

Proceedings of the Ogle County Board Meeting
July 20, 2010

State of Illinois)
County of Ogle) ss

Call to Order

Roll Call

The roll call shows Diehl is absent. The Invocation is given by Janes and followed with the Pledge of Allegiance.

Chairman Rice asks for a moment silence in memory of Staff Sergeant Justus Bartelt of Polo, who died July, 16, 2010 while supporting combat operations in Helmand Province, Afghanistan.

Approval of Minutes

Chairman Rice asks for a motion to approve the June 15, 2010 Ogle County Board Meeting minutes. Huntley moves to approve, Horner seconds and the motion carries on a voice vote.

Approval of Reports

Chairman Rice asks for a motion to accept the monthly report of the Treasurer, Ogle County Clerk & Recorder and Circuit Clerk. Bowers moves to accept the reports as filed, Kenney seconds and the motion carries on voice vote.(Placed on file)

Presentation – Ogle County Board to Ogle County Farm Bureau

Chairman Rice presents an Ogle County Certificate of Appreciation to Brian Duncan of the Ogle County Farm Bureau for the use of their facility during the renovation of the Historic Courthouse. Mr. Duncan states we are always welcome to use the facility anytime. He also comments on what a marvelous facility we have renovated and the citizens of Ogle County should be proud.

Resignation – Ogle County Housing Authority – R-2010-0702

Chairman Rice announces the resignation of Michael Davis from the Ogle County Housing Authority effective immediately. Hopkins moves to approve R-2010-0702, Horner seconds and the motion carries on a voice vote.(Placed on file)

Appointment – Lost Nation / New Landing RCD – R-2010-0703

Chairman Rice announces the recommendation of John M Harris to the Lost Nation / New Landing RCD for an unexpired term which ends April 30, 2015. Kenney moves to approve Resolution 2010-0703, Messer seconds and the motion carries on a voice vote.(Placed on file)

Appointment – 9-1-1 Emergency Telephone System Board – R-2010-0704

Chairman Rice announces the recommendation from the 911 ETS Board to appoint Robbie D. Buck for a term which ends June 30, 2014. Horner moves to approve R-2010-0704, Nye seconds and the motion carries on a voice vote.(Placed on file)

Appointment – Ogle County Housing Authority – R-2010-0705

Chairman Rice announces the recommendation from the Ogle County Housing Authority to appoint Phyllis M. Reynolds (a resident) for an unexpired term which ends November 30, 2012. Bowers moves to approve R-2010-0705, Horner seconds and the motion carries on a voice vote.(Placed on file)

Vacancies –

- Mental Health 708 Board – 1 unexpired term

Application deadline for vacancies is
Friday, July 30, 2010 at 4:30 p.m. in the County Clerk's Office
located at 105 S. 5th St – Suite 104, Oregon, IL

Zoning – #4-10 AMENDMENT – Judith L. Knilans - Ordinance 2010-0702

Chairman Rice presents the petition of Judith L. Knilans Trustee, 765 N. River Rd., Oregon, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District & R-1 Rural Residence District to R-2 Single-Family Residence District (except that part currently zoned R-2 Single-Family Residence District) on property described as follows and owned by the petitioners:

Part of G.L.4 and G.L.5 of the NW Fractional 1/4 Section 3 Oregon-Nashua Township 23N, R10E of the 4th P.M., Ogle County, IL, 12.06 acres, more or less
Property Identification Number: 16-03-126-002, -003, -004 & -005
Common Location: 703, 791, & 765 N. River Rd.

