

Proceedings of the Ogle County Board Meeting
June 20, 2006

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

Call to Order

Chairman Gocken calls the meeting to order at 5:35 p.m.

Roll Call

The roll call shows Bauer*, Heuer, Hoekstra, Hopkins** and Rice are absent. The invocation is given by Swanson and this is followed with the Pledge of Allegiance to the Flag. (*Bauer enters at 5:40 p.m. and leaves at 5:55 p.m. and **Hopkins enters at 5:45 p.m.)

Approval of Minutes

Chairman Gocken asks for a motion to approve the May 16, 2006, Ogle County Board meeting minutes. Horner moves to approve the May 16, Ogle County Board minutes. Nye seconds and the motion carries on a voice vote.

Approval of Reports

White moves to accept and place on file the monthly reports of the Treasurer, County Clerk/Recorder and Circuit Clerk. Huntley seconds and the motion carries on voice vote.(Placed on file)

Hearings - Introduction of James Mielke - Candidate for County Administrator

Chairman Gocken states the County Board members had the opportunity before the board meeting to meet with Mr. Jim Mielke who is the candidate for the County Administrator. He has been chosen by the County Administrator Screening Committee and they are very pleased with him as a candidate. Mr. Mielke is currently the New Glarus, Wisconsin Village Administrator and also a member of the Greene County Board. As Chairman of the Screening Committee, Chairman Gocken makes the motion to appoint Mr. Jim Mielke as the Ogle County Administrator and authorize Chairman Gocken to sign the Employment Contract. The board members have a copy of the contract on their desks. Saunders seconds. Mr. Mielke addresses the board and states he has a little over 14 years of local government experience and is currently serving his second term on the Greene County Board in Wisconsin. Mr. Mielke is very excited about this opportunity and this change represents many challenges which he is ready to handle. On a personal note, he has traveled to Ogle County for many years from Wisconsin and states one of his hobbies is he is a railroad fan. He states there is no better place in the Midwest than to be in Ogle County if you are a railroad fan. Mr. Mielke has been to the Oregon Depot, Rochelle and Davis Junction on his many visits and really likes Ogle County. He is looking forward to working with the County Board, staff and moving to Ogle County. Mr. Mielke entertains any questions from the board members. There being no questions, Chairman Gocken asks Saunders to speak on behalf of the Personnel & Salary Committee the process the committee has chosen. Saunders explains the process of the advertising, selection and interview process for the Administrator position. Huntley welcomes Mr. Mielke and plugs Pine Rock Township as a great place to live. Scholl speaks out about Woosung Township as well. Mr. Mielke states he is looking towards Davis Junction at this time. Spencer calls for a roll call vote:

YES: Horner, Huntley, Kenney, Lewandowski, Nye, Saunders, Scholl, Stahl, Swanson, White, Zuehl, Bauer, Boes, Brooks, Clayton, Colbert, Colson, Gouker and Gocken

NO: Spencer and Colson

ABSENT: Rice, Heuer and Hoekstra

The motion carries on a roll call vote. Chairman Gocken states Mr. Mielke will begin his first day of employment on August 14, 2006. Chairman Gocken states Mr. Mielke needs to leave the meeting at this time, he will be attending the council meeting in Wisconsin and will need to turn in his resignation. Scholl would like to thank the committees for their hard work in the selection process of hiring a County Administrator for Ogle County.

Hearings - Lee County Enterprise Zone - John Thompson

John Thompson is here to speak to the board regarding the Lee County Enterprise Zone included in your packets. He is here to ask the board to pass the Amending Ordinance and execute the Amendment No. 10 to the Intergovernmental Agreement. This will add another piece of territory to the Lee County Enterprise Zone for a wind farm under development in the southern part of Lee County and on into LaSalle County.

