

# Proceedings of the Ogle County Board

## June 17, 2003

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

### **Call to Order**

Chairman Gocken calls the meeting to order at 5:40 p.m..

### **Adjournment of May 20, 2003, Ogle County Board Meeting**

Chairman Gocken asks for a motion to adjourn the May 20, 2003, Ogle County Board Meeting. Don Conn moves to adjourn the May 20, 2003, Ogle County Board Meeting. Fred Horner seconds and the motion is carried on a voice vote.

### **Roll Call:**

Roll call shows Jason Bauer, Carol Hoekstra and Ed Rice are absent. The Invocation is given by Jerry Daws and this is followed with the Pledge of Allegiance to the Flag.

### **Approval of Reports**

Jerry Daws moves to accept and place on file the monthly and six-month report of the Circuit Clerk and the monthly reports of the County Clerk/Recorder and Treasurer. Jim Swanson seconds and the motion carries on a voice vote.(Placed on file)

### **Approval of Minutes**

Chris Remhof would like to have the May minutes reflect the following correction: "Under Old Business Chris thanks Sven Johnson for his participation at the District 3 meeting. Richard Meadows moves to approve the minutes as corrected and Fred Horner seconds and the motion carries on a voice vote.

### **Procedural Issue regarding Telephone Voting**

Chairman Gocken reads a prepared statement to the board regarding the installation of a telephone in the County Board room without her knowledge. Chairman Gocken was notified of the situation late Thursday night after the courthouse was closed. While preparing the County Board Agenda in the County Clerk's Office, the question regarding what the procedure would be was asked. Chairman Gocken and County Clerk Huntley asked for the State's Attorney Deborah Ellis to research this information. Chairman Gocken, Vice-Chairman Clayton and County Clerk Huntley met with State's Attorney Deborah Ellis on Monday afternoon to discuss telephonic voting. Chairman Gocken read the State's Attorney Opinion to the board (on file) and from Robert's Rule of Order. Chairman Gocken states that the bond counsel for Ogle County, Chapman & Cutler, have also sent in an opinion regarding voting by telephone. Chapman and Cutler will not consider any votes (or even attendance) of those members participating in a meeting from a location other than where the meeting is held. In conclusion to the three questions that were stated in the State's Attorney Opinion:

- 1) Would such voting violate the Illinois Open Meetings Act?
  - Telephonic voting may not technically violate the Open Meetings Act based on the current statutes and other authority in Illinois, however, the statute has been amended and the current state of authority is not crystal clear.
- 2) Would such voting violate the County Board's Rules? Robert's Rule?
  - Because there are no Ogle County rules or by-laws in regard to telephonic voting, Robert's Rules of Order should be applied. Robert's does not appear to prohibit such participation, but does say that rules/by-laws should be in place to assure fairness and adherence to parliamentary

procedure. Without such local rules or by-laws, such fairness is not assured.

- 3) Would such voting in regard to a bond issue be legally sufficient to satisfy the county's bond counsel?
  - Counting any vote cast telephonically will affect the bond issue due to the position taken by Chapman & Cutler.

Chairman Gocken has State's Attorney Deborah Ellis explain the cases from the 4<sup>th</sup> & 2<sup>nd</sup> District Appellate Courts. In closing, Chairman Gocken states that since the board does not have a provision in place for telephonic voting in the by-laws as Robert's Rules 10<sup>th</sup> edition calls for and because it retains the status quo, there will not be any voting by telephone on any issue tonight. Discussion on this situation can be discussed further during the New Business portion of the meeting. At that time the board can determine whether the board wants a committee to look into the issue.