Hopkins moves to adopt #4-10 Amendment for Judith L. Knilans - Ordinance 2010-0702, Colson seconds and the motion carries on a voice vote.(Placed on file)

Zoning - #6-10 SPECIAL USE – Darlene Curcio-Elsbury and Timothy J. Elsbury – Ordinance 2010-0703

Chairman Rice presents the petition of Darlene Curcio-Elsbury and Timothy J. Elsbury, 606 N. Fourth St., Oregon, IL for a Special Use permit to allow an equine arts center with opportunities for equine-assisted learning and psychotherapy on property described as follows and owned by petitioners:

Part of the NE Fractional 1/4 Section 2 Woosung Township 22N, R8E of the 4th P.M., Ogle County, IL, 40.0 acres, more or less
Property Identification Number: 20-02-200-001
Common Location: 10045 W. Edgewood Rd.

Hopkins moves to adopt #6-10 Special use for Darlene Curcio-Elsbury & Timothy J. Elsbury – Ordinance 2010-0703. DeArvil seconds and the motion carries on a voice vote.(Placed on file)

Zoning – Resolution 2010-0706 – Land Evaluation and Site Assessment (LESA) System

Vice-Chairman Hopkins presents Resolution 2010-0706 authorizing the Amendment of the Ogle County, IL “Land Evaluation and Site Assessment (LESA) System”. Hopkins says the State has changed some of the names of the soil types and their productivity. Hopkins moves to adopt R-2010-0706, Nye seconds and the motion carries on a voice vote.(Placed on file)

Public Comments –

- Tom Smith of White Rock Township – Comments regarding the hard work being done on the Wind Energy Conversion System Committee. Members of the Committee have been working very hard and he commends them on the work they have done. The State of Illinois has protected Incorporated areas with the 1 ½ mile set-back and the Unincorporated areas are not protected. Smith says please don't rush it – work hard – do your due diligence regarding flicker and low frequency sound. Learn more about them - Be leaders and not followers – Don't look to our neighbors and say if it's good enough for them; it's good enough for us. If you don't feel like you have the ability to do it, then let someone else do it. Please don't quit on this, keep fighting.
- County Board member Barnes suggests providing a table for the media to use. Chairman Rice states they are working on finding a suitable location in the Board room.

Road & Bridge – none

Ogle County Claims – Clerk reads the claims:

- Payments in Vacation – June 2010 - \$63,780.34
- County Board Payments - July 20, 2010 - \$117,145.09
- County Highway Fund – \$148,470.16

Kenney moves to approve the claims as read, Messer seconds and the motion carries on a voice vote.(Placed on file)

COMMITTEE REPORTS

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The following committee minutes have been placed on exhibit: 911 ETS Board, Blackhawk Hills RC&D, Executive and State's Attorney, Finance and Insurance, HEW & Solid Waste, Juvenile & Probation/Judiciary & Circuit Clerk, LRP-Courthouse Renovations, Personnel & Salary - County Clerk, Planning & Zoning – Supervisor of Assessments, Road & Bridge and Sheriff & Coroner/Buildings & Grounds/IT Committee and Tri-County Opportunities.

The following committees had no minutes to file: Board of Health, GIS Committee, Ill Assoc of Co Bd Members, Liquor Commission, LRP –Emergency Operations Center, Mental Health Board, Regional Planning Commission, Safety Committee and UCCI/ICRMT.

H.E.W. Committee

Minutes placed on exhibit

Presentation

Steve Rypkema presents an update regarding Landfill Host Fee Agreements and Payments to the County Board:

Overview

- ☐ Solid Waste Management Plan Requirements
- ☐ Orchard Hills Landfill
 - Host Agreement & Fees
 - Remaining Life
 - Intergovernmental Agreement
- ☐ Rochelle Municipal Landfill #2
 - Host Agreement & Fees
 - Remaining Life
 - Intergovernmental Agreement
- ☐ Host Fee/Long Range Cap. Improvements Resolutions
- ☐ Fee Issues
- ☐ Landfill Audits

Host Fee Resolutions

- ☐ Resolution Regarding Landfill Host Fees, 11/16/99
 - Acknowledged the receipt of unrestricted host fees rather than Local Surcharge Fees
 - Outlines how Host Fee \$ shall be allocated
 - Protects County from liability
 - May be used for environmental problems
 - Part of first quarterly payment goes to meet SW Dept. budget, balance goes to LRCI Fund
 - \$2,000,000 minimum fund balance
 - Interest & unspent \$ remain in SW Fund

