and Insurance** Minutes placed on exhibit

2011 Budget Planning Hopkins has County Administrator McKinley talk to the Board members about tools for the 2011 Budget Planning. McKinley will be working with Department Heads in gathering staffing plan and identify desired service levels provided by each department.

**Executive Committee** Minutes placed on exhibit

Tax Abatement –  
Project North Pole  
R-2010-0105

Chairman Rice asks GREDCO Representative Jason Anderson to speak to the board regarding previous Tax Abatements given to various City of Rochelle Businesses. Anderson states there have been 12 projects which were given Tax Abatements since 2003 which has boosted the EAV \$42,185,000.00 in Ogle County.

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Information regarding Project North Pole –

- Estimated number of jobs created: 50 (average starting salary \$35,000 - \$40,000 + benefits)
- Estimated Capital Investment: \$20 - \$25 million
- Estimated Size of Building Expansion: 150,000 to 200,000 sq ft
- The percentage abatement shall be as follows:
  - 90% for the first year
  - 75% for the second year
  - 60% for the third year

Barnes asks Anderson if a business which has received an abatement is in the process of protesting their taxes? Anderson states he has not heard of any at this time. Barnes states it is his understanding that there is one. Colson informs Anderson he would like to see the number of jobs generated when presenting Tax Abatement statistics in the future. Gouker would like to see a stipulation added to the Tax Abatement which would prevent the business from protesting taxes once the abatement has been lifted for the same number of years as the abatement. Bauer and Saunders do not think we can put a stipulation on a company that they cannot protest their taxes; these projects do bring more EAV to the area. Colson asks Anderson to read the stats of the projects which we have gained EAV through this program:

Union Pacific Global III	\$14,000,000
Boise-Cascade	\$ 1,300,000
Silgan Container	\$ 360,000
Con-Agra Foods	\$ 4,340,000
RC2 Brands	\$ 3,730,000
DP Partners	\$ 3,300,000
Illinois River Energy	\$ 5,425,000
Sara Lee	\$ 1,000,000
Project Richard - Bay Valley Foods	\$ 3,800,000
Project Andrea - All-State Data Center	\$ 1,800,000 estimated
Project David - Northern Trust Data Center	\$ 2,200,000 estimated
Project Buffer - Sara Lee Expansion	\$ 800,000 estimated

Kenney moves to approve Resolution 2010-0105 for Project North Pole and Horner seconds. Chairman Rice reads the resolution in full. Gouker moves to amend the motion to include the following verbiage, “In exchange for the Tax Abatement, the owner agrees that beginning with the first year of the expiration of abatement, they will not protest their taxes with the Board of Review for the same number of years the taxes were abated” and Barnes seconds. White asks if we can even do this stipulation. A roll call vote on the amendment is called:

- YES: Williams, Barnes, Boes, Colson, DeArvil, Gouker and Janes
- NO: White, Bauer, Bowers, Colbert, Gronewold, Heuer, Hopkins, Horner, Huntley, Kenney, Kilker, Messer, Nye, Saunders and Rice
- ABSENT: Diehl and Stahl

The motion on the amendment is defeated on a roll call vote.

Chairman Rice asks for a roll call vote on Resolution 2010-0105 as read earlier:

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

NO: None

ABSENT: Diehl and Stahl

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

**Tax Abatement  
Bocker-Ruff Grain, LLC  
Resolution 2010-0106**

Chairman Rice states Bocker-Ruff Grain, LLC in Polo, Illinois has approached the County and asked for a Tax Abatement. This project will be a 110 car train loading & storage facility, \$17 million construction project with 7 – 10 Full-time and 3 – 5 Part-time jobs and generate between \$2 - \$4 million in revenue. Chairman Rice states the abatement is as follows:

1. The abatement shall be for two (2) consecutive years, beginning with the real estate taxes for the first full year of the facility's industrial or commercial operation, payable in the year following.
2. The abatement shall apply only to property taxes for this taxing district and only to that portion of the increased property taxes resulting from an increase in assessed valuation attributable to new physical improvements on the subject property.
3. The percentage of abatement shall be 90% for the first year and 75% for the second year.
4. The total abatement for the subject property for all taxing districts may not exceed the total aggregate amount of \$4,000,000.

