

Proceedings of the Ogle County Board Meeting  
June 19, 2007

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

**Call to Order**

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

**Roll Call**

The roll call shows Huntley is absent. The Invocation is given by Diehl and followed by the Pledge of the Allegiance to the Flag.

**Approval of Minutes**

Chairman Rice asks for a motion to approve the May 15, 2007, Ogle County Board meeting minutes. Bowers moves to approve the May 15, 2007, Ogle County Board Meeting minutes and Heuer seconds. The motion carries on a voice vote.

**Approval of Reports**

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

Colson moves to accept and place on file the monthly and six-month report of the County Clerk/Recorder. Messer seconds and the motion carries on a voice vote.(Placed on file)

**Presentation – Director of Court Services - Greg Martin**

Greg Martin informs the board members of the Annual Report which is presented this evening and reviews information from the report.(Placed on file)

Mike Dale the Director of Focus House thanks the board members for attending the meeting last month at Focus House.

**Presentation – Ogle County Soil and Water Conservation District – Phil Fossler**

Phil Fossler of the Soil and Water Conservation District states they have an Ogle County Plat book printed about every four years. Phil Fossler and Mel Lloyd present Chairman Rice with a map of Ogle County. Mr. Flosser says the Soil and Water Conservation District is selling the Plat Books for \$35 in their office.

**Ordinance – #07-0619 – Warrant Service Fee**

The Clerk presents Ordinance #07-0619 increasing the fees of preparing and serving a warrant in Ogle County. Messer moves to adopt the Ordinance, Colbert seconds and the motion carries on a voice vote.(Placed on file)

**Ordinance – Provide Public Transportation in Ogle County (#07-0619A)**

Chairman Rice states there has been a committee regarding Public Transportation in Ogle County and Lee County for a number of years. Just recently the State of Illinois has announced money will be available after July 1, 2007. Chairman Rice is going to ask the board to suspend the rules and vote on the Ordinance this evening. This Ordinance needs to be submitted to the State before July 1<sup>st</sup>. Scholl moves to suspend the rules according to Rule #25 of the Ogle County Board's Rules of Order, Nye seconds and a roll call vote is called:

**YES:** Kenney, Kilker, Messer, Nye, Scholl, Stahl, Swanson, White, Williams, Barnes, Bauer, Boes, Bowers, Brooks, Colbert, Colson, Diehl, Gouker, Gronewold, Heuer, Hopkins, Horner and Rice

**NO:** None

**ABSENT:** Huntley

The motion to suspend the rules carries on a roll call vote.

Barnes moves to adopt Ordinance #07-0619A to provide Public Transportation in Ogle County, Nye seconds. White has a question regarding the statement of matching funds which is located in the Joint Resolution. Karen Copeland of the Rock River Center, Inc states there are no cash match funds required from Ogle County for this grant. Kilker asks about the information in Sections 4 and 5 giving the Lee County Board Chairman authorization to execute documents on behalf of Lee and Ogle County. Kilker asks if there is a council or committee where Ogle County will have some sort of representation? Copeland states the Transportation Group which Chairman Rice referred to earlier have been meeting for sometime and has been publicized by the media. Copeland also states the State of Illinois is establishing Regional Offices throughout the State who will be responsible in the rural areas for the oversight and to work with the representatives. Kilker asks for clarification on the Joint Resolution verbiage "...for the purpose of off-setting a portion of the Public Transportation program operating deficits of Lee County, Illinois." Copeland states Lee County will become the applicant and showing their deficits and the costs of the programs. Chairman Rice states Lee County has taken the lead since their program has been established, they have the experience in grant writing and have connections in Springfield. Kilker states she is concerned about when more money is needed or there is a deficit, where will the money come from? Copeland says to the best of her knowledge a similar service operates in Lee County and they have never had to approach the Lee County Board for operating funds. Chairman Rice states the primary purpose is to provide transportation to doctor appointments, shopping, employment and hospitals. Gouker asks if this program is only for Senior Citizens? Copeland states this is transportation for the public of all ages. Gouker doesn't really know what the purpose of government is, other than he doesn't think it includes public transportation. A roll call vote is needed:

**YES:** Kenney, Messer, Nye, Scholl, Stahl, Swanson, White, Williams, Barnes, Boes, Bowers, Brooks, Colbert, Colson, Diehl, Gronewold, Heuer, Hopkins, Horner and Rice

**NO:** Kilker, Bauer and Gouker

**ABSENT:** Huntley

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

**Resolution – Joint Resolution for the provision of Public Transportation between Lee and Ogle Counties**

The Chairman and the clerk present the Joint Resolution for the provision of Public Transportation between Lee and Ogle Counties. Boes moves to approve the resolution as presented, Nye seconds and the motion carries on a voice vote.(Placed on file)

**Resolution – Amending the Ogle County Personnel, Policies and Benefit Manual**

Kenney states this is a housekeeping issue and to keep parity regarding language for the non-bargaining unit employees. The changes are listed as follows:

3. ***Vacation Time*** – *Effective December 1, 2007.* Vacation time with pay shall be granted for full time employees according to the following schedule:

Years 1 and 2 - 1 week  
Years 3 through 7 - 2 weeks  
Years 8 through 11 - 3 weeks  
*Years 12 through 15 – 4 weeks*  
*Year 16 - 4 weeks, plus 1 day*  
*Year 17- 4 weeks, plus 2 days*  
*Year 18 - 4 weeks, plus 3 days*  
*Year 19 – 4 weeks, plus 4 days*  
Years 20 and beyond - 5 weeks

4. ***Sick Leave*** - Sick leave may be used, when it has accrued, if the employee misses work for personal illness, health care appointments or treatments, to care for members of his/her immediate family during illness or for health care appointments for family members.

Sick leave accrues at 3/4 day per pay month. *Effective December 1, 2007, Sick leave accrues at one (1) day per pay month.* An employee may use sick leave as it is accumulated even during the probationary period of employment.

6. ***Personal Days*** – *Effective 1, 2007, Employees shall be provided three (3) personal days each calendar year. The Department Head shall grant requests by employees to use personal days except when to do so would conflict with the Employer's operational need. Unused personal days may not be carried over from year to year. Use of personal days does not reduce accumulated sick leave hours.*

Kenney makes the motion to approve the Resolution and amend the Ogle County Personnel, Policies and Benefit Manual. Boes seconds and the motion carries on a voice vote.(Placed on file)

#### **Resolution – Consent to Change of Control – Cable Franchise**

Chairman Rice presents the Resolution regarding the Consent to Change of Control for the Cable Franchise from Comcast to Insight. Scholl moves to approve the resolution, Gouker seconds. Horner asks where Insight provides service in Ogle County. It was stated they provide service in the Cities of Oregon and Byron. Heuer asks why the county needs to approve the resolution. States Attorney Roe states the county holds the franchise agreement with Comcast and according to the FCC Law if there is a merge we need to consent to the merger. The motion carries on a voice vote.(Placed on file)

#### **Resignation – Ogle County Housing Authority**

Chairman Rice announces the letter of resignation from Amy Vaupel-Simmons on the Ogle County Housing Authority effective May 12, 2007. Bowers moves to approve the resignation, Nye seconds and the motion carries on a voice vote.(Placed on file)

#### **Vacancies -**

Chairman Rice announces the vacancy for the Ogle County Housing Authority

Application deadline for this vacancy will be  
Friday, August 3, 2007, at 4:30 p.m. in the County Clerk's Office

#### **Appointments -**

##### Zoning Board of Appeals (regular member)

Chairman Rice states Randall C. Anderson of Chana has been recommended for appointment to the Zoning Board of Appeals as a Regular Member and the unexpired term ends April 30, 2009. Swanson moves to approve the appointment, Kilker seconds and the motion carries on a voice vote.(Placed on file)