✧ Clayton moves to approve the Ordinance Amending Ordinance dated October 16, 2001 which is the Lee County Enterprise Zone #9. Colson seconds. Huntley asks if this is for the Paw Paw wind farm? Thompson says this is a new project and it is located West of the Paw Paw site. The motion carries on a voice vote.(Placed on file)

✧ Clayton moves to approve Intergovernmental Agreement Amendment No. 10. Zuehl seconds and the motion carries on a voice vote.(Placed on file)

Hearings - Superintendent Todd Prusator - Impact of Subdivisions on schools

Chairman Gocken introduces Todd Prusator to the County Board and states he is here to give a PowerPoint demonstration regarding the Impact of subdivisions on schools. Mr. Prusator says the figures in the demonstration are specific to #231 which is the Rochelle Elementary School District. Information is distributed to the board members at this time.(Placed on file) Mr. Walt Zukowski is introduced and speaks to the board regarding the information which is going to be presented this evening. Information was given regarding the new subdivisions coming into the Rochelle area and how they will impact the school system.

Hearings - Presentation of Certificates - STEP Work Program

Chairman Gocken asks Circuit Clerk Marty Typer to come to the front. Chairman Gocken presents Typer with a Certificate of Appreciation for participation in the 2005 - 2006 STEP Work Program through the Oregon High School. Typer states he hires a disadvantaged student with a job coach and they receive hands on training through the Circuit Clerk's Office. Chairman Gocken states she also has a Certificate of Appreciation to present to the County.

Vacancy -

Chairman Gocken announces a reminder of the vacancy on the Lost Nation/New Landing RCD and the application deadline is Friday, June 30, 2006, at 4:30 p.m. in the County Clerk's Office.

Appointments -

Chairman Gocken announces the following appointments:

Byron Museum District

Chairman Gocken states the committee has recommended Angela K. Bauer be appointed to the Byron Museum District for a term which ends June 30, 2011. Scholl moves to approve the appointment, Saunders seconds and the motion carries on a voice vote.(Place on file)

9-1-1 ETS Board

Chairman Gocken states the committee has recommended Fred J. Horner be re-appointed to the 9-1-1 ETS Board for a term which ends June 30, 2010. Kenney moves to approve the appointment, Horner seconds and the motion carries on a voice vote.(Placed on file)

9-1-1 ETS Board

Chairman Gocken states the committee has recommended Donald H. DeWall be re-appointed to the 9-1-1 ETS Board for a term which ends June 30, 2010. White moves to approve the appointment, Scholl seconds and the motion carries on a voice vote.(Placed on file)

9-1-1 ETS Board

Chairman Gocken states the committee has recommended John G. Thompson be re-appointed to the 9-1-1 ETS Board for a term which ends June 30, 2010. Brooks moves to approve the appointment, Kenney seconds and the motion carries on a voice vote.(Placed on file)

9-1-1 ETS Board

Chairman Gocken states the committee has recommended Sandra J. Sullivan be re-appointed to the 9-1-1 ETS Board for a term which ends June 30, 2010. Horner moves to approve the appointment, Colbert seconds and the motion carries on a voice vote.(Placed on file)

9-1-1 ETS Board

Chairman Gocken states the committee has recommended Bill B. Winebaugh be re-appointed to the 9-1-1 ETS Board for a term which ends June 30, 2010. Kenney moves to approve the appointment, Nye seconds and the motion carries on a voice vote.(Placed on file)

Zoning - #6-06 Amendment - Carroll Haijenga

The clerk reads the petition of Carroll Haijenga, 107 N. Prairie Dr., Forreston, 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 S1/2 SE 1/4 Section 3 and part of N1/2 NE 1/4 Section 10 Maryland Township 25N, R8E of the 4th P.M., Ogle County, IL, 7.36 acres, more or less
P.I.N.: Part 02-10-200-014 - Common Location: 11280 W. Green Rd.

Hopkins moves to concur with the Zoning Board of Appeals and approve #6-06 Amendment for Carroll Haijenga. White seconds and the motion carries on a voice vote.(Placed on file)

Zoning- #7-06 Amendment - Mark & Stacey McLane

The clerk reads the petition of Mark & Stacey McLane, 3524 S. Freeport Rd., Polo, IL for an Amendment to the Zoning District to rezone from B-1 Business District to AG-1 Agricultural District on property described as follows and owned by the petitioners:

Part of the SE 1/4 NE 1/4 Section 24 Eagle Point Township 23N, R7E of the 4th P.M., Ogle County, IL, 1.00 acres, more or less
P.I.N.: 13-24-200-005 - Common Location: 3524 S. Freeport Rd.