Chairman Rise states the other Tax Abatement the County has approved was for The Depot in Forreton. Saunders moves to approve Resolution 2010-0106 for Bocker-Ruff Grain, LLC and Bowers seconds. A roll call vote is called:

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

NO: None

ABSENT: Diehl and Stahl

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

**Long Range Planning  
Courthouse Renovation** Minutes placed on exhibit

Update County Administrator McKinley updates the board on the following:

- Discussed the Furniture Bid process and the outcome with the State's Attorney Office – each bidding company has provided a letter regarding Prevailing Wage and Tax Exempt Status (included in packets)
- Current move-in date is the middle of May 2010
- Additional Scope Items:
  - Storm Sewer Proposal - \$70,250
  - Eliminated Copper downspouts – (\$24,483) – Change Order #39
  - Elevator Upgrades (State Code) - \$26,834 – Change Order #37

WHEREAS, Ogle County solicited bids to re-furnish the newly renovated Ogle County Courthouse; and

WHEREAS, dealers were required to provide bids for Teknion, Allsteel, or Haworth manufactured products; and

WHEREAS, Illinois law provides that, among other things, in determining the lowest responsible bidder, the county board shall take into consideration the qualities of articles supplied; their conformity with specifications; their suitability to the requirements of the county, and availability of support services; and

WHEREAS, all submitted bids have come significantly under the approved courthouse renovation furniture budgeted allowance; and

WHEREAS, the County Board finds that the products offered by Business Office Systems provide the functionality, features, durability, and warranty preferred by the County.

NOW THEREFORE, BE IT RESOLVED that the County Board selects Business Office Systems' bid for the provision of Haworth furniture to the County for a purchase price of \$249,546.62.

Williams states we did have some problems with the language on the previous resolution which has been resolved. The County needs to get better when bids are solicited for projects. Williams states we received sealed bids but did not open them in a public meeting and as a public entity we are obligated to do this. Williams is also concerned over the cost of the furniture in various departments like Animal Control, Break rooms and County Board Room. We have asked departments to cut costs and they have worked diligently and we are trying to save money. Williams states he cannot support this and he has other options which can be discussed tonight. Kilker would like to know what the plans are for the Antique County Board desks and chairs. Chairman Rice states that will be up to the County Board to decide. Kilker also agrees the cost of the furniture is expensive and cannot support this resolution. Barnes asks what type of message does this send to the taxpayers. Why the old desks and chairs can't be reused instead of buying a new table for \$19,000 for the County Board room. Chairman Rice states the Department Heads reviewed the style and type of furniture and made the recommendation to the Long Range Planning Committee. Bowers asks if there were any local businesses to bid on the furniture. Chairman Rice states the local businesses picked up bids and chose not to bid. Barnes states the brand(s) which were recommended the local businesses did not have. Bauer states there is a difference between buying residential furniture and commercial furniture. A roll call vote called:

YES: Colbert, Gronewold, Hopkins, Horner, Huntley Kenney, Messer, Nye, Saunders and Rice

NO: Bauer, Boes, Bowers, Colson, DeArvil, Gouker, Heuer, Janes, Kilker, White, Williams and Barnes

ABSENT: Diehl and Stahl

The motion is defeated on a roll call vote.

Gronewold states as a member of the committee they will need direction from the County Board. There are delays now which are going to cost thousands of dollars and another \$15,000 for rent at the Watt Building. He wants to know what the County Board wants, do we need to go through the bid line by line or is it the low bid. Boes states we have to lower bids which will not cause a delay. Chairman Rice states there is only one other low bidder, the other bid did not meet the specifications of the bid. Williams asks if an updated schedule has been given which identifies the delays.