Host Fee Resolutions

- ☐ Resolution Regarding Long Range Capital Improvements Fund, 11/16/99
 - Acknowledges Long Range Planning Committee & Space Needs Report
 - Established Long Range Capital Improvements Fund
 - Fund earmarked for "future capital improvements"
 - Outlined general procedures for requests for \$ from LRCI Fund
 - LRCI Fund Spending Policy, 11/21/06

Fee Issues – Letter to IEPA

- ☐ Exemptions allowed by state statute
 - Hazardous Waste
 - Pollution Control Waste
 - Waste from recycling, reclamation or reuse processes approved by the IEPA, provided the process renders at least 50% of the waste reusable
- ☐ Waste Used for Alternate Daily Cover?
- ☐ Waste Used for Road Building Material?
- ☐ Non-reporting of waste received to IEPA?

Rypkema states they are currently working on the Audit of the Orchard Hills Landfill at this time. He states this is a complicated issue and has spent a lot of time on the fees, but this is a huge benefit to the County. The board needs to be aware of issues going on in the background regarding the fees and the potential they have of cutting into the Host fees that we

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do receive. White asks for an update on a cell in the Rochelle Landfill. Rypkema says the siting application they submitted and the permit they are waiting for from the EPA will allow them to remove the waste from Unit 1 of this site. They would redevelop it, dig out contaminated soil and do testing down below. This would then allow them to go deeper and higher.

Finance

Minutes placed on exhibit

R-2010-0708

Hopkins presents R-2010-0708 a Resolution Authorizing the Ogle County Employee FY 2010 Voluntary Retirement Plan for Employees eligible to receive a Regular Illinois Municipal Retirement Fund Pension. Gouker asks what the potential cost savings are. Administrator McKinley says they have run several scenarios and the potential cost savings of somewhere between \$200,000 and \$500,000. Gouker asks if the savings would be in the same year or spread out over a couple of years. McKinley says in the first year the annual savings of holding the position open for a minimum of six months would be the difference in salary for that employee. That is all within the first year. Gouker asks what is that cost. McKinley states it depends on how many employees will take it and which option they will choose. There are approximately 25 to 30 employees who are eligible at this time. McKinley says if all eligible employees take part in Option 3 which is just a payout; the cost would be \$180,000 with the savings of \$642,000 being in the first year. Gouker asks how we enforce the six month replacement with elected officials who by statute can hire who they want. McKinley states part of the terms in the resolution the elected official has the option to allow their department to participate or not. A letter of intent needs to be submitted by the department head by July 26, 2010, if they will allow their department to participate or not. With this letter of intent they are agreeing to abide by the six month replacement hiring freeze. They can appeal the process which is laid out in the resolution. Barnes asks if an elected official does not want to participate in the early retirement, then an employee cannot retire. McKinley clarifies that the employee would not be able to retire under the "early retirement" but they can still retire in the regular plan. Barnes states this is not really much of an incentive to the employee to retire under the proposed package. Kenney makes the motion to approve R-2010-0708 as presented and White seconds. A roll call vote is called:

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

NO: Kilker, Barnes and Colson

ABSENT: Diehl

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

R-2010-0709

Chairman Rice presents R-2010-0709 a Resolution Authorizing the Voluntary Retirement Plan for Employees eligible to receive an Illinois Municipal Retirement Fund Pension for the Sheriff's Law Enforcement Personnel. White makes the motion to approve R-2010-0709 as presented and Saunders seconds. Janes asks how many people are eligible under this plan. Administrator McKinley states there are three sworn officers who are under SLEP. A roll call vote is called:

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

NO: Kilker, Barnes and Colson

ABSENT: Diehl

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

Chairman Rice compliments the Finance Committee and Administrator for their hard work.

