

Proceedings of the Ogle County Board Meeting
June 16, 2009

State of Illinois)
County of Ogle) ss

Call to Order

Chairman Rice calls the Ogle County Board Meeting to order at 5:30 p.m.

Roll Call

The roll call shows Bauer and Bowers absent. The Invocation is given by Diehl and followed with the Pledge of Allegiance. (Bowers enters at 5:31 p.m. and Bauer enters at 5:42 p.m.)

Approval of Minutes

Chairman Rice asks for a motion to approve the May 19, 2009 Ogle County Board Meeting minutes. Saunders moves to approve, Kenney seconds and the motion carries.

Approval of Reports

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

Presentation – None

Resignation –

Chairman Rice announces the resignation of Martin Portner of the Lost Nation/New Landing RCD – Resolution 2009-0601. Messer makes the motion to approve Resolution 2009-0601 as presented, Bowers seconds and the motion carries on a voice vote.(Placed on file)

Vacancies –

- Board of Health – 2 unexpired term ends 11/30/2012
- Board of Health – 1 unexpired term ends 11/30/2011 - applicant required to be a Dentist
- Mental Health “708” Board – unexpired term ends 12/31/2012
- Ogle County Civic Center Authority Board – 1 unexpired term ends 05/31/2011
- Lost Nation/New Landing RCD – 1 unexpired term ends 04/30/2011

Application deadline for these vacancies will be
Friday, July 3, 2009 at 4:30 p.m. in the County Clerk’s Office

Appointment –9-1-1 ETSB – R-2009-0602

Chairman Rice presents Resolution 2009-0602 with the recommendation to appoint Edward R. O’Brien to the 9-1-1 ETSB for a term which ends June 30, 2012. Kilker moves to approve R-2009-0602, Barnes seconds and the motion carries on a voice vote.(Placed on file)

Appointment – Byron Museum District – R-2009-0603

Chairman Rice presents Resolution 2009-0603 with the recommendation to re-appoint Ronald R. Beem to the Byron Museum District for a term which ends June 30, 2014. Janes moves to approve R-2009-0603, DeArvil seconds and the motion carries on a voice vote.(Placed on file)

Zoning – None

Public Comment –

- Circuit Clerk Typer announces the Circuit Clerk’s Annual Report has been distributed to all board members. If anyone has any questions please contact him.
- Horner states his daughter lives in a sub-division which has gone bankrupt and they are having problems with the green space and other lots which are not being maintained. His daughter has talked to the Zoning Department and was told there was no place for her to go. Horner states the County does not have a Weed Commissioner and they cannot form an Association until 3/4 of the lots are sold. He would like to know if there is someone else in the County she can go to for help. Hopkins said he is willing to talk to the Zoning Department to see if there is any recourse. There was discussion regarding this situation

since the County does not have a Weed Commissioner or any procedures for this type of problem.

- Barnes would like for the committee minutes to reference the others in attendance of the Committee Meetings. McKinley said it was noted and she would have this information listed on the minutes starting next month.

Road & Bridge – Steward Rd Construction – 05-00233-00-BR – R-2009-0604

Huntley moves to approve Resolution 2009-0604 for the Steward Road Construction Stakeout contract with Willett, Hoffman & Associates and the hourly fee with an estimated cost of \$76,572. Messer seconds and the motion carries on a voice vote.(Placed on file)

Road & Bridge – Eagle Point Rd – 09-00267-00-DR – R-2009-0605

Huntley moves to approve Resolution 2009-0605 for Eagle Point Road Hydraulic Study with Willett, Hofmann & Associates preparing for the replacement of a structure on Eagle Point Road and the hourly fee not to exceed \$21,517.90; Diehl seconds. Hopkins asks where this project is located. McKinley states it is around the Lyle Reap property which is located by her house. Huntley says this is a study to look at the situation. The motion carries on a voice vote.(Placed on file)

Ogle County Claims – Clerk reads the claims:

- Payments in Vacation – May 2009 - \$105,132.14
- County Board Payments - June 2009 – \$187,823.40
- County Highway Fund – \$90,038.98

Bowers moves to approve the claims as presented, Huntley seconds and the motion carries on a voice vote.(Placed on file)

COMMITTEE REPORTS

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

The following committees had no minutes to file: 911 ETS Board, Board of Health, GIS Committee, Ill Assoc of Co Bd Members, LRP –Emergency Operations Center, Mental Health Board, Regional Planning Commission, Safety Committee and UCCI/ICRMT.