**Hearings - Griffin, Kubick, Stephens & Thompson, Inc.**

Kim Gouker introduces Jamie Rackland from Griffin, Kubick, Stephens & Thompson, Inc.. He is here to discuss the Bond funding for the various construction projects. Mr. Rackland discusses the following:

- Ordinance provides for publication of a Notice of Intent to issue bonds
- Passage of Ordinance and expiration of the Notice period authorize, but in no way obligate, the County to issue bonds
- The sale of bonds including the amount, interest rates and amortization of principal must subsequently be approved by Board action
- Bonds can be issued in multiple series giving ability to lock in current rates for a portion of project and finance remainder when cost is known
- Publishing a Notice with the highest conceivable amount of bonds avoids having two Notice periods

There was discussion regarding the 30 day notice for the issuance of bonds for the project, life expectancy of the landfill and other revenue sources. There was discussion regarding the voting on an Ordinance according to the Ogle County Rules of Order #12. Kim Gouker moves to adopt the Ordinance as presented to "not to exceed \$20 million" for the projects, Bill Spencer seconds. Tom Scholl reads a prepared statement and moves to amend the motion to say "not to exceed \$15 million in every place that states \$20 million." Don Conn seconds. A roll call vote is called to vote on the amendment:

**YES:** Zuehl, Brooks, Colbert, Conn, Horner, Huntley, Johnson, Meadows, Nye, Saunders and Scholl

**NO:** Clayton, Colson, Daws, Gocken, Gouker, Hopkins, Remhof, Spencer, Stahl and Swanson

**ABSENT:** Bauer, Hoekstra and Rice

The amended motion carries on a roll call vote.

Don Conn moves to suspend the rules according to Ogle County Rules of Order #25, Sven Johnson seconds. A roll call vote is called:

**YES:** Brooks, Clayton, Colbert, Conn, Horner, Huntley, Johnson, Meadows, Nye, Scholl and Zuehl

**NO:** Colson, Daws, Gocken, Gouker, Hopkins, Remhof, Saunders, Spencer, Stahl and Swanson

**ABSENT:** Bauer, Hoekstra and Rice

The motion is denied due to the lack of a 2/3 vote.

The amended motion will lay over until the next County Board meeting on July 15, 2003.

**Hearings - Arnold & O'Sheridan, Inc**

Chairman Gocken introduces Kevin Marselak from Arnold & O'Sheridan to address the board regarding the electronic connections between County Offices. Mr. Marselak distributes some information that he will discuss with the board. Mr. Marselak recommends that the county proceed with the Fiber Optic Cable between the facilities for voice and data. Funding for this option will come from the Long Range Capital Improvement Fund, \$10,000 from the Ogle County Health Department and the County Highway Department is volunteering their services. Doug Zuehl moves to approve the fibre optic option, Ron Colson seconds and the motion carries.

**Appointments**

9-1-1 ETS Board

Chairman Gocken announces the recommendation of Charles "Richard" Smith to the 9-1-1 ETS Board for an unexpired term that ends June 30, 2004. Fred Horner moves to approve the appointment, Sven Johnson seconds and the motion carries on a voice vote.(Placed on file)

Byron Museum District

Chairman Gocken announces the recommendation of Arthur E. Bridgeland to the Byron Museum District for a term that ends June 30, 2008. Jim Swanson moves to approve the appointment, Jerry Daws seconds and the motion carries on a voice vote.(Placed on file)

**Vacancies**

Chairman Gocken announces the following vacancy:

Kyte River Drainage District #2

Application deadline for this appointment will be Friday, July 25, 2003, at 4:30 p.m. in the Ogle County Clerk's Office.

\*\*\*\*After this announcement was made, Jerry Daws reminded the clerk that this appointment is recommended by a Circuit Judge and no applications will be accepted for this vacancy.

Vacancy Reminder (announced in April and May, 2003)

LN/NL River Conservancy District - 1 unexpired term ends April 30, 2006

Application deadline for these appointments will be Friday, July 25, 2003 at 4:30 p.m. in the Ogle County Clerk's Office.