**Long Range Planning
Courthouse Renovation**

Minutes placed on exhibit

Update

Stahl updates the board on the following:

- o Sidewalk work between the Courthouse and the Judicial Center
- o Shades in the Assessor's and Treasurer's inner offices
- o Door in the County Board Room – denied
- o Add can lights in the Coroner's Office – architect omission
- o Irrigation line by handicap ramp – denied
- o Dedication Ceremony August 20, 2010 at 10:00 am
- o Pork and Beef Producers will be cooking that day with the profits going to the Memorial Restoration Fund
- o Next LRP meeting should have new spreadsheets

Chairman Rice updates the board on the sandstone columns on the East and West side of the Courthouse. Chairman Rice, Rich Gronewold, Michael Harn, Jim Dobyns, Mike Brown and Jerry from Hess Caulking met to go over what they thought was the restoration of the sandstone columns. The bid only covered the sealing of the columns and no restoration was done. The meeting was to see what could be done to upgrade the sandstone columns and make them look good for years to come and be protected. A bid will be presented at the next Long Range Planning Committee.

R-2010-0707 Stahl presents Resolution 2010-0707 authorizing \$915,744.11 to be paid out of the Long Range Planning Fund as follows:

SUPPLIER NAME	DESCRIPTION	AMOUNT
G & O Landscaping, Inc.	Landscaping @ Old Courthouse	\$ 400.00
Menards	Landscaping supplies@ Old Courthouse	\$ 257.68
Ringland-Johnson Inc.	Courthouse Construction-Remodel #13	\$ 734,701.00
Capital One Bank	Insignia 46" TV - Historic Conference Rm	\$ 1,399.97
Tiger Direct.com	Courthouse Renovation-KVM Cables & Switches	\$ 339.05
Business Office Systems	Courthouse Furniture	\$ 129,895.81
John Donaldson Concrete	Courthouse Renovation-Dumpster Pad	\$ 7,500.00
John Donaldson Concrete	Courthouse Renovation-Sidewalk Work	\$ 7,000.00
Cardinal Inspectns & Consulting	Courthouse Elevator-Inspection #1	\$ 100.00
Doty Studio Image Design	Courthouse-Historic Society Artifacts Printing & Framing	\$ 1,130.95
Fehr-Graham & Associates	County Network Implementation	\$ 14,700.00
Fischers Inc.	Courthouse Signage	\$ 310.40
CDW Government	Network Email Server	\$ 1,240.00
CDW Government	County Network Server Backup	\$ 865.00

CXtec	County Network Cabling & Switches	\$ 655.94
Universal Relocation Systems	Relocation from Mt.Morris to Oregon	\$ 9,570.00
Cardiac Science	(3) AED Devices-Old Courthouse	\$ 3,312.96
Dynamic Horizons Computer	County Clerk-Internet & Computer Moving Expenses	\$ 2,365.35
	TOTAL:	\$ 915,744.11

Stahl moves to approve R-2010-0707 as presented and Messer seconds. A roll call vote is called:

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

NO: Heuer, Janes, Kilker and Williams

ABSENT: Diehl

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

Executive Committee Minutes placed on exhibit

Update on MALS Last Friday, Chairman Rice and Vice-Chairman Hopkins met with the LOTS Board, Lee County State’s Attorney Henry Dixon and Lee County Board Chairman Jim Seeberg to discuss the Mass Transportation District. The concern was Lee County did not want any liability for the transportation center to be built by the tollway. It was agreed Mr. Dixon could change the language of the agreement with the contractor, the federal government and IDOT to whatever he thought was appropriate and get that approved. Chairman Rice states the Lee County Board is retracting their previous approval regarding the MALS. Ogle County has already approved the renewal LOTS Resolution and Ordinance at previous meetings and there is nothing more for our board to do. Chairman Rice has asked Mr. Dixon to send information regarding the retraction to Ben Roe. Roe says he spoke to Henry Dixon and they have faxed a copy of the Resolution rescinding their previous vote.