Finance Committee Minutes placed on exhibit

Comments Hopkins states the Finance Committee Meeting in July has been changed to July 14, 2009 at 1:00 p.m. at the Sheriff’s Training Room.

Hopkins states the committee is looking at the income and real estate taxes being collected. Hopkins asks the department heads to keep a look at their expenses and keep costs down.

Gouker would like to receive the Treasurer’s Monthly Financial Report in their board packets. County Clerk Huntley states with the Chairman’s wishes we can include this information in the packets. Chairman Rice directs the County Clerk to include the report in the County Board Packets.

Sheriff & Coroner Minutes placed on exhibit

Resolution 2009-0606 Sheriff Beitel presents Resolution 2009-0606 regarding a Pursuit of the Preparation of an All Hazard Mitigation Plan. This is a requirement the State of Illinois is imposing on all County Governments in the state. Horner moves to approve Resolution 2009-0606 as presented. Colbert seconds and the motion carries on a voice vote.(Placed on file)

July Committee Meeting

Horner states the July 15th Committee meeting will be held at Weld Park at 8:00 a.m.

Jail Roof

Williams asks about the Jail Roof Addition and the problems with the leaking. Chairman Rice says the Sheriff is looking into the warranty on the roof and will be looking into bids if there is no warranty.

Jail Inspection Report

Kilker asks if she can receive a copy of this report. County Clerk Huntley will have this report e-mailed to the board members in the morning.

Juvenile & Probation

Minutes placed on exhibit

United Way Campaign

Greg Martin states the employee contribution to the United Way Campaign has surpassed the goal for the year. Martin thanks the employees for their contributions.

**Long Range Planning
Courthouse Renovation**

Minutes placed on exhibit

Update

Stahl informs the board of the documents which were included in the County Board Packets:

1. Scope of Work Summary
2. Bid review Summary
3. Reference Summary
4. EVS Qualification Summary
5. RJC Qualification Summary
6. Project Cost Summary
7. Procurement Code

Stahl says the Committee had solicited bids to repaint the cannons located on the East side of the Courthouse. However, after much discussion it was decided to see if this could be accomplished as an Eagle Scout Project.

Resolution 2009-0607

Stahl presents Resolution 2009-0607 authorizing \$112,881.06 to be paid out of the Long Range Planning Fund as follows:

SUPPLIER NAME	DESCRIPTION	AMOUNT
Old Limestone, LLC	Watts Bldg. - July Rent	\$ 5,800.00
Holabird & Root, LLC	Professional Svcs & Expenses for 4/01/09 to 4/30/09	\$ 20,597.50
Marv Miller - Ted Gesin	Complete Demolition of Courthouse	\$ 21,250.00
Federal Express	Overnight Check to: Henricksen & Company Inc.	\$ 16.15
Ogle County Collector	2008 R.E. Tax for 911 Center 920 Technology Pkwy	\$ 55.42
Holian Asbestos Removal	Asbestos Removal - Courthouse	\$ 7,615.00
AR Remediation Corporation	Lead Based Paint Mitigation-Courthouse	\$ 56,027.00
Fishers, Inc.	Public Access workstation Assessment Office	\$ 269.99
Area Tree Service	Topped (4) trees for satellite - Watts Bldg.	\$ 1,250.00
	TOTAL:	\$ 112,881.06

Bowers seconds. Williams has questions regarding the following items:

1. Holabird & Root: Are we close to finalizing their contract?
Chairman Rice states if we get something settled tonight, yes we are.
2. Demolition: The bill to Marv Miller – Ted Gesin in the amount of \$21,250.00 for demolition of the Courthouse; what was this for? Chairman Rice states this was to prepare the building for removal of lead paint. Williams asks how did we chose this supplier and did we publicly advertise for bids? Sheriff Beitel says they solicited bids from local contractors.
3. AR Remediation: The original bid was \$27,000.00 and the bill was \$56,000.00; what happened? The bid was based on the information given as to where the lead paint was located behind studs and walls. Once the demolition was done there was more lead paint discovered and the mediation needed to be done. Williams asks what happened to the study which was done regarding lead paint in the courthouse. Saunders explains they used Styrofoam as insulation during the '80's renovation. Once this was removed it was discovered the lead paint was flaking and this needed to be mediated properly. Sheriff Beitel states the lead paint assessment was done in 2005; the bid was based on AR consulting with architect drawings and the 2005 assessment. During the demolition it was discovered on a whole wall on the 2nd floor the entire face of the wall had flaking paint. This was not anticipated. Sheriff Beitel again stressed the same information as above with the Styrofoam which was used during the '80's remodel. There was discussion regarding walls being removed during demolition and exposing lead paint. Sheriff Beitel states sometimes when you take a building apart, you find surprises behind a wall. No one knew about the conditions of the walls once the surfaces were exposed. Chairman Rice states the whole thing was very frustrating. Williams is concerned about the change order process. Chairman Rice states this was outside of the architect scope of work; they had nothing to do with the lead paint mediation or asbestos removal. This is the responsibility of the county and we have to watch it. The timeline for AR to work on the courthouse had to be done before May 31st. Once the lead paint is disturbed, it has to be mediated properly. White comments on the need of a Project Engineer for this project. He knows there is nothing in the budget, but we may want to have someone to protect the county's interest. Chairman Rice states usually the architect will have someone on site every two weeks to review the information with the general contractor. The county has asked for someone to be onsite once a week during the early stages. They would then report to the committee which has been assigned and committee members will be Chairman Rice, Hopkins and Gronewold. White says he is disappointed with the performance of Holabird & Root. Boes asks who will inspect the project on a daily basis to catch any problems. Chairman Rice states there has to be a certain amount of trust with the general contractor and the people. Chairman Rice states we could add an additional expense for a Construction Manager to do this for the county, that's why we hired a General Contractor.

A roll call vote is called:

YES: Nye, Saunders, Stahl, Bauer, Bowers, Colbert, Diehl, Gronewold, Hopkins, Horner, Huntley, Kenney, Messer and Rice

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

ABSENT: None

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

Resolution 2009-0609

DeArvil makes the motion to approve Resolution 2009-0609 to hire Ringland-Johnson for the Courthouse Renovation Project, Barnes seconds. Williams asks about the increase of \$400,000 in the contingency line item. Williams wants a Resolution which would contain the entire budget for this project to be passed by the County Board. There was a discrepancy in the project cost summary from

last month of \$7,416,607.00 and the one presented this month of \$7,858,278.00. Williams wants to amend the resolution to include the estimated budget of \$7,416,607.00 and the scope of work summary to also be included in this resolution. There was discussion regarding the intent of the “Alternates” listed on the bids and the decision to choose these options. Administrator McKinley asks Dennis Vovos to explain the figures which were presented in his spreadsheet. Some of these figures are educated guesses, some are allowances, some are based on bid figures, some of these figures are based on money already spent and some figures are based on previous experiences. Vovos also states an example of using the contingency money will be used for the Mural and Wall of Honor which was found late in the game. After further investigation, Vovos says there was an error in the calculation on the contingency line item. After further discussion, Williams withdraws his amended motion. The discussion lead to a separate resolution which will be presented to include the estimated project cost and scope of work summary. County Clerk Huntley asks for clarification regarding the lowest bid from EVS and the estimate project cost. Vovos states the \$7.4 million figure is based on the lowest bidder. Saunders was wondering why the motion was made to accept this bidder. DeArvil states he made his decision to select Ringland-Johnson because he feels they are financially stable and more qualified with historic buildings. Barnes states that is why he made the second. White wants clarification of accepting the alternates listed in the bid. Chairman Rice states the alternates are part of the resolution, however, whether we spend the money or not is still to be determined. Hopkins states we do have the option to reject the alternates. Saunders asks if there is a possibility to have EVS sub-contract the demolition work to Ringland-Johnson. Vovos states he and County Administrator McKinley have done extensive research of both contractors since the bids were so close. EVS is the low bidder, have met all the requirements in the specifications, they have very strong references for their company and superintendent and they are a smaller company than Ringland-Johnson. EVS does have renovation experience; whereas Ringland-Johnson has more historic restoration experience. Vovos states this project is more renovation than restoration. The representatives from EVS state they will be handling the demolition themselves. Saunders states EVS has agreed to hire a Structural Engineer at no additional cost. Vovos states as part of the bid each contractor is responsible for the structural integrity of the building while it is under construction. Ringland-Johnson would also have a Professional Engineer look at their work related to the temporary shoring and staging during construction. Gouker refers to the cash flow for each company as listed on the spreadsheet. Vovos explains the bonding process for each company.