**Resolution - Bond for Superintendent of Schools**

The clerk reads the resolution to set the bond amount for the Regional Superintendent of Schools at \$100,000. Richard Meadows moves to approve the resolution, Bobbie Colbert seconds and the motion carries on a voice vote.(Placed on file)

**Resolution - Ogle County Intergovernmental Agency**

Chairman Gocken reads a prepared statement regarding the background of this resolution. The clerk reads the Ogle County Intergovernmental Agency Resolution regarding the hiring of experts to assist in the possible negotiations with Exelon Generating Company, LLC, concerning the assessment of the Byron Nuclear Power Station. Bill Spencer moves to approve the resolution as presented, Pat Saunders seconds. Doug Zuehl will abstain from voting. The motion carries on a voice vote.(Placed on file)

**Zoning - Jack Pease and Wayne Ehmen**

The clerk reads the petition of Jack Pease, 5435 Bull Valley Rd. #330, McHenry, IL and Wayne Ehmen, 15763 Royster Ln., Monroe Center, IL for 1)an Amendment to the Zoning District to rezone from B-3 Restricted Interstate Highway Area Business District to I-1 Industrial District; and 2) a Special Use Permit to permit the installation of a concrete batch mix plant, an auto/truck filling station and a fast food restaurant on property described as follows, owned by Wayne Ehmen and being purchased by Jack Pease: *Part of the SE 1/4 of the NE 1/4 Section 20 Monroe Township 42N, R2E of the 3rd P.M., Ogle County, IL, 8.33 acres, more or less. P.I.N.: Part of 12-20-400-003.* Tom Scholl moves to concur with the Zoning Board of Appeals and approve the request to rezone from B-3 to I-1. Jerry Daws seconds and the motion carries on a voice vote. Tom Scholl moves to concur with the Zoning Board of Appeals and approve the Special Use Permit with the following conditions:

1. All proposals and representations made by the applicant and/or his/her representative shall be conditions of this Special Use Permit.
2. Prior to commencement of the authorized uses, the applicant and/or his successor(s) and/or assigns shall improve Limestone Road along the site's frontage to 80,000 pound standards pursuant to Illinois Department of Transportation design standards.
3. Screening pursuant to Section 6.22 shall be installed along the north boundary of the site within one year of the date of approval of this Special Use Permit.
4. All parking lot lights shall be shielded downward.
5. Concrete plant hours of operation shall be limited to Monday through Friday 6:00 A.M. to 6:00 P.M. and Saturdays 6:00 A.M. to 12:00 P.M. Up to twelve exceptions to the limitation on operating hours shall be allowed per calender year to accommodate customer special requests.
6. Aggregate storage on site shall be limited to inside of storage bins no higher than 10' above ramp height.

Chris Remhof seconds. Jerry Daws moves to amend the motion that condition #5be replaced with the following condition: This Special Use Permit shall specifically exclude any limitation to the days/hours of operation of the concrete batch mix plant. Fred Horner seconds and the motion to amend the motion carries on a voice vote. The original motion, as amended, carries on a voice vote.(Placed on file)

**Zoning - Linda Bowman**

The clerk reads the petition of Linda Bowman, 11137 N. Kennedy Hill Rd., Byron, IL for a Special Use Permit to permit equestrian training and lessons on property described as follows and owned by the petitioner: *Part of the SW 1/4 Section 9 Byron Township 25N, R11E of the 4th P.M., Ogle County, IL, 5.22 acres, more or less. P.I.N.: 05-09-300-015.* Tom Scholl moves to concur with the Zoning Board of Appeals and approve with the following condition:

1. All proposals and representations made by the applicant and/or his

representative shall be conditions of the Special Use Permit.

Chris Remhof seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - Sandra Wild**

The clerk reads the petition of Sandra Wild, 1843 W. IL Rte. 72, Forreston, IL for a Special Use Permit to permit a pet grooming shop and dog training classes on property described as follows and owned by the petitioner: *Part of the NW 1/4 of NW 1/4 Section 34 Maryland Township 25N, R8E of the 4th P.M., Ogle County, IL, 9.91 acres, more or less. P.I.N.: 02-34-100-004.* Tom Scholl moves to concur with the Zoning Board of Appeals and approve with the following condition:

1. All proposals and representations made by the applicant and/or his representative shall be conditions of the Special Use Permit.