##### Civic Center Authority Board

Chairman Rice states Laurie A. Pillen of Rochelle has been recommended for appointment to the Civic Center Authority Board for term which ends May 31, 2012. Nye moves to approve the appointment, Bauer seconds and the motion carries on a voice vote.(Placed on file)

##### Byron Museum District

Chairman Rice states Kimberly S. Boyden of Byron has been recommended for appointment to the Byron Museum District for a term which ends June 30, 2012. Bowers moves to approve the appointment, Horner seconds and the motion carries on a voice vote.(Placed on file)

**Zoning – #7-07 AMENDMENT – Norman & Katie Beeh**

Chairman Rice and Clerk Huntley present the petition of Norman & Katie Beeh, 628 S. 6th St., St. Charles, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to IA Intermediate Agricultural District on property described as follows and owned by the petitioners:

Part of the N1/2 SW 1/4 Section 12 Oregon-Nashua Township 23N, R10E of the 4th P.M., Ogle County, IL, 30.605 acres, more or less  
Property Identification Number: Part of 16-12-300-009  
Common Location: 1600 Block of Blackhawk Rd.

Hopkins moves to concur with the Zoning Board of Appeals and approve #7-07 Amendment for Norman & Katie Beeh. Kilker seconds and the motion carries on a voice vote.(Placed on file)

**Zoning – #1-07 SPECIAL USE – Nitram Properties, Inc.**

Chairman Rice and Clerk Huntley present the petition of Nitram Properties, Inc., Gerald Martin & Wesley Martin, 2456 E. Pleasant Grove Rd., Oregon, IL for a Special Use permit to allow an Asphalt Drum Mix Plant in AG-1 Agricultural District on property described as follows and owned by the petitioners:

Part of the NW1/4 NE1/4 Section 32 Rockvale Township 24N, R10E of the 4th P.M., Ogle County, IL, 20.0 acres, more or less  
Property Identification Number: Part of 09-32-200-013  
Common Location: 1816 N. Limekiln Rd.

Hopkins moves to concur with the Zoning Board of Appeals and approve #107 Special Use for Nitram Properties, Inc with these ten conditions:

1. All proposals and representations made by the applicant and/or his/her representative shall be conditions of this Special Use Permit.
2. Secondary containment of all fuel and liquid asphalt storage shall be provided in accordance with any and all applicable local, State and/or Federal requirements.
3. Prior to establishment of the asphalt drum mix plant, the Oregon Fire Protection District shall be contacted to prepare an emergency response plan. Proof of such plan shall be submitted to the Planning & Zoning Department.
4. Petitioner, its successor and/or assigns, prior to the establishment of the asphalt drum mix plant, shall increase the site distance on Limekiln Road to an adequate level as determined by the Ogle County Highway Department.
5. Petitioner, its successor and/or assigns, prior to the establishment of the asphalt drum mix plant, shall submit to the Ogle County Highway Department (County Engineer) and have approved prior to the establishment of the asphalt drum mix plant, a storm water management plan. Said storm water management plan shall included provisions for “best management practices”.
6. The proposed asphalt drum mix plant shall not be replaced with a different asphalt manufacturing plant without first receiving a Supplementary Special Use Permit from the County of Ogle. The application for said Supplementary Special Use Permit, if necessary, shall be filed with the Planning & Zoning Administrator upon such form(s) and accompanied by such information as shall be required by the Planning & Zoning Administrator and the Zoning Board of Appeals. The Planning & Zoning Administrator shall process such application in the manner prescribed for new “Special Use Permit” petitions pursuant to the *Ogle County Amendatory Zoning Ordinance*.
7. Petitioner, its successor and/or assigns, prior to the establishment of the asphalt drum mix plant, shall construct an acceleration lane from the property entrance southbound towards IL Route 64. Plans and specifications for said acceleration lane shall be approved by the Ogle County Highway Department prior to construction.
8. Hours of operation of the asphalt drum mix plant shall be restricted to between the hours of 6:00 A.M. to 5:00 P.M., Monday through Friday. The asphalt batch mix plant shall not operate on Saturday or Sunday with the exception of five (5) Saturdays per calendar year, with hours of operation restricted to between the hours 6:00A.M. to 2:00P.M. The Ogle County Planning & Zoning Department shall be advised by the Petitioner, its successor and/or assigns when the asphalt drum ix plant operates on a Saturday.
9. The entrance to the existing quarry and proposed asphalt drum; mix plant shall be paved with asphalt from Limekiln Road 200 feet into the site.