Hopkins moves to concur with the Zoning Board of Appeals and approve #7-06 Amendment for Mark & Stacey McLane. Colson seconds and the motion carries on a voice vote.(Placed on file)

Zoning - Resolution - Amendment to Ogle County Land Subdivision Regulations

The clerk presents the Resolution regarding the Amendment to Ogle County Land Subdivision Regulations (School Land Dedication), which was included in the County Board Packets. Hopkins moves to adopt the resolution as presented, White seconds. Hopkins states this resolution is to correct a typographical error and to exempt dwellings that have been destroyed and need to be re-built from school impact fees. The motion carries on a voice vote.(Placed on file)

Zoning - Final Plat - Wiles Meadows Subdivision

The clerk presents the Final Plat for "Wiles Meadows Subdivision" - Section 7, Leaf River Township - Developer: John & Nonie Wiles - Authorized Agent: Farms & More Services. Hopkins moves to adopt the Final Plat of Wiles Meadows Subdivision - Section 7 - Leaf River Township. Swanson seconds and the motion carries on a voice vote.(Placed on file)

Zoning - Final Plat - Whitemore Reserve

The clerk presents the Final Plat for "Whitemore Reserve" - Section 26, Marion Twp - Developer: Wildwood OC, LLC - Authorized Agent: Arc Design Resources, Inc.. Hopkins moves to adopt the Final Plat of Whitemore Reserve - Section 26 - Marion Township. Boes seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - TARP Agreement - Grange Rd - 05-06127-00-WR

Clayton states this motion involves Flagg Township receiving IDOT funding through Ogle County Highway Department. Grange Rd will be widened and brought up to 80,000 pounds. Clayton moves to approve 05-06127-00-WR Grange Rd improvements through Truck Access Route Program with IDOT for funding. Huntley seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Resolution - Lowell Park Rd - 99-00191-00-FP

Huntley moves to approve the Supplemental Resolution for County Road Construction to appropriate \$36,284.15 from the County Motor Fuel Tax Fund. Zuehl seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge - Intergovernmental Agreement - Winnebago & Ogle Counties - 04-00230-00-BR

Clayton states Winnebago County has been interested for many years for a bridge across the Rock River, possibly at Meridian Road which is the road that divides Ogle and Winnebago Counties. This will possibly connect with Kishwaukee Road on the South side of the river. Now it is time to have a feasibility study. Clayton moves that Ogle County enter into an Intergovernmental Agreement with Winnebago County for the Phase I Engineering Services for a new bridge over the Rock River, the estimated cost for Ogle County is \$143,000. Colson seconds. Colson states this is a cost sharing project based on a portion of the EAV and Ogle County's share is about 27% of the cost.(Placed on file)

Recess to refer claims to a committee

At 6:51 p.m., Chairman Gocken asks for a motion to recess and refer claims to committees. Colson moves, Gouker seconds and the motion carries on a voice vote. Chairman Gocken calls the meeting back to order at 7:05 p.m.

Claims

The clerk reads the claims for the General Fund - \$69,504.96 and the County Highway Fund - \$127,472.00. Huntley moves to approve the claims as read, Kenney seconds and the motion carries on a voice vote.(Placed on file)

COMMITTEE REPORTS

The following committees had no additional report other than the minutes that are placed on an exhibit: *Judiciary & Circuit Clerk, Juvenile & Probation, Sheriff & Coroner, State's Attorney & Legislative, Road & Bridge, Planning Commission, Tri-County Opportunities, Personnel & Salary and 9-1-1 ETS Board*. The following had no minutes to file: *County Clerk & Insurance, Blackhawk Hills RCD, Board of Health, Ill Assoc. Of County Board Members, U.C.C.I., Mental Health Board, Tri-County Opportunities, IT Committee, Safety Committee, 911 ETS Board, G.I.S. Committee, Ill Risk Management and Byron Dragway*.