Jerry Daws seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - Warren A. & Amy J. Thurow**

The clerk reads the petition of Warren A. & Amy J. Thurow, 860 US Rte. 6, Utica, IL and Christopher B. & Michelle L. Brantley, 7465 Keslinger Rd., DeKalb, IL for an Amendment to the Zoning District to rezone from I-1 Industrial District to R-2 Single-Family Residence District on property described as follows, owned by Warren A. & Amy J. Thurow, and being purchased by Christopher B. & Michelle L. Brantley: *Part of the NW 1/4 NE 1/4 Section 18 Dement Township 40N, R2E of the 3rd P.M., Ogle County, IL, 0.94 acres, more or less. P.I.N.: 25-18-200-005 -Common Location: 15585 Twombly Rd.* Tom Scholl moves to concur with the Zoning Board of Appeals and approve this request. Doug Zuehl seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - Dennis C. Harms and Robert E. Genrich**

The clerk reads the petition of Dennis C. Harms and Robert E. Genrich, 4868 Crofton Dr., Rockford, 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 Dennis C. & Kimberly S. Harms and Robert E. & Heather R. Genrich: *Part of N 1/2 Section 22 Marion Township 25N, R11E of the 4th P.M., Ogle County, IL, 65.28 acres, more or less. P.I.N.: 05-22-100-025 - Common Location: 6000 Block E. McCormick Rd.* Tom Scholl moves to approve this request, Lyle Hopkins seconds. Chris Remhof states he will voting against this issue and he states his reservations for this request. Don Huntley also comments that he will not be supporting this request. Tom Scholl states that the land in this area is no good, he has walked on the land and looked at the corn stalks and they are not very big. There are 5 acre lots on Skinner Rd and there are a number of 5 and 10 acres lots around in the area. A roll call vote is called:

**YES:** Colson, Conn, Daws, Gocken, Hopkins, Meadows, Nye, Saunders, Scholl, Spencer, Swanson and Zuehl

**NO:** Brooks, Colbert, Gouker, Horner, Huntley, Johnson, Remhof and Stahl

**ABSENT:** Clayton, Hoekstra, Rice and Bauer

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

**Zoning - AmCore Investment Group, Trustee of Trust No. 01-14435, Kent Lawrence by Attorney Kim D. Krahenbuhl**

The clerk reads the petition of AmCore Investment Group, Trustee of Trust No. 01-14435, Kent Lawrence, 208 S. LaSalle St. #1750, Chicago, IL by Attorney Kim D. Krahenbuhl, PO Box 339, Oregon, IL for a Special Use Permit to permit a single-family dwelling on property described as follows and owned by the petitioner: *Part of the SE 1/4 Section 29 and Part of the NE 1/4 Section 32 Rockvale Township 24N, R10E of the 4th P.M., Ogle County, IL, 5.00 acres, more or less. P.I.N.: Part of 09-*

29-400-004 & Part of 09-32-200-014 - Common Location: North Limekiln Rd. Tom Scholl moves to concur with the Board of Appeals and approve with the following condition:

1. All proposals and representations made by the applicant and/or his representative shall be conditions of the Special Use Permit.

Jerry Daws seconds and the motion carries on a voice vote.(Place on file)

**Zoning - Brian D. & Debra Bolen**

The clerk reads the petition of Brian D. & Debra Bolen, 13063 White Oak Rd., Forreston, IL for a Special Use Permit to permit the retail sale of motorcycle parts from a residential accessory building in the AG-1 Agricultural District on property described as follows and owned by the petitioners: *Part of the NE 1/4 NE 1/4 Section 32 Forreston Township 25N, R8E of the 4th P.M., Ogle County, IL, 1.33 acres, more or less. P.I.N.: 02-32-200-008.* Tom Scholl moves to concur with the Zoning Board of Appeals and approve with the following conditions:

1. All proposals and representations made by the applicant and/or his/her representative shall be conditions of this Special Use Permit.
2. No person other than a member of the immediate family residing on the premises shall be employed in connection with the authorized use.
3. All material, equipment, merchandise or work-in-process shall be wholly enclosed within a building.
4. The authorized use shall not involve repair/maintenance of motorcycles of any other machinery.