Williams would like to see the schedule and has the architect reviewed the schedule to verify that the float has been pushed out beyond and causes the delay. McKinley states Jim Dobbins from Ringland-Johnson is present and asks him to speak regarding delays due to furniture. Mr. Dobbins states one specific item is the desk in the County Board room – this unit has a lot of electric and service to the desk for the microphones and data which has to be cored through the floor and run under the floor of the third floor. At this time, they are ready to close the ceiling on the 2<sup>nd</sup> floor and cannot be done until they have knowledge of placement for conduit and such. They have installed electric in the walls for about three desks and some in the floor. But from what he now understands a different system may be coming which means they may have to be moved. They are painting walls and they will be cutting into finished walls to move electric or repairing. They are close to putting the finishes in the building and you are still under design. It is definitely putting a crimp on the schedule with not having any answers. Gronewold comments he is upset because the budget for the furniture was approved many months ago and the figures came in considerably below the budget and where were the questions then. Williams states when he was still on the committee over a year ago, he questioned these very things in the amount of furniture based on the budget that was presented and it went nowhere. Williams states we have set precedence that when money comes short we grab money from the Long Range Fund. Williams states maybe we can come to an agreement and redefine the scope of the work to cut costs. Do we need 57 chairs in the County Board Room? Chairman Rice states the space needs study done over the past ten years has addressed, we do not have enough space for the public to attend meetings. We are also utilizing some pews from a church for the seating and not all chairs for the public seating area. McKinley asks how much you think we can save with the cost of the delays, what budget are we potentially talking about. The low bid is \$218,401.13 from the provider who substituted one drawer on the desk vs. two drawers on a desk. Even with the delays how much lower can we get and is it worth the delay; are we talking about a revote with the lower bid or totally go over the bid. Williams asks does Animal Control really need all that office furniture. McKinley states she is here working on behalf of the staff and states they have worked for hours and hours, the budget was approved with these dollar amounts and she is uncomfortable with the time delay and expense that it is becoming to rework this bid. Chairman Rice states if it is agreeable with the board to insert Hendrickson AllSteel Product for a total of \$239,000.41. Colson asks if there could be consideration for the low bid with the substitution of one drawer in the desk. Chairman Rice says if we had specs for these bidders and we go with the one bidder who did not meet the specs, what does it look like to the other bidders. Messer states the reason people requested two file drawers is to accommodate their work load and work is more accessible vs. a box drawer. Messer moves approve Resolution 2010-0107 and insert “Hendrickson – Allsteel Product in the amount of \$239,000.41” and Saunders seconds. Williams asks if we can consider looking at the Board Room furniture and eliminate pieces. Chairman Rice states we consider that after we approve the bid, we don’t have to take everything in the bid. Barnes states if we can eliminate the \$19,000 table in the board room and some of the fancy chairs, then he would be willing to vote for the resolution. A roll call vote is called on the second motion:

YES: Colbert, Hopkins, Horner, Huntley, Messer, Nye, Saunders, Bauer and Rice

NO: Boes, Bowers, Colson, DeArvil, Gouker, Gronewold, Heuer, Janes, Kenney, Kilker, White, Williams and Barnes

ABSENT: Diehl and Stahl

The motion is defeated on a roll call vote.

Chairman Rice asks State's Attorney Ben Roe to address the issue of not accepting the lowest bid due to not meeting specifications. Roe states this a non-conformity issue and this doesn't necessarily put us in a legal bind. McKinley states the vendor couldn't provide a product with two drawers and did provide us with an alternate solution of one drawer. County Clerk Huntley asks if this means we will be down space with this vendor. McKinley states yes it does. County Clerk Huntley states we measured all the files and determined how much file space would be needed. Bauer asks if we can find a way to pair down items in the purchase order would this be an agreeable solution. We need to get something done, because we are holding up the wiring in the County Board Room. The wiring for the County Board Room has been a big issue in the past, because people cannot hear what is being said at the meetings. This is one problem the system will address. We can approve the original Resolution and go back thru the bid and determine furniture needs. Barnes asks if the Historical Preservation Committee had suggested to keep the old County Board desks and chairs. Chairman Rice states he doesn't remember a conversation with them, but he does remember discussing this with Kim Gouker. There was design issue using the old desks and trying to place them in a semi-circle. Bauer moves to approve the original Resolution 2010-0107 as read, with the addition of "the Long Range Planning Committee and County Board Members Barnes and Williams will work together to reduce and determine the final Purchase Order." Williams seconds and a roll call vote is called:

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

NO: None

ABSENT: Diehl and Stahl

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

R-2010-0108

Hopkins states there is a change to the Resolution which was included in the Board Packets. At 4:29 p.m. this afternoon a Lien was filed regarding the plumbing dispute with Big Joe the Plumber in the amount of \$30,263.05. We will be deducting this amount from the Ringland-Johnson Inc. Application No. 6. Hopkins moves to approve Resolution 2010-0108 authorizing \$589,235.83 to be paid out of the Long Range Planning Fund as follows:

Old Limestone, LLC	Watt Bldg. - February Rent	\$ 5,800.00
Holabird & Root, LLC	Professional Svcs - Nov. 2009 & Reimbursable Expenses	\$ 10,254.27
Ringland-Johnson Inc.	Courthouse Construction-Remodel - Application No. 6	\$ 598,860.00
Ringland-Johnson Inc.	Plumbing Dispute (lien filed @ 4:29 pm on 1/19/10)	( \$30,263.05 )
NITT	2010 Annual Dues	\$ 2,000.00
TC Communications Reimb. Sheriff's Dept.	Fiber Network - Auto Failover Devices - Shipping Charges	\$ 132.28
Beesing Welding, LLC	Weld Caps on cannons @ Courthouse - 10/9/09	\$ 190.00
Dynamic Horizon Computer Serv	11/27 Fiber Installation Completed	\$ 1,000.00
Dynamic Horizon Computer Serv	Install & Test rollover & reroute cabling Onto new fiber for microwave	\$ 162.50
ADT Security Services	Installation Charge & Services - Watt Building	\$ 1,099.83
	TOTAL:	\$ 589,235.83

Bowers seconds and a roll call vote is called:

YES: Colbert, Gouker, Gronewold, Heuer, Hopkins, Horner, Huntley, Janes, Kenney, Messer, Nye, Saunders, Williams, Barnes, Bauer, Boes, Bowers and Rice  
NO: Colson, DeArvil, Kilker and White  
ABSENT: Diehl and Stahl

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

R-2010-0109 Hopkins presents Resolution 2010-0119 for Ringland-Johnson Change Order #37 – State Elevator Code Requirements in the amount of \$26,834. Hopkins moves to approve Resolution 2010-0109 as presented, Huntley seconds and a roll call vote is called:

YES: Colson, DeArvil, Gouker, Gronewold, Heuer, Hopkins, Horner, Huntley, Janes, Kenney, Kilker, Messer, Nye, Saunders, White, Barnes, Bauer, Boes, Bowers, Colbert and Rice  
NO: Williams  
ABSENT: Diehl and Stahl

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

**Personnel and Salary** Minutes placed on file

Update Kenney informs the board that in conjunction with the Finance Committee, they will move forward with a program to bring to the full County Board regarding compensation and budgets.

**H.E.W.** Minutes placed on file

R.O.E. Annual Report Amy Jo Clemens presents her Annual Report to the County Board and invites all Board members to visit the Regional Office of Education.

**Chairman Comments –**

- Chairman Rice announces at next month's meeting we will probably arrange the tables into a square or a u-shaped which will be in the new County Board Room - this will make it easier to communicate with each other.

**Administrator Comments – None**

**Unfinished Business –**

- Boes asks about the compliance training needed for the new FOIA Law which came into effect as of January 1, 2010. McKinley states we have 6 months to be in compliance and the Attorney General's Office is in charge of the training.
- Saunders did not receive her packet in time to review the material because of the Mail Holiday on Monday – County Clerk Huntley informs the board they can access the full County Board Packet on the Internet at [www.oglecounty.org](http://www.oglecounty.org) and click on the County Board tab

**New Business –**

- Heuer presents UCCI information regarding the Legislative meeting to be held on February 23<sup>rd</sup> and 24<sup>th</sup> – Laura will e-mail the information to the board members

**Communications –**

- Lee / Ogle Regional Office of Education – Annual Report
- Sales Tax for September 2009 was \$33,875.78 and \$62,174.13
- Sales Tax for September 2008 was \$29,306.46 and \$71,505.89
- Sales Tax for October 2009 was \$32,673.63 and \$57,942.45
- Sales Tax for October 2008 was \$51,652.16 and \$72,368.97



**Motion to Adjourn**

At 7:23 p.m., Nye makes the motion to adjourn the Ogle County Board meeting until Tuesday, February 16, 2010. Bowers 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