Buildings & Grounds Minutes placed on exhibit

Carpet in Board Room Zuehl says there was a question last month regarding the expenditure for the carpet in the County Board Room. Zuehl states Buildings and Grounds received two bids from Ogle County businesses. Zuehl also talks about the amount in the Ogle County Rules of Order #23 which states “..All bids which exceed \$3,000 shall be reviewed by the Board, even if allowed in the budget”. He thought this amount had been changed by the Board and County Clerk Huntley states this had previously only been discussed by the Board. Zuehl states he will bring a Resolution to the Board and have this amount changed.

Finance & Revenue Minutes placed on exhibit

Audit Spencer makes the motion to advertise and bid the FY2006 auditing services on an annual basis for a 3 year period. The bid is to include a provision for an agreed upon procedures audit for Probation/Focus House and Sheriff/Corrections for FY2006. Horner seconds. Chairman Gocken explains due to personnel changes in these departments a special audit will be done. Spencer informs the board members of the two black audit books placed on the desks.

H.E.W. & Solid Waste Minutes placed on exhibit

Enforcement Grant Chairman Gocken makes the motion to recommend approval of the Solid Waste Enforcement Grant Agreement with the IEPA in the amount up to \$56,313.21 for the State Fiscal year 2007 and authorize Steve Rypkema to sign all grant related documents. Clayton seconds and the motion carries on a voice vote.(Placed on file)

Funding Hearings Chairman Gocken announces the funding hearings for the H.E.W. Boards will begin tomorrow.

Planning, Assessment & Zoning Minutes placed on exhibit

Meeting Hopkins announces the Zoning Board of Appeals will have a meeting on June 29th at 7 p.m.

U.C.C.I. No minutes

Outing Chairman Gocken reminds the board members of the golf outing scheduled in July.

Planning Commission Minutes placed on exhibit

Meeting Hopkins announces the next Planning Commission meeting will be held on June 22nd.

IT Committee No minutes

Handout Colson announces a handout which has been distributed "Universal Broadband Access."

Liquor Commission Minutes placed on exhibit

Update Chairman Gocken informs the board of the approval of the Monroe Center Oasis Liquor License. Along with the convenience store will be a fast food facility and 8 new jobs are expected to be generated.

Executive Committee No minutes

Update Chairman Gocken reports several work tasks and warranty items have been accomplished since the last board meeting (Report placed on file):

- McDermaid Roofing reworked the insulation and slope to drain beneath the air conditioning condensing units in the mechanical equipment well at the roof level. This was a punch list item noted in the Architects walk through.
- Rock Valley Glass worked on the handicapped entrances to restore operation.
- Forest City Decorators completed their punch list as well as the epoxy coatings in the secure lobbies and prisoner waiting areas.
- Sjostrom and Sons reversed the mailbox units at the mailroom.
- Superior Drywall has ordered the transfer grilles for the ceiling of the entry vestibule. As soon as they are received, the work will be scheduled.

An analysis of the Project Application for payments based on the payments approved this evening:

- Nineteen of twenty-six contracts have been closed out and final payment processed.
- Net change in contracts to date is an increase of \$10,803.20, or one tenth of one percent of the of the original contract values.
- The County currently retains \$467,018.96 in funds that will eventually be paid to contractors. Eighty-six percent of these funds are owed, in descending percentage, to Sjostrom and Sons, Mechanical, Inc. HVAC and Larson and Larson Builders.
- GACS anticipates additional payments will be certified in July for the following contractors:
 - Sjostrom and Sons
 - McDermaid Roofing
 - Larson and Larson Builders
 - Forest City Decorators
 - Mechanical, Inc HVAC

Judicial Center bills

Chairman Gocken states the bills for the Judicial Center in June 2006 is a total of \$205,463.23 - of which \$344.10 will be paid from the LRP Capital Improvement Fund and the remaining \$205,119.13 from the Project Fund. Zuehl moves to approve the bills as presented, Scholl seconds and the motion carries on a voice vote.