Jerry Daws seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - Larry J. Pontnack**

The clerk reads the petition of Larry J. Pontnack, 6309 E. Brick Rd., Oregon, IL for 1) an Amendment to the Zoning District to rezone from AG-1 Agricultural District to I-1 Industrial District; and 2) a Special Use Permit in the I-1 Industrial District to permit a storage yard of antique and/or old automobiles and/or parts thereof on property described as follows and owned by the petitioner: *Part of Lot #2 of the Subdivision of Government Lots 4 & 5 of the NW Fractional 1/4 of Section 3 Pine Rock Township 23N, R11E of the 4th P.M., Ogle County, IL, 10.0 acres, more or less. Part of P.I.N.: 17-03-100-008.* Tom Scholl moves to concur with the Zoning Board of Appeals and approve this request. Lyle Hopkins seconds and the motion carries on a voice vote. Tom Scholl moves to concur with the Zoning Board of Appeals and approve with the following conditions:

1. All proposals and representations made by the applicant and/or his/her representative shall be conditions of this Special Use Permit.
2. A perimeter fence 8 feet in height shall be maintained around the entire perimeter of the site. No automobiles and/or parts thereof shall be stored outside the enclosed area. The fence shall be set back from the property line a minimum of fifteen (15) feet.
3. A vegetative buffer of evergreen trees shall be planted along the west boundary, west side of fence within 6 months of the date of approval. Said trees shall be 6' in height at the time of planting, and permanently maintained in good condition, satisfactory to the County, with at least the same quality and quantity of landscaping as initially approved. In the event that any tree should die, the property owner shall replace same in a timely fashion, taking into consideration the season of the year.

4. The site shall at all times remain in compliance with all requirements of the Illinois Environmental Protection Agency and any and all other local, state or federal environmental requirements.
5. All inoperable motor vehicles and/or parts thereof located on the site, and on the adjacent site of the existing industrial use to the north shall be stored within a building or enclosed area, out of view.

Jerry Brooks seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - Walter W. Paul**

The clerk reads the petition of Walter W. Paul, 11034 Route 72 West, Forreston, IL by Attorney Kim D. Krahenbuhl, PO Box 339, Oregon, 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 petitioner: *Part of S ½ of SE 1/4 of Section 13 Maryland Township 25N, R8E of the 4th P.M., Ogle County, IL, 10.310 acres, more or less. P.I.N.: Part of 02-13-400-004 - Common Location: N. Lone Rd.* Tom Scholl moves to concur with the Zoning Board of Appeals and approve this request. Jerry Daws seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - Roger L. Nordman, Lisa Nordman-Ring and Annette Martin**

The clerk reads the petition of Roger L. Nordman, Lisa Nordman-Ring and Annette Martin, 1805 E. IL Rte. 64, Oregon, IL by Attorney Kim D. Krahenbuhl, PO Box 339, Oregon, IL for a Special Use permit to allow a sales yard, wholesale or retail, for agricultural products; unprocessed, value-added and traditional crafts; recreational meeting hall; and a Small Rural Business on property described as follows, owned by Roger L. Nordman and to be leased by Lisa Nordman-Ring and Annette Martin: *Part of NE 1/4 of SE 1/4 Section 2 Oregon-Nashua Township 23N, R10E of 4th P.M., Ogle County, IL, 1.19 acres more or less. P.I.N.: Part of 16-02-400-002.* Tom Scholl moves to concur with the Zoning Board of Appeals and approve with the following conditions:

1. All proposals and representations made by the applicant and/or his/her representative shall be conditions of this Special Use Permit.
2. All facilities shall comply with the *Illinois Accessibility Code*.
3. All facilities shall comply with the Ogle County Health Code.
4. No more than two persons, other than two applicants, their successors and/or assigns shall be employed in connection with the authorized uses other than members of the immediate family residing on the premises.