R-2010-0710 Resolution to elect County Board Chairman at Large (no resolution presented) – White reads a prepared statement: Because of time restraint put forth by Gov. Quinn concerning the date for filing a referendum for the November election. And being advised by the Ogle County State’s Attorney Office that an addition to the length of term, subject of full or part time and compensation needed to be addressed in this Resolution; White feels these issues cannot be thoroughly vented in the current time frame and respectfully withdraw my request for R-2010-0710.

Chairman Comments

- Chairman Rice introduces Vicky Broos from the University of Illinois Extension Office for a presentation to one our County Board Members. Broos congratulates Bob DeArvil for completing the Certified County Official and he will be receiving a Certificate and a lapel pin. Broos also reminds the board members of the teleconference at the Farm Bureau on Thursday.
- Chairman Rice announces Ben Diehl and his wife Emily had a baby boy this week and that is why is not in attendance this evening.

- Chairman Rice thanks the staff for their support over the past few years in regards to preparing for the courthouse renovation and the moving of the offices during this time.
- Bauer thanks Becky Huntley for entering the 20th Century and having the audio/visual to the County Board Room.

Administrator Comments

- Administrator McKinley would like to thank the courthouse staff and department heads during the transitions during the courthouse renovation. McKinley was very appreciative of their cheerful disposition and making the effort to bring solutions.

Unfinished Business – none

Closed Session - At 6:52 p.m., Chairman Rice states per 5 ILCS 120/2 (c) (11) we will go into Closed Session to discuss the Windmill Litigation. Colson moves to go into Closed Session, DeArvil seconds and a roll call vote is called:

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

NO: none

ABSENT: Diehl

The motion carries on a roll call vote.

Open Session - At 7:01 p.m., the County Board returns to Open Session.

New Business –

- Gouker says a couple of months ago the board voted on a resolution regarding the State not to reduce our Income Tax portion. He would like to see us take a pro-active approach on this and band together with other counties to put the pressure on the State of Illinois. Gouker states at the last City of Byron council meeting they are discussing a utility tax and the City of Oregon has imposed this tax. He doesn't think we should allow the State not distribute the funds which have been collected in this county. He would like to see some discussion and put things forward with other counties. Gouker has also approached Heuer and asked her to bring this up at the next UCCI meeting. Bauer heard on the radio that there are school districts holding back any money to the State until they get their money from the State. Bauer sees this going to court. Chairman Rice says we will have the majority of our representatives here for our dedication and he would be willing to ask them to come early to meet with them. Gouker thinks this needs to be taken forth and band together and use the various resources we have with organizations.
- Gouker comments on the budget process last year and the raises given to the employees in different departments. He made comments last year at how reprehensible we treated the department and the employees and it sounds like we are going to repeat this process again. How do you expect to get a different result, this year we will wind up with more disgruntled employees, an uneven treatment of raises if we go through the process the same way? Chairman Rice states in the past raises have been driven by the county with negotiations with the Unions. We are in the process of negotiations now. Gouker states last year there was an understanding that departments who have outside revenue that they could give raises off budget. Then that departments employee(s) who do not have outside funds were at a disadvantage. He doesn't want to see this disparity repeated. Vice-Chairman Hopkins says the call from the Finance Committee was zero percent increase in pay for all departments. Gouker asks if this means no raises with dedicated funds which are not on the budget.

Vice-Chairman Hopkins states yes this was the recommendation from the Finance Committee.

Communications –

- Sales Tax for April 2009 was \$27,202.61 and \$56,476.63
- Sales Tax for April 2010 was \$16,544.90 and \$53,687.46
- IMRF – Linda Horrell – IMRF Communications Manager
- Thank you from the family of former County Board Member Bill Hayes

Motion to Adjourn

At 7:08 p.m., Nye makes the motion to adjourn the Ogle County Board meeting until Tuesday, August 17, 2010. Stahl 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