Delbert house

Chairman Gocken announces the purchase of the Delbert house at a cost of \$107,772.36. Hopkins moves to approve the purchase of the Delbert house for \$107,772.36. Spencer seconds and the motion carries on a voice vote.

Chairman Comments

Chairman Gocken passes along sympathy to Marcia Heuer on the passing of her husband.

Chairman Gocken congratulates Doug and Swan Zuehl on celebrating their 50th Wedding Anniversary.

Chairman Gocken announces to the board the invitation for Don Kinn's Retirement Party which will be held on June 26th. Please read the invitation included in your board packets.

Huntley asks Chairman Gocken if the County has received information from Super Mix on the Sales Tax. Chairman Gocken states the documentation is on file in the County Clerk's Office if anyone would like to look at the information.

Communications

- Sales Tax for March 2006 was \$33,115.52 and \$70,427.66
- Sales Tax for March 2005 was \$27,273.12 and \$64,412.86

Unfinished Business

Gouker states at this time he will make a motion to postpone both of his motions made at the last County Board meeting until more information can be obtained from the State's Attorney. White seconds.

Gouker states on the 2nd motion made last month, he would like to have it corrected and has submitted the information to Chairman Gocken. County Clerk Huntley reads the entire motion as submitted by Gouker (corrections are noted by italicized text):

- Gouker makes the motion that *a plaque be placed at a prominent location in the Ogle County Judicial Center, that states: "This Ogle County Judicial Center has been built and dedicated to the people of Ogle County, with the hope that all who come here, find satisfaction for their pursuit of Justice, if not Justice itself. The laws adjudicated here are those written by man, but inspired by a higher ideal from our Creator," followed by a quote by James Madison and a list of the Ten Commandments.*

At last month's meeting Scholl made the following motion : "Scholl makes the motion to rescind the action taken on the statue. Bauer seconds." Scholl makes the motion to remove the motion off the table and White seconds. White reads a prepared statement regarding the renaming of the statue. White makes a substitute motion to change the name of the statue from "Demeter over Illinois" to "Agriculture, Mother of Civilization." Gouker seconds. Chairman Gocken states a substitute motion must be seconded, it is debatable, amendable and it requires a majority vote and can be reconsidered. Horner asks where will this statue be placed? Lewandowski states it will be placed on the East elevation on the North side of the Judicial Center. Scholl says he has heard both positive and negative comments on the statue. He has a problem with the statue representing agriculture in Ogle County, she is sowing buildings and not seed. He doesn't think this statue represents agriculture and feels the statue should be put in front of the Farm Bureau building. Kenney states when this first came up he voted

against it and the statue is a beautiful piece of art. However, he feels this statue is not appropriate to be placed in front of the Judicial Center. He feels it should have a place of prominence somewhere else in the community and something which reflects of the business which takes place in the Judicial Center. Saunders agrees with Kenney and states the building belongs to all of the people in Ogle County. Hopkins states in his research he has found about 95% for the statue and about 5% against the statue. He has been asked by a retired Lutheran Minister who has a Doctrine in Theology why is the board wasting their time on this statue. Hopkins also likes the new name of the statue since Ogle County was built on agriculture. Gouker states this is the 2nd statue of 10 planned for Oregon and says this is an honor for them to ask us to be the location of the 2nd statue. Doug Wean explains when they juried this statue it was not done with a religious bias in mind. He states their focus has been on agriculture and art. Chairman Gocken states the substitute motion would be voted on first and then go back to the original motion which was at the February County Board Meeting and reads: "Gouker makes the motion to accept the statue "Demeter Over Illinois" which includes the cost of \$5,000 for the pedestal and Swanson seconds. Colbert asks if there are any other expenses involved? Gouker says a plaque will be needed. A roll call vote is called." Chairman Gocken states the motion did carry on the roll call vote. Chairman Gocken reads the substitute motion - "White makes a substitute motion to change the name of the statue from "Demeter over Illinois" to "Agriculture - Mother of Civilization." Gouker seconds." and asks if the board is ready to vote on the substitute motion. Horner asks Chairman Gocken to explain what a is a Yes vote and No vote. Chairman Gocken states a Yes vote will be to change the statue name to "Agriculture - Mother of Civilization" and a No vote will be to have the statue name remain "Demeter over Illinois." The motion carries on a voice vote. Chairman Gocken states we will return to the original motion which Scholl has made. The motion to rescind and reads "Gouker makes the motion to accept the statue "Demeter Over Illinois" and the statue will now be called "Agriculture - Mother of Civilization" which includes the cost of \$5,000 for the pedestal and Swanson seconds. Colbert asks if there are any other expenses involved? Gouker says a plaque will be needed. A roll call vote is called." Chairman Gocken states a Yes vote will rescind the motion and a No vote will place the statue in front of the Judicial Center. Lewandowski states Point of Order and asks about the rescinding or reconsidering of a motion, will the board need a 2/3 vote or a majority vote. Gouker referred to his Rules of Order book and states the motion to rescind, repeal or annul requires a majority vote with notice or a 2/3 vote of entire membership without notice. Scholl calls for a roll call vote:

YES: Huntley, Kenney, Saunders, Scholl, Stahl, Zuehl, Brooks, Clayton and Horner

NO: Lewandowski, Nye, Spencer, Swanson, White, Boes, Colbert, Colson, Gouker, Hopkins and Gocken

ABSENT: Rice, Bauer, Heuer and Hoekstra

The motion is denied and the statue will be placed in front of the Judicial Center with the new name.

New Business

Gouker informs the board members of a Resolution of Condolence placed on the desks regarding the death of board member Marcia Heuer's husband over the weekend. Gouker would like to have the board act on the Resolution this evening and will require the rules to be suspended. Gouker makes the motion to pass the Resolution of Condolence for Robert Heuer and Hopkins seconds. Horner asks if this has ever been done before? Chairman Gocken states it is in the Rules of Order and County Clerk Huntley reads #17 - "Resolutions of sympathy shall be limited to present and former County Officials, employees and their families." Horner states if we do one now, the board will have to continue this practice or someone may feel slighted. If we haven't done any in the past he would feel bad. Nye states Horner brings up a very good point. There have been board members who have lost spouses and board members who have died while in office and nothing was done. Scholl states he had a good friend, John Clayton, who passed away and he suffered nine years. Scholl mentions nothing was

done for Gilbert Gocken, LaVerne Adams and Peg Fridley. Scholl states if we are going to pass a resolution we need to pass a resolution for everyone. Huntley states with no disrespect to Marcia Heuer or anyone else, but the county has no business entering into this. Gouker states if that was true we would not have this in our Rules of Order. The fact that we have not done this previously is an oversight and is unfortunate. Huntley calls for the question. Chairman Gocken says a 2/3 vote to suspend the rules will be needed. Colson says if this is a point of procedure and the vote to suspend the rules requires a 2/3 vote and laid over then it would require a simple majority at the next meeting, is that correct? The answer was yes. White makes the motion to suspend the rules and Horner seconds. A roll call vote is taken:

YES: Lewandowski, Stahl, White, Boes, Brooks, Colson, Gouker, Hopkins, Horner and Gocken

NO: Kenney, Nye, Saunders, Scholl, Spencer, Swanson, Zuehl, Clayton, Colbert and Huntley

ABSENT: Rice, Bauer, Heuer and Hoekstra

The motion to suspend the rules is denied.

Stahl says this should have been done in the past, if we are to vote on something like that now. This has really put her in a very uncomfortable position and she would not vote no for something like that, because that is the way she is. Nye and Colbert agreed with Stahl. Stahl says this has put everyone in an uncomfortable position and she would have voted for this. Horner asks if this motion will be voted on at the next month's board meeting. County Clerk Huntley states yes, this motion will be voted on next month.

Public Comments

Saunders states Focus House will be holding an Auto Show on July 4th.

Motion to Adjourn

At 8:00 p.m., Horner moves to adjourn the June Ogle County Board meeting until Tuesday, July 18, 2006, at 5:30 p.m. at the Ogle County Courthouse. Spencer 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