Jerry Brooks seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - Thomas A. & Nina J. Ward**

The clerk reads the petition of Thomas A. & Nina J. Ward, 8275 N. Kilbuck Rd., Monroe Center, 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 Government Lot 1, NE 1/4 of SW Fractional 1/4 Section 6 Monroe Township 42N, R2E of 3rd P.M., Ogle County, IL, 11.82 acres, more or less. P.I.N.: 12-06-300-025.* Tom Scholl moves to concur with the Zoning Board of Appeals and approve this request. Jim Swanson seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - Peggy A. & Tex E. Bellows**

The clerk reads the petition of Peggy A. & Tex E. Bellows, 2572 S. Ridge Rd., Oregon, IL by Attorney Eric D. Morrow of Smith, Hanson, Hahn, Morrow & Floski, P.C., 129 S. 4th St., Oregon, 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 E ½ SW 1/4 Section 13 Pine Creek Township 23N, R9E of the 4th P.M., 5.00 acres, more or less. P.I.N.: Part of 15-13-300-002.* Tom Scholl moves to approve this request, Lyle Hopkins seconds and the motion carries on a voice vote.(Placed on file)

**Zoning - Resolution to Add a Fee for “Wind Energy Conversion Systems”**

The clerk reads the resolution to Amend the Planning & Zoning Department Fee Schedule to Add a Fee for “Wind Energy Conversion Systems.” Ron Colson moves to approve the resolution, Chris Remhof seconds and a roll call vote is called:

**YES:** Colbert, Colson, Conn, Daws, Gocken, Gouker, Hopkins, Horner, Huntley, Johnson, Meadows, Nye, Remhof, Saunders, Scholl, Spencer, Stahl, Swanson, Zuehl and Brooks

**NO:** none

**ABSENT:** Clayton, Hoekstra, Rice and Bauer

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

**Road & Bridge - Resolution establishing a Class III Designated Truck Route**

The clerk reads the resolution to establish a Class III Designated Truck Route on Steward Road beginning at the intersection of Illinois Route 251 and extending east for 2.447miles. Bill Spencer moves to approve the resolution, Chris Remhof seconds and the motion carries on a voice vote.(Placed on file)

**Recess to Refer Claims to Committee**

At 8:05 p.m., the board refers claims to committees. Chairman Gocken calls the meeting to order at 8:20 p.m..

**Claims**

The clerk reads the claims for the General Fund - \$307,812.48 and the County Highway Fund - \$84,879.84. Motion to accept claims Tom Scholl, Don Huntley 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: *Judiciary & Circuit Clerk, Sheriff & Coroner, States Attorney & Legislative, Personnel & Salary, Executive Committee, G.I.S. Committee, Road & Bridge and Economic Development.* The following had no minutes to file: *Juvenile & Probation, Blackhawk Hills RC&D, Board of Health, Ill Assoc. of County Board Members, U.C.C.I., Mental Health “708” Board, Tri- County Opportunities, Illinois Risk Management, Safety Committee, Siting Committee, Liquor Commission and Ogle Co. AG..*

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

Flagg Twp Polling Places

Bobbie Colbert comments that the League of Women Voters and County Clerk Huntley have held various meetings in Rochelle to consolidate the Flagg Township Polling Places. The resolution was included in the board packets for review. Doug Zuehl moves to approve the resolution, Chris

Remhof seconds and the motion carries on a voice vote.(Placed on file)

Election Voting Equipment

Bobbie Colbert explains that County Clerk Huntley has decided to go with the Optical Scan for Ogle County.

Democratic Notes

Bobbie Colbert alerts the board that the County Clerk & Insurance meeting was run by a Democratic Majority this month. This is the first time in Ogle County History!!

Thanks

County Clerk Huntley thanks her committee for all of their support.

**Buildings & Grounds**

Minutes placed on exhibit

Dedication for Peg Fridley

Doug Zuehl invites everyone to attend the dedication at Weld Park in memory of Margaret "Peg" Fridley. This will be on July 9<sup>th</sup> at 10:00 a.m..