A roll call vote is called:

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

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

Williams makes the motion to adopt a Resolution which would include the estimated project budget of \$7,500,000.00 and list as an attachment the Scope of Work Summary which references Alternates 1, 2, 3 and 5. Barnes seconds. A roll call vote is called:

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

NO: None

ABSENT: None

The motion carries on a roll call vote.(To be drafted by County Clerk's Office)

Chairman Comments -

Vicki Broos of the University Of Illinois Extension Of Ogle County presents Lynne Kilker with her Level 1 Certified County Official Certification.

Administrator Comments –

McKinley has distributed a Budget Timeline for the 2010 Budget to the board members. She has had preliminary budget discussions with Department Heads. McKinley says the Department Heads are working hard to project the revenue and expenses for 2010. McKinley outlines the process and timeline of the budget preparation.

McKinley is very impressed with the Department heads for the monitoring of their budget and the communication involved. They are very professional and creative with their problem solving and are a great team to work with. McKinley says Thank You to all Department Heads for doing a great job.

Unfinished Business – None

New Business –

- Ron Colson presents Resolution 2009-0610 to County Board regarding the Support of Small Business Development Centers. These Centers are working to make the transition from grant supported offices to self-sustaining offices. Colson states they are asking all Counties involved to make a contribution of \$1,000.00. Bauer asks if other Counties have approved this resolution. Colson make the motion to approve Resolution 2009-0610 and allocate the \$1,000.00 from the Finance Committee's Contingency Fund. Bowers seconds. Kenney asks if this Resolution could lay over until next month. There was discussion regarding the number of people these offices have helped from Ogle County. Heuer states the Executive Director could provide information to the Finance Committee. Colson will obtain this information to be presented to the Finance Committee at the July Committee Meeting.
- Chairman Rice Welcomes and Congratulates Angie and Jason Bauer on the arrival of their new daughter who is here this evening. They are also congratulated on their 8th Anniversary which they are celebrating today.

Communications –

- Sales Tax for March 2009 was \$25,162.70 and \$57,204.48
- Sales Tax for March 2008 was \$34,929.95 and \$73,229.56

Motion to Adjourn

At 7:05 p.m., Bowers makes the motion to adjourn the June Ogle County Board meeting until Tuesday, July 21, 2009 at 5:30 p.m. at Ogle County Farm Bureau Building in Oregon. Nye 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

Ogle County Board Meeting

June 16, 2009

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Proceedings of the Ogle County Board Special Meeting
June 29, 2009

State of Illinois)
County of Ogle) ss

Call to Order

Chairman Rice calls the Ogle County Board Special Meeting to order at 5:35 p.m.

Roll Call

The roll call shows Boes, Bowers, Colbert*, Hopkins*, Kenney, Messer and Stahl are absent. The Pledge of Allegiance is recited. (Colbert enters at 5:40 p.m. and Hopkins enters at 5:42 p.m.)

Closed Session

At 5:40 p.m., Chairman Rice states we will go into Closed Session to discuss legal matters regarding EVS litigation filed June 22, 2009 against the Ogle County Board (5 ILCS 120/2 (c) (11). Bauer moves to go into Closed Session and Heuer seconds. A roll call vote is taken:

YES: White, Williams, Barnes, Bauer, Colson, DeArvil, Diehl, Gouker, Gronewold, Heuer, Horner, Huntley, Janes, Kilker, Nye, Saunders, Rice and Colbert

NO: None

ABSENT: Boes, Bowers, Hopkins, Kenney, Messer and Stahl

The motion carries on a roll call vote.

Open Session

At 7:07 p.m., the County Board returned to Open Session. Bauer makes the following motion "The Ogle County Board hereby authorizes and directs the Ogle County Board Chairman and the State's Attorney to compromise and settle the lawsuit captioned EVS Construction, Inc. VS Ogle County Board, filed June 22, 2009. In so authorizing the County Board Chairman and the State's Attorney, the Ogle County Board admits no wrong doing." Hopkins seconds and a roll call vote is taken:

YES: Bauer, Colbert, Diehl, Gronewold, Hopkins, Horner, Huntley, Nye, Saunders, White and Rice

NO: Williams, Barnes, Colson, DeArvil, Gouker, Heuer, Janes and Kilker

ABSENT: Boes, Bowers, Kenney, Messer and Stahl

The motion carries on a voice vote.(Resolution 2009-0611 - Placed on file)

Motion to Adjourn

At 7:12 p.m., Heuer makes the motion to adjourn the Special Ogle County Board meeting. Nye 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

Ogle County Board Special Meeting

June 29, 2009

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