10. An existing berm that is proposed to be re-located within the site shall be landscaped with two staggered rows of evergreen trees, planted on 20-foot centers, with a minimum height of 6 feet at the time of planting, along the top of the berm. The berm shall be a minimum of eight (8) feet in height with a top width of ten (10) feet, and seeded slopes with a ratio not to exceed 3:1 on each side.

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

### **Zoning – Final Plat – Nicole-Clay Subdivision**

Chairman Rice and Clerk Huntley present the Final Plat of Nicole-Cay Subdivision - Section 29, Byron Township Owner & Developer: Deblin, Inc., 877 Sylvan Glen Lane, Byron, IL 61010 Authorized Agent & Surveyor: Survey-Tech, P.O. Box 634, Rochelle, IL 61068. Hopkins moves to approve the Nicole-Cay Subdivision, Messer seconds and the motion carries on a voice vote.(Placed on file)

### **Road & Bridge – Steward Road Overpass Agreement with the City of Rochelle**

Williams moves to approve the Intergovernmental Agreement with the City of Rochelle for the Steward Road overpass. Those portions of the project not covered by outside funding sources will be shared equally by the City of Rochelle and Ogle County. Rochelle City Council approved the agreement on June 11, 2007. Diehl seconds the motion. Chairman Rice states this overpass will go over 4 sets of railroad tracks. Gronewold speaks about a procedure issue which he had seen in a press release stating the agreement had already been entered into by the City of Oregon and Ogle County. Then the agreement comes before the board after the fact for approval. Gronewold states his concern is if this happens in the future regarding a controversial issue and doesn't get board approval – this could put everyone in a very awkward position. There were comments regarding this was a misprint. Colson states he is the Ogle County Representative for Blackhawk Hills RC&D and Economic Development District and the group has formed a Prioritizing Committee which he is serving on. This committee has deemed the Steward Road Overpass as the first priority and will receive all the support the group can put behind it. The motion carries on a voice vote.(Placed on file)

### **Claims**

Clerk Huntley states with the board consent the claims will not be read individually we will read the totals of the reports. The clerk reads the claim totals:

Payments in Vacation – May 2007 \$94,105.62  
County Board Payments – June 2007 - \$91,262.52  
County Highway Fund – June 2007 - \$28,174.98

Messer moves to approve the claims as read, Bowers seconds and the motion carries on a voice vote. Clerk Huntley states the board members have the reports for review and we will no longer read out each department total.(Placed on file)

## **COMMITTEE REPORTS**

The following committees had no additional report other than the minutes that are placed on an exhibit: *911 ETS Board, Finance & Insurance, G.I.S. Committee, Judiciary & Circuit Clerk/Juvenile & Probation, Juvenile Justice Council, Planning Commission, Planning & Zoning/Supervisor of Assessments, Road & Bridge, and Safety Committee.* The following had no minutes to file: *Blackhawk Hills RC&D, Board of Health, Byron Dragway, Ill Assoc of Co Bd Members, Juvenile Justice Council, Liquor Commission, Mental Health Board and UCCI/ICRMT.*

### **Executive Committee**

Minutes placed on exhibit

### Tax Abatement

Chairman Rice asks Jason Anderson of GREDCO to address the board. Anderson discusses the changes made to the Tax Abatement Policies and Procedures from 1986 to 2005. Anderson reviews the criteria for businesses who want to come to Rochelle. Anderson states project Special K is a business which will be a 575,000 square foot distribution center. This site will be on 100 acres of land with 1,200 parking spots for trucks and trailers and located in the DP Logistics Center Industrial Park. They are looking to employ 200 full time employees and 100 seasonal employees. They would like to begin construction