**Finance & Revenue**

Minutes placed on exhibit

Voting Equipment

Bill Spencer states that County Clerk Huntley wants to purchase voting machines that will comply with the H.A.V.A. (Help America Vote Act). Huntley would like to pay \$57,500 out of the 2003 Budget. There should be a grant coming in the amount of \$166,400 before the end of the year. Bill Spencer moves to approve the purchase, Pat Saunders seconds. Pat Saunders explains to the board that County Clerk Huntley needs to comply by 2004. The Federal Government has mandated that there will not be punch cards by November of 2004. Lyle Hopkins asks if these machines will need electricity. Yes, they will. The motion carries on a voice vote.

Auditor visit

Bill Spencer states that the County Auditor will be at the July meeting.

Circuit Clerk fees

Bill Spencer stated that at the Finance Committee meeting, Marty Typer presented a possible new fee schedule. Marty will have these distributed so that the board can vote on this next month.

**Solid Waste**

Minutes placed on exhibit

Annual Report

Chairman Gocken says that there is an Annual Report in your packets. Chairman Gocken also thanks Steve Rypkema for an excellent job preparing this report.

**Planning, Assessment & Zoning**

Minutes placed on exhibit

Meetings

Tom Scholl comments that the next meeting will be held on June 26<sup>th</sup>. The meetings for the McKnight request will be held on July 19 and will begin at 8:00 a.m. until they are done.

**Blackhawk Hills RC&D** No Minutes

Update Ron Colson has distributed an activities report.

**Planning Commission** Minutes placed on exhibit

Meeting The next meeting will be on June 19th at 7 p.m. in the Ogle County Board Room.

**Communications**

Sales Tax for February 2003, is \$27,490.72 and \$59,675.04  
Sales Tax for February 2003 was \$17,786.97 and \$47,901.37  
Sales Tax for March 2003, is \$26,620.97 and \$58,531.71  
Sales Tax for March 2003 was \$20,812.48 and \$58,654.73  
Army Corps of Engineers - Public Notice

**Old Business**

Chris Remhof would like to inform the board that he was able to drive around with a Sheriff's Deputy and receive a tour of the jail. Remhof personally thanks Jason Ketter and Dan Daub for their time.

**New Business**

Jerry Daws makes the motion that until there is a change in legislation and change in the Ogle County By-Laws that voting via telephone is prohibited. Kim Stahl seconds. Richard Meadows states that he strongly opposes voting via the telephone. The motion will be tabled until next month.

States Attorney Deborah Ellis comments to the board that it is unclear to her how the amendment is written, whether or not this is only enabling legislation. Which means this legislation can enable the board to allow them to participate via the telephone if they choose or if it will require all public bodies to allow this option if certain rules are in place. States Attorney Ellis can look into this information for the board. Chairman Gocken asks if the board would like to appoint a committee to research this any further. There were no comments from the board members.

**Motion to go into Closed Session**

At 8:45 p.m., Ron Colson makes the motion to go into closed session to discuss pending litigation. Jerry Daws seconds and a roll call vote is called:

**YES:** Colbert, Colson, Conn, Daws, Gocken, Gouker, Hopkins, Horner, Huntley, Johnson, Meadows, Remhof, Scholl, Spencer, Stahl, Swanson, Zuehl, Brooks and Clayton

**NO:** Saunders

**ABSENT:** Hoekstra, Rice, Bauer and Clayton

**Return to Open Session**

At 10:15 p.m. the County Board returns to Open Session.

**McKnight Appeal**

Pat Saunders makes the motion to instruct Attorney Kim Krahenbuhl to have discussions with Attorney David Smith regarding the McKnight Appeal. Richard Meadows seconds. Chairman Gocken will abstain from voting. The motion carries on a voice vote.

**Byron Dragway**

Jerry Brooks makes the motion to instruct States Attorney Deborah Ellis to continue discussions with the attorney for the Byron Dragway. Tom Scholl seconds. Marguerite Nye will abstain from voting. The motion carries on a voice vote.

**Motion to Recess**

At 10:20 p.m., Marguerite Nye moves to recess the June County Board Meeting until Tuesday, July 15, 2003, at 5:30 p.m. at the Ogle County Courthouse. Pat Saunders seconds and the motion carries on a voice vote.

Betty K. Gocken  
Chairman Ogle County Board

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