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later this year. Anderson makes a presentation to the board on other businesses in the area. Kilker asks Anderson of the status on the other 3 Tax Abatements passed by the County Board a couple of months ago. Anderson states Project Andrea – the company has proposed a purchase of sale agreement on 25 acres. Project Dean – is a planned expansion project and the Executive Board of Directors will make a decision on June 28 as whether to go ahead. Project Sebastian – they are going forward and currently breaking ground and Anderson is awaiting one final resolution to make the announcement on this project. Gouker thanks Anderson for attending the meeting tonight to explain the Tax Abatement. Gouker asks Anderson if there is a way to present these abatements one month prior to approval so the board can review the information. Anderson states businesses do not always give advance notice. Gouker moves to approve the Tax Abatement for Project Special K as presented, Nye seconds and the motion carries on a voice vote.(Placed on file)

Jason Anderson Thanks the County Board for their cooperation over the past 20 years on behalf of GREDCO.

**H.E.W. & Solid Waste**

Minutes placed on exhibit

IEPA Enforcement Grant

Kilker moves to approve the Solid Waste Enforcement Grant with the IEPA in an amount up to \$56,309.74 for FY2008 and to authorize Solid Waste Director Steve Rypkema to sign all grant related documents. Bauer seconds and the motion carries on a voice vote.

**Land Use Task Force**

Minutes placed on exhibit

Update

Hopkins informs the board of three Public Meetings to be held in Ogle County at the following locations:

July 18 – Farm Bureau – Oregon at 7:30 p.m.  
July 23 – Buffalo Twp Hall – Polo at 7:30 p.m.  
July 25 – Village Hall – Davis Junction at 7:30 p.m.

**Long Range Planning –  
Courthouse Renovation**

Minutes placed on exhibit

Update

Stahl states they had interviews with the firms of Holabird & Root and PotterLawson. The process went well and the committee unanimously elected to go with Holabird & Root. Stahl makes the motion to begin contract negotiations with Holabird & Root and Hopkins seconds. Colson comments on the committee selection of Holabird & Root. The motion carries on a voice vote.

**Sheriff & Coroner /  
Buildings & Grounds /  
IT Committee**

Minutes placed on exhibit

June 2007 bills

Scholl presents the June 2007 Long Range Planning Capital Improvement Fund bills for payment in the amount of \$50,802.09. Scholl states the bill for the Coroner Ventilation System Engineering costs was \$2,502.09 and the demolition of the S. Sixth St properties was \$48,300.00 Scholl makes the motion to approve the June 2007 bills as discussed, Barnes seconds and the motion carries on a voice vote.

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### Lease Agreement

Mielke informs the board there is an opportunity to obtain a 20 year Lease Agreement with the Tollway for approximately 143 miles of fiber. There is a down payment of \$100,000 by July 1, 2007 with the remaining balance due of \$191,000 due January 1, 2008. Boes asks who will have access to this fiber? Mielke says once the fiber is secure and there is a lease – the NITT Commission will be marketing access to the fiber. The businesses would have to sign on for a fee to have access to the fiber. The purpose of the fiber will be for commercial use. Boes asks if taxpayer money will be used to fund this project? Jason Anderson of GREDCO states this project was a big attraction to the people of Project Andrea. Mielke states the money used will be from Long Range Funds which comes from host fees and not tax dollars. Discussion ensues on various aspects of the project. Mielke is asking for authorization to enter into the Tollway Fiber Project Participation Agreement in the amount of \$50,000 and authorization in the business plan development at a cost of an additional \$3,000. Kenney moves to approve the authorization to enter into the Tollway Fiber Project Participation Agreement in the amount of \$50,000 and authorization in the business plan development at a cost of an additional \$3,000. Nye seconds and the motion carries on a voice vote.

### Digital Bridge (E-Warrant)

Sheriff Beitel updates and explains the usage of the E-Warrant System in Ogle County. Sheriff Beitel says Ogle County will be a test site to convince the Illinois Supreme Court to accept an electronic signature. There was discussion regarding funds. It was noted that funds for this are not required until December 1, 2007. Stahl moves to approve to enter into the Digital Warrants Agreement, Barnes seconds and the motion carries on a voice vote.

### City of Oregon Tower Lease Agreement

Sheriff Beitel gives a brief overview of the previous lease agreement with the City of Oregon and the Ogle County Sheriff's Department. The negotiations with the City of Oregon regarding the new lease, involves the City of Oregon requesting to be included in the new computer system in the Sheriff's Office and have access to the county database. Sheriff Beitel states with the technology today, we should all be sharing this information. In order for the Oregon Police Department to have access to the database information, there are some one-time license fees per users for their workstations and for the computers in the squad cars. There could also be additional costs for the connections to make this work at their police department. The county had agreed to bear the expenses for five workstations and four mobile computers at a cost of \$18,000. There has not been a cost determined for the connection fee at this time. Colson moves to approve the lease agreement with the City of Oregon, Brooks seconds. Gronewold asks what is the total of the 10 year cost? Sheriff Beitel states the licenses is a total of \$18,000 and we do not know the connection fee at this time. Since there are some unknown costs at this time, Hopkins moves to table this issue until next month and Barnes seconds. The motion carries on a voice vote.

### **Natural Gas Contract**

Chairman Rice asks for a motion to allow the Sheriff and County Administrator to negotiate a Natural Gas Contract on behalf of the county. Scholl moves to approve, Bowers seconds and the motion carries on a voice vote.

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### **Chairman's Comments**

Chairman Rice congratulates County Board Member Marcia Heuer on the completion of a certified County Board Management Program.

Chairman Rice states he was interviewed by the Byron Tempo Newspaper and it was in the paper last Thursday. He was also interviewed by the Rockford Register Star today and this article will appear in the Business section of their newspaper tomorrow.

Chairman Rice informs the board there has been discussion with other County Board Chairmen regarding the possibility of sharing a new morgue. This is in the very beginning stages and the Board will be brought up to date on any changes. Chairman Rice states the discussion has been between Ogle, Lee and Carroll Counties.

### **Administrator Comments**

Mielke informs the board of GREDCO appointing him as an AdHoc member to their board. He will be attending their monthly meetings.

Mielke states he will be out of the office all next week and will return to the office on July 2<sup>nd</sup>.

Chairman Rice informs the board of the Nuclear Exercise to be done tomorrow and a helicopter will be in the area of the nuclear plant. This is not to alarm the public it is only an observation helicopter.

Chairman Rice congratulates Ogle County Life Editor Tonja Greenfield, she has accepted a job in Arizona. We thank her for doing a good job all these years and wish her well with her new promotion. Chairman Rice asks Tonja to introduce her predecessor and Tonja introduces Jennifer Simmons to the board members.

### **Communications**

- Sales Tax for March 2006 was \$33,115.52 and \$70,427.66
- Sales Tax for March 2007 was \$32,613.67 and \$67,736.07

### **Unfinished Business –**

#### **New Business –**

#### **Closed Session per Statute 5 ILCS/120/2/(c)(11) –**

At 7:25 p.m., Chairman Rice states we will be going into Closed Session to discuss Rate Objections to 2005 Ogle County Tax Levies. White moves to go into Closed Session, Stahl seconds and a roll call vote is taken:

**YES:** Kilker, Nye, Scholl, Stahl, Swanson, White, Williams, Barnes, Bauer, Boes, Bowers, Brooks, Colbert, Colson, Diehl, Gouker, Gronewold, Heuer, Hopkins, Horner, Kenney and Rice  
**NO:** None  
**ABSENT:** Messer and Huntley

The motion to go into Closed Session carries on a roll call vote.

#### **Return to Open Session**

At 7:45 p.m., the board returns to Open Session.

#### **Public Comment**

#### **Motion to Adjourn**

At, 7:45 p.m., Nye makes the motion to adjourn the June Ogle County Board meeting until Tuesday, July 17, 2007 at 5:30 p.m